

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FOURTH PARLIAMENT
FIRST SESSION**

**11 April 2000
(extract from Book 5)**

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By authority of the Victorian Government Printer

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

Leader of the Parliamentary Liberal Party and Leader of the Opposition:

The Hon. D. V. NAPHTHINE

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:

The Hon. LOUISE ASHER

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Mr P. J. RYAN

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Leighton, Mr Michael Andrew	Preston	ALP			

¹ Resigned 3 November 1999

² Elected 11 December 1999

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Tuesday, 11 April 2000

The **SPEAKER** (Hon. Alex Andrianopoulos) took the chair at 2.04 p.m. and read the prayer.

DISTINGUISHED VISITORS

The **SPEAKER** — Order! The Chair welcomes to the gallery a delegation of members of Parliament from Tonga, Fiji, the Solomon Islands and the Cook Islands, who are here on a study tour as the guests of the Commonwealth Parliamentary Association.

Honourable Members — Hear, hear!

QUESTIONS WITHOUT NOTICE

Industrial relations: 36-hour week

Dr NAPHTHINE (Leader of the Opposition) — In view of Mr Dean Mighell's statement at the summit that a 36-hour week was off the industrial agenda and his comments today that a 36-hour week and possibly a 35-hour week are now back on the industrial agenda, I ask the Premier how the Victorian manufacturing industry can rely on anything that came out of the so-called government summit.

Mr BRACKS (Premier) — The key question to be asked is: where is the federal workplace relations minister, Peter Reith? At the summit the government achieved something the federal Liberal and National parties could not achieve — that is, a basis of cooperation — —

Honourable members interjecting.

The **SPEAKER** — Order! The house will come to order.

Mr BRACKS — I was very pleased with the cooperation shown at the summit and the preparedness of the industrial participants to work together.

Dr Napthine — You have backflipped on it!

Mr BRACKS — Sorry? You have another question?

The **SPEAKER** — Order! The Leader of the Opposition should cease interjecting, and the Premier should ignore interjections.

Mr BRACKS — I would not talk about backflips. On Workcover, it's yes, maybe and no — that's the position they take. They would not have a clue! Don't

talk about backflips — god help us! Sorry, I was wrong: it's yes, no and maybe — that's what it is!

Honourable members interjecting.

The **SPEAKER** — Order! The Premier will speak through the Chair.

Mr BRACKS — I was very pleased with the cooperation shown by participants at the summit, including their preparedness to get in and discuss issues at that level before getting into a bargaining period. I welcomed the comment that the 36-hour week was off the agenda. Government members will do everything they can to get a sensible and positive outcome that enhances the productivity of the Victorian manufacturing industry — as distinct from the hopeless federal industrial relations system that the opposition supports, which does not work and needs reform. I put this challenge — —

Ms Asher interjected.

Mr BRACKS — Sorry? I could not hear the question.

The **SPEAKER** — Order! The Premier should ignore interjections.

Mr BRACKS — If the government wants anything at all from the opposition, it wants it to talk sense to the federal workplace relations minister about the reforms Victoria needs to achieve a proper settlement of the dispute. That includes a strong conciliation and arbitration system and a government that works as an honest broker to settle the disputes. Instead of doing nothing, the opposition should talk sense to its federal counterpart.

Workcover: common-law rights

Mr MILDENHALL (Footscray) — My question is addressed to the Premier.

Honourable members interjecting.

The **SPEAKER** — Order! There is far too much interjection. I am having difficulty hearing the honourable member for Footscray.

Mr MILDENHALL — I refer the Premier to the government's commitment to restore the common-law rights of seriously injured workers. Will the Premier inform the house of the details of the government's decision to go forward and deliver on the promises.

Mr BRACKS (Premier) — It is a proud day for government members. Not long ago legislation was

brought in to restore the powers and rights of the Auditor-General; today the caucus adopted a bill — it will be introduced to the house on Thursday — to bring back common-law rights for seriously injured workers in Victoria. It is with enormous pride as the government moves through its mandate and the mandate — —

Honourable members interjecting.

Mr BRACKS — The mandate goes back further than the Mitcham by-election in which it was a key issue — along with the issue of the Auditor-General; to the 1999 general election in which it was a key plank of Labor Party policy; to the Frankston East by-election; and to the Burwood by-election. If the vacillators have their way and block the bill, no doubt it will go on to Benalla as well. The Labor Party will campaign there, and if the opposition wants to block the legislation, the government will campaign on the matter.

The Leader of the National Party supports the government on the matter. He knows and understands that the common-law rights should be restored. This morning the opposition leader could not work out what to do on the matter. He said he wants to wait and see the bill. Why did the Deputy Leader of the Opposition say she would oppose it instead of waiting for the bill? Why did the shadow Minister for Workcover, the honourable member for Box Hill, say he would oppose it instead of waiting to see the bill? It is disingenuous — either you have a position or you do not.

The government will retrospectively introduce legislation to restore common-law rights to seriously injured workers to the date the government came to office — that is, 20 October. The bill will introduce several changes. It meets the policy commitment the Labor Party went to the election on — —

Mr Cooper interjected.

Mr BRACKS — You're not going to be here very long! The honourable member for Mornington was part of a government which voted down the common-law rights of seriously injured workers!

Mr Cooper interjected.

Mr BRACKS — He said 'Absolutely'. He is crying crocodile tears! He said, 'What about the 5000 workers from 1997?' What about them? He does not care! It is his legislation that stopped this. It is an absolute disgrace. I do not know how he can sit there! Look at Tweedledum and Tweedledumber! They should go!

The SPEAKER — Order! The Premier should refrain from using those terms.

Mr Cooper — Hopeless incompetent! That's what you are.

The SPEAKER — Order! The honourable member for Mornington will cease interjecting.

Mr BRACKS — The commitments made today honour every election plank and commitment of the Labor Party. The government is restoring the common-law rights of seriously injured workers; and fully funding the scheme so that workers can have security and certainty — the scheme will be in a full-funding ratio. The government inherited a scheme that was only partially funded — it was less than 100 per cent funded. The new scheme will remain the second-lowest premium of any state in Australia and therefore be competitive. Half of the premium increase, from an average 1.9 per cent to 2.18 per cent, goes to the black hole — the legacy left by the previous government to fully fund the scheme in the future.

I am also pleased to announce that, although there is no retrospectivity before 20 October 1999, the government will take action to ensure proper support is given to the 5000 workers left hanging and unaccounted for by the previous Kennett government. In 1997 when the common-law rights were knocked off about 5000 workers were left with no access to common law up till 20 October.

The government will introduce a system where in some cases injured workers' payments will be converted by consent to lump sums. The system will assist and support injured workers not in a position to return to work; provide active case management to ensure a better return to work; and put significant effort into each case left by the previous government. In cases of negligence, Workcover will bring action under the Sentencing Act. The government will meet its mandate and commitments to have a fully funded scheme, to have competitive premiums and to restore common-law rights to seriously injured workers. I am proud to stand here as a Labor Premier and say, 'The government has restored rights in a financially responsible way that supports business and industry in Victoria. The challenge is to the vacillating opposition to say exactly where it stands on the issue.'

Snowy River

Mr RYAN (Leader of the National Party) — I ask the Premier: when a deadline for agreement was set by the government for 1 April, why has it failed to agree

with New South Wales on the amount of water to be made available to the Snowy River?

Mr BRACKS (Premier) — I welcome the question from the Leader of the National Party. I know of his interest in the matter and the interest of National Party members in water and water conservation and in ensuring a proper and sensible future arrangement which meets the needs of irrigators and environmentalists to have the Snowy River flowing again. That will be a magnificent legacy for this house and this Parliament!

The government has been actively and consistently negotiating with the New South Wales government on the matter. Negotiations have taken place between Minister Della Bosca from New South Wales and Minister Broad from Victoria, who have had regular meetings. I will answer this openly and frankly for the Leader of the National Party, because it is a sensible question.

Although the timetable has slipped there has been enormous progress on the New South Wales position. New South Wales has gone from a position where it would not have identified any water savings to be put back into the Snowy from Jindabyne Dam to a position where it will match and equal the Victorian government on any savings Victoria makes.

Dr Napthine — We are getting three to one.

Mr BRACKS — If you just settle down, I will tell you the full story. It is extraordinary — the Leader of the National Party wants the information and the Leader of the Opposition couldn't care less.

This goes to the very heart of the question from the Leader of the National Party: the reason the government has delayed this matter further is that it is not satisfied or happy with the outcome. The government wants to take it further. Because 75 per cent of the water taken out of the Snowy goes to New South Wales, the government believes it should bear 75 per cent of the burden. The government has been actively negotiating over and above the New South Wales position, and I am very pleased to indicate to the house that I went to Sydney on Friday and met with Treasurer Egan and the Premier, Mr Carr. I can report to the house that significant progress was made in moving — —

Honourable members interjecting.

Mr BRACKS — Unbelievable! A sensible question was asked, and the ridiculous opposition leader couldn't give a damn about this issue!

I can report to the house that significant progress was made on advancing New South Wales over and above the position we had previously got it to. When the Labor Party came to office the previous government had no understandings or agreements with or support from the New South Wales government. The government has moved this on to 50 per cent, and it has been moved on further following my discussions last Friday. The New South Wales government has accepted responsibility for approaching the 75 per cent the government wants. That is a significant gain; that is very important.

I am very pleased this issue has been worked through properly with cooperation and patience to ensure that we protect irrigators on the one hand and ensure a sound environmental outcome on the other.

It is interesting to note that the federal environment minister, Senator Hill, at one stage was saying, very inappropriately, that somehow the push from New South Wales and Victoria — particularly Victoria — to get water savings in the Snowy was somehow going to affect the Murray–Darling Basin. That was absolutely outrageous and wrong, and the minister knew it. I am very pleased he backed off that and has now contradicted his own statements. I am also hopeful that we can work with the federal government to have it do its share as well, and I will seek cooperation from the Leaders of the National Party and others in that regard.

The government will do its bit, probably even more, New South Wales will do its bit, and we are moving along. We need the federal government to be genuine about this and the legacy it will leave behind for all generations to come by having the Snowy flowing again. Members of the opposition should use their influence with their coalition partners. They used their influence previously to have Senator Hill set himself up with an outrageous statement — they should tell him to work with us. We will work with him to get a good outcome on this issue. I am very pleased with the progress to date.

Workcover: common-law rights

Mr LENDERS (Dandenong North) — I refer the Minister for Workcover to the government's commitment to provide a fairer scheme for injured workers and ask: will the minister inform the house of the details of the government's decision to improve benefits for injured workers?

Mr CAMERON (Minister for Workcover) — The Bracks government is committed to ensuring that seriously injured workers have common-law rights.

Today the government has announced the details of the package to be introduced to Parliament. There will be two gateways to ensure workers have common-law rights: firstly, a worker who is 30 per cent whole-person impaired will be eligible to seek damages for his or her injuries as a result of the accident that occurred at their workplace; and, secondly, a worker will also be able to apply under a narrative test. That will mean more equity in the system, but there is a great deal more.

Early in its term the government said it wanted to restore common-law rights, and to give effect to that express commitment the new scheme will be backdated to 20 October last.

Opposition members interjecting.

Mr CAMERON — They are in disarray — look at this: the Deputy Leader of the Liberal Party has a totally different view to the Leader of the National Party.

Honourable members interjecting.

Mr CAMERON — We look forward to your support.

This legislation has to get through both houses of Parliament, and the opposition has a different view on this matter every day of the week. On my calculations, Tuesday afternoon and Thursday morning are the best, and we will probably have to time the vote so that we can make sure we can get it through!

Additional improvements will also be made to the scheme. For workers on weekly payments regular overtime will be included rather than the base salary rate for the first 26 weeks. Some 85 per cent of workers get back to work within 26 weeks so that will advantage the vast majority of injured workers. In addition, various industry agreements include make-up pay, so for those employers it will mean there will be less make-up pay during that 26-week period. Employers will certainly benefit from that initiative.

Improvements will be made with regard to statutory non-economic lost benefits — that is, section 98 benefits — and in the vast majority of cases there will be an improvement of a flat amount of \$5000.

The scheme is fair and affordable and was supported by Victorians at the election. The government looks forward to its carriage through both houses of Parliament.

Attorney-General: conduct

Dr NAPHTHINE (Leader of the Opposition) — Does the Premier stand behind his Attorney-General's statements last Thursday about members of Parliament attempting to influence courts and tribunals?

Mr BRACKS (Premier) — I always stand by my Attorney-General. He is a great contributor. He has pursued the rights of Victorians in his legislative framework. He has absolute integrity and I support him absolutely.

Honourable members interjecting.

The SPEAKER — Order! I ask the Leader of the Opposition and the Deputy Premier to cease interjecting across the table.

Hospitals: additional beds

Ms BARKER (Oakleigh) — I refer the Minister for Health to the government's commitment to improve health services for all Victorians. Will the minister inform the house of the allocation of new beds in Victorian hospitals?

Mr THWAITES (Minister for Health) — I am pleased to announce the allocation of 360 new beds to relieve the problems faced by hospitals in their emergency departments and to reduce waiting times. The honourable member for Oakleigh will be delighted with the extra 30 beds allocated to the Monash Medical Centre. Many honourable members will be pleased to learn that those beds will be allocated in a way different from that of the previous government. How long is it since a government has announced that it is adding beds to the system? We had seven years of cuts. For the first time in seven years, the government is actually adding beds.

The honourable member for Ivanhoe will be pleased that there will be an extra 60 beds at the Austin and Repatriation Medical Centre. An extra 20 beds will be allocated to the Dandenong Hospital and an extra 25 beds to the Frankston Hospital — and honourable members know about the severe problems that hospital has had. An extra 45 beds will be allocated to St Vincent's Hospital; an extra 45 beds to the Royal Melbourne Hospital; and an extra 14 beds to the Western Hospital.

Mr Honeywood interjected.

Mr THWAITES — I advise the honourable member for Warrandyte that there will be an extra seven beds at the Maroondah Hospital. The honourable

member seems to be complaining about it — he is obviously opposed to it. Under the previous government all we saw were cuts. I can recall the former government cutting seven beds at Maroondah. We are proud to be putting in an extra seven beds.

The government is also pleased to announce that 60 beds will go to regional Victoria, including 11 beds to Ballarat, 11 beds to Geelong, and 5 beds to Bendigo. The allocation of beds will be across the system, including the Latrobe Regional Hospital.

Honourable members interjecting.

Mr THWAITES — West Wimmera is getting an extra five beds. The honourable member for Wimmera cares about his area and seems happy about it, even if the rest of the opposition does not.

It is a proud day for the government. For the first time in seven years a Victorian government is putting new beds into the system. It is not taking beds out; it is improving the system. That is a major change for our hospitals.

Local government: allowances

Ms BURKE (Pahran) — Given that today on 3AW the Premier ruled out any increase in allowances for municipal councillors, will the Minister for Local Government now —

Honourable members interjecting.

Ms BURKE — Supported in the house today by the Minister for the Finance! Will the minister now abandon the Peter McMullin review of mayoral and councillor allowances that he launched in February?

Mr CAMERON (Minister for Local Government) — The government is awaiting the outcome of the review of allowances that was established a couple of months ago.

Honourable members interjecting.

Mr CAMERON — The government is not saying they will go up or go down.

Dr Napthine — On a point of order, Mr Speaker, obviously the minister did not get his instructions from the Premier's media unit before answering the question.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order immediately. There is no point of order.

Mr CAMERON — Mr Speaker, you will be aware that the government is not saying — and at no point has it said — that there will be increases. It will wait until it gets the review.

Casino: bidding process

Mr LANGUILLER (Sunshine) — I refer the Minister for Gaming to the government's release of the casino documents after seven years of cover-up and I ask: will the minister inform the house whether those documents support the opposition's contention that the tender process was 'pristine'.

Mr PANDAZOPOULOS (Minister for Gaming) — This is a story that has to be told. After seven years of cover-up and after many FOI applications to the previous government by the former opposition and the media, the Bracks government has done the right thing and on Monday released all the relevant documents that were part of the bidding process. The release of those documents fulfils a commitment that we made in opposition to release documents relating to the Kennett government that were in the public interest. That is exactly what we have done.

The Bracks government wants the public to know what happened and to have the opportunity to view those documents. The documents are all available at the Public Record Office Victoria which is where they should have been placed many years ago. The documents reveal that the relationship the previous government was involved in was totally inappropriate.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. The honourable member for Doncaster will cease interjecting in that fashion. His interjections are far too loud.

Mr PANDAZOPOULOS — They are sensitive little petals, are they not!

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mordialloc will also cease interjecting. I will not warn him again.

Mr PANDAZOPOULOS — When it was in government the opposition hid the documents for almost seven years, yet its members now have the audacity to say they contain nothing. In this morning's media the former minister, now the shadow Minister

for Gaming, referred to the process as pristine. Tell that to the losing bidders! What do the documents reveal?

Honourable members interjecting.

The SPEAKER — Order! The opposition benches — particularly the honourable member for Warrandyte — should come to order. The Chair is having difficulty hearing the minister's answer.

Mr PANDAZOPOULOS — The former Premier told the house he did not speak to the bidders. However, as reported by the *Age* yesterday and as clearly shown in the documents of the casino tapes, Lloyd Williams stated, 'With another hat on I can readily discuss this'. While wearing his TAB hat he could readily discuss the issue with ministers. However, the documents do not show which ministers spoke to Lloyd Williams.

Honourable members interjecting.

The SPEAKER — Order! There is too much noise coming from the opposition benches, particularly from the honourable member for Polwarth. The Chair will not warn him again.

Mr PANDAZOPOULOS — The documents reveal that Lloyd Williams said that while wearing another hat he could approach ministers in a capacity other than as a bidder. The government has made all the documents available. To correct the record, the only gap to be filled depends on the opposition being honest and telling the house which ministers spoke to Lloyd Williams.

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order. The Chair will not hesitate to use sessional order 10 to bring the house back to order.

Mr PANDAZOPOULOS — The documents also reveal that a lifeline was thrown to the Lloyd Williams bid by a last-minute change in the former government's gaming policy. It developed policy on the run to suit the needs of its mates. History demonstrates that through its own actions the former government did not generate confidence in the bidding process. As an example, the former commercial manager of the Casino Control Authority — —

Honourable members interjecting.

Mr Perton — On a point of order, Mr Speaker, your own guidelines require ministers to be succinct in their answers. The Minister for Gaming is using question

time to make a ministerial statement. The opposition is prepared to accommodate him if he makes a ministerial statement so the issue of the government's promise to hold an open inquiry can be debated in the house.

Honourable members interjecting.

The SPEAKER — Order! There is no point of order. I remind the Minister for Gaming that he must be succinct in his answer. However, I point out that the minister has been speaking for only 4 minutes, with a substantial amount of that time being wasted on interruptions. The house is wasting its own question time.

Mr PANDAZOPOULOS — It seems that after every sentence there is an interruption! The opposition does not want to listen to what happened. The former commercial manager of the Casino Control Authority, Mr Tony Jolly, said he believed that the Melbourne Casino Ltd bid was leaked and that the role of the government was anything but hands off. Mr Vyril Vella also expressed concerns that MCL's financial offer was leaked to Crown. There is a stench about the process.

Although the opposition still says the process was pristine, the documents show it was not. The former government misled the house while its members sat idly by. The business community requires confidence in the government. The release of the documents will assure business that it can have confidence in the Bracks government, which will not shift the goal posts in the middle of bids for government projects. The audit commission will recommend the establishment of protocols and processes for future projects. The government will continue to be open and transparent, and for future contracts the simple criterion will be that the best bidder wins.

Although the documents show an inappropriate level of dealing by the former government with Lloyd Williams, a royal commission is not warranted.

Honourable members interjecting.

The SPEAKER — Order! The Chair is aware that both the question and the minister's answer are important. The level of noise is too high for all honourable members to hear. The house should quieten down.

Mr PANDAZOPOULOS — There will not be a royal commission. Although the documents show an inappropriate level of contact between the former government and Lloyd Williams, a royal commission costing possibly tens of millions of dollars is not warranted. The public will have access to those

documents and will make its own decision. Apart from the cost — —

Dr Napthine interjected.

Mr PANDAZOPOULOS — It also is not warranted because all the government wanted to do was to correct the record and put it in the public arena. The events in question happened nearly seven years ago. There are now new owners of the casino who have completed the proper process with the Victorian Casino and Gaming Authority and there is no need to continue to focus on that. However, one thing needs to be done: opposition members and former ministers should apologise to correct the record of their involvement and explain how they were involved in this grubby process.

Attorney-General: conduct

Dr DEAN (Berwick) — I refer the Premier to a letter dated 16 June 1999 written directly to the coroner by a member of Parliament requesting that the coroner accept a private briefing from the United Firefighters Union, which the Solicitor-General found to be ill-advised and obviously undesirable. In view of his previous answer, will the Premier now sack the author of the letter — the Attorney-General?

Mr Perton interjected.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order! I will not warn the honourable member for Doncaster again about interjecting.

Mr BRACKS (Premier) — There is only one action required in this house in terms of sacking — that is, that the opposition leader stand up and take action against the honourable member for Malvern for his action in the house last week.

Information technology: Multi-Service Express

Mr TREZISE (Geelong) — I refer the Minister for State and Regional Development to the need for access to government services online, particularly in regional Victoria. Will the minister advise the house what improvements the government is making to provide Victorians with the best online government services in the world?

Mr BRUMBY (Minister for State and Regional Development) — I am delighted to advise that last Friday in Seymour, together with the honourable member for Seymour, I launched Multi-Service Express, which is the Bracks government's Internet

doorway to online government and private sector services 24 hours a day, 7 days a week, 365 days of the year.

The beauty of Multi-Service Express is firstly, it is free, secondly, it is available through a single Internet window, and thirdly, it is a world first. The Bracks government is taking its services to the people. Victoria is not only the first state in Australia to offer the one-touch service, it is the first in the world to offer so many services online at the touch of a single button.

Opposition members interjecting.

Mr BRUMBY — Opposition members interject about this. Victoria has never before had a single Internet doorway access, where with one click of the mouse, one touch of the computer, a person can access Multi-Service Express and then the 92 services — —

An opposition member interjected.

Mr BRUMBY — No, you didn't have that before. People can access the 92 services that are available across the state. They can do things such as obtain a senior citizens card, enrol to vote, update driver licence details, pay bills, notify electricity companies of a change of address and access Victorian certificate of education results. Never before have these 92 services been available at one touch. All people have to do is key in the address www.vic.gov.au and they will be into the system — —

An Honourable Member — What is it?

Mr BRUMBY — www.vic.gov.au.

The SPEAKER — Order! I ask the minister to respect the Chair when he is on his feet and taking a point of order, as I was about to do from the honourable member for Doncaster.

Mr Perton — On a point of order, Mr Speaker, on the question of relevance, the honourable member for Geelong asked a question about new developments in electronic service delivery. The minister has been reciting a list of the Kennett–Stockdale achievements in this area and I ask you to bring him back to answering the question — that is, what new developments have occurred in electronic service delivery other than a rebadging of the name.

The SPEAKER — Order! There is no point of order. The minister was being relevant in answering the question asked by the honourable member for Geelong about technological improvements. I will continue to hear him.

Mr BRUMBY — There is a second Internet address I forgot to advise the house of — www.victor.gone!

Opposition members interjecting.

Questions interrupted.

SUSPENSION OF MEMBERS

The SPEAKER — Order! It is clear to the Chair that the honourable members for Mordialloc and Doncaster are continuing to disrupt the proceedings of the house and are being disorderly. Under sessional order 10, I ask them to leave the chamber for half an hour.

Honourable members for Mordialloc and Doncaster withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Information technology: Multi-Service Express

Questions resumed.

Mr BRUMBY (Minister for State and Regional Development) — There are 92 services online available to Victorians. I launched the service in Seymour because the initiative is taking government to the people and it is important for those in regional and rural Victoria to have access to such services.

There are now 3500 public access sites across the state. The Bracks government has been significantly increasing the number of those sites since its election, and the world's best service is now being offered across regional Victoria for free.

I want to make one final point: access to the Internet is the responsibility of the federal Howard government. The Bracks government can offer the world's best Internet service but people's capacity to use it across regional Victoria depends on the bandwidth provided. The report of the national bandwidth inquiry was released last week in federal Parliament and was a particularly damning report on the Howard government and the lack — —

Mr Rowe — On a point of order, Mr Speaker, it is obvious that the minister is now debating the question. He is not discussing state government issues or policies; he is discussing a federal government report and is therefore debating the question.

The SPEAKER — Order! I uphold the point of order and ask the minister to come back to answering the question and concluding his answer.

Mr BRUMBY — The capacity of the government to provide the services and for Victorians to access them is limited by the bandwidth provided across regional Victoria. The question I was asked addresses that matter. The Bracks government can provide the best services in the world but if the federal Howard government does not provide — —

Mr Ryan — On a further point of order, Mr Speaker, your ruling is patently being flouted by the minister: you have already clearly ruled that he should not debate the question, and I ask you to bring him back to the question.

Mr BRUMBY — On the point of order, Mr Speaker, I was asked about the need for access to government services online, particularly in regional Victoria. The Bracks government is providing those services online; the constraint to Victorians accessing them is the provision of bandwidth. That is the question I was answering, but I wish to respond to the point of order. This is a positive story for regional Victoria, and the Leader of the National Party is attempting to protect the federal Howard and Anderson government over the fact that it has not provided sufficient bandwidth. I would be happy to conclude the answer if there were not so many interjections!

The SPEAKER — Order! I am not prepared to uphold the point of order. The minister is entitled to provide information in response to a question. However, he may not debate the merits or otherwise of any specific points of his answer.

Mr BRUMBY — The opposition hates good news. I conclude with a quote from the findings of the national bandwidth inquiry:

... evidence suggests that there are problems with making data services available in a timely and affordable manner, particularly outside the CBDs of Sydney, Melbourne or Brisbane.

... some rural and remote routes do not currently have sufficient capacity or it is often not provided in a timely manner.

That is a key issue. I ask the opposition not only to show bipartisan support for the Multi-Service Express but also to join the Bracks government in lobbying the federal government to expand the provision of bandwidth across the state of Victoria. I ask it to agree with the government that it is no solution simply to sell off Telstra and that what is needed is a clear

commitment from the Howard government to expand the capacity and provision of bandwidth facilities in regional Victoria.

PERSONAL EXPLANATION

Ms KOSKY (Minister for Post Compulsory Education, Training and Employment) — Mr Speaker, I refer to my response to a matter raised by the honourable member for Hawthorn in the adjournment debate on 6 April concerning Lavin Australia Pty Ltd. My department has since confirmed that an administrator was in fact appointed to administer the affairs of the company on 1 March. The handover of student records occurred on 3 April, after negotiations between my department and the administrator. Those negotiations were undertaken to facilitate the completion of training.

NOTICES OF MOTION

The SPEAKER — Order! Are there any notices? Are there any papers pursuant to statute?

Honourable members interjecting.

Dr Napthine — Mr Speaker, on a point of order, I believe you called for the next item of business, which is papers pursuant to statute. The ministers missed the call for notices of motion because they were obviously asleep at the wheel, as is the government. As you called for papers pursuant to statute, it would be inappropriate to go back to ask for any notices of motion. The ministers have missed the call.

Mr Bracks — On the point of order, Mr Speaker, the minister was on his feet and approaching the table. I would have thought the opposition would accept that for the sake of the smooth running of the house it would be appropriate to allow ministers to give notice of legislation today. I submit the point of order is petty and minor. The minister was on his feet, ready to approach the table, and you started to call him when the Leader of the Opposition raised his point of order.

Mr McArthur — On the point of order, Mr Speaker, it is clearly the responsibility of members to draw the attention of the Chair to their wish to speak by rising in their places. That has been a tradition of this place from time immemorial. I ask you, Sir, to cast your mind back to an adjournment debate only a few weeks ago, when the question ‘That the house do now adjourn’ was put and the house adjourned straightaway because the Chair did not see any member rising to his or her feet. No consideration was given then to giving

members who were not quick enough to rise in their places the opportunity to contribute to the adjournment debate.

I put it to you that this is a matter of consistency. The ministers were asleep in their seats and missed your call, which you made very clearly. I heard it, as did other members of the house; the ministers had the opportunity to respond. You then called the subsequent item of business. It is reasonable and consistent for you, Sir, to continue with that item of business and not backtrack.

Mr Batchelor — Mr Speaker, upon your asking for notices of motion, the Minister for Environment and Conservation stood in her place waiting to be called, to be followed by the Minister for Workcover.

Honourable members interjecting.

The SPEAKER — Order!

Mr Batchelor — Ministers understand the procedure for giving notices of motion. They know that, in the instance where more than one minister is seeking to give notice, they are to wait until they are called.

Today a number of ministers will be seeking to attract your attention, Mr Speaker. The Minister for Environment and Conservation was on her feet and the Minister for Workcover was making his way to the table before you called for papers pursuant to statute. I suggest, Mr Speaker, that you are entitled to allow those ministers to proceed to give notice.

The SPEAKER — Order! On the point of order, I bring to the house’s attention standing order 47, which states:

No notice of motion shall be received after the House shall have proceeded to the business of the day as set down in the Notice Paper.

As the house had not proceeded to the next item of business on the notice paper, it is appropriate that notices be brought on.

Notices of motion given.

PAPERS

Laid on table by Clerk:

Audit Act 1994 — Report of the Auditor-General on Test calls made to non-emergency ambulance telephone lines, April 2000 — Ordered to be printed

Crown Land (Reserves) Act 1978 — Section 17DA Orders granting under s 17D leases by the:

Whittlesea Showgrounds and Recreation Reserves
Committee of Management Incorporated

Swan Hill Rural City Council

Financial Management Act 1994 — Report from the Minister for Environment and Conservation that she had received the 1998–99 Annual report for the Goulburn Valley Regional Waste Management Group

Planning and Environment Act 1987:

Notice of approval of the new Ararat Planning Scheme

Notice of approval of the amendment to the Kingston Planning Scheme — No. C5

Statutory Rules under the following Acts:

Architects Act 1991 — SR No. 25

Melbourne City Link Act 1995 — SR No. 24

Police Regulation Act 1958 — SR No. 23

Subordinate Legislation Act 1994 — Minister's exemption certificate in relation to Statutory Rule No. 24.

AUDITOR-GENERAL

Ambulance test calls

The SPEAKER — Order! I desire to make a statement about the report of the Auditor-General on test calls made to non-emergency ambulance telephone lines, which has just been tabled.

I am advised that the report contains some references to matters that are covered by the terms of reference of the Metropolitan Ambulance Service royal commission. Consideration must therefore be given as to how the sub judice rule might be applied in relation to matters referred to in this report which might be raised in the house.

The sub judice convention is a restriction on debate which the house imposes upon itself so that the proceedings before a court will not be prejudiced. The application of the convention is at all times subject to the discretion of the Chair, which will always have regard to the ability of members to raise matters of concern.

While the application of the sub judice rule is well documented in relation to proceedings before the courts, the convention has also been applied in respect of royal commissions. However, the extent to which the rule should apply to royal commissions is not quite as clear.

The application of the sub judice rule in relation to royal commissions is well summarised in *House of Representatives Practice*, third edition, p. 484, as follows:

Although it is clear that royal commissions do not exercise judicial authority, and that persons involved in royal commissions are not on trial in a legal sense, the proceedings have a quasi-judicial character. The findings of a royal commission can have very great significance for individuals, and the view has been taken that in some circumstances the sub judice convention should be applied to royal commissions.

House of Representatives Practice goes on to make reference to how the rule has been applied in recent times:

The contemporary view is that a general prohibition of discussion of the proceedings of a royal commission is too broad and restricts the house unduly. It is necessary for the Chair to consider the nature of the inquiry. Where the proceedings are concerned with issues of fact or findings relating to the propriety of the actions of specific persons the house should be restrained in its references. Where, however, the proceedings before a royal commission are intended to produce advice as to future policy or legislation they assume a national interest and importance, and restraint of comment in the house cannot be justified.

As the royal commission is continuing and the terms of reference deal with the activities of individuals, the Chair then needs to determine a balance between the need to preserve the integrity of the royal commission and to allow discussion on matters in the public interest.

In this instance I believe the overriding principle must be to ensure that the operations of the royal commission are not prejudiced. I therefore advise members that they may canvass the general issues raised in the report during debate in the house but members should refrain from discussing matters that are specifically before the royal commission, unless it can be clearly demonstrated that such discussion would be in the public interest.

Mr President will be making the same statement relating to this report in the Legislative Council.

ROYAL ASSENT

Message read advising royal assent to:

First Home Owner Grant Bill

National Taxation Reform (Consequential Provisions) Bill

APPROPRIATION MESSAGE

Message read recommending appropriation for Chinese Medicine Registration Bill.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, pursuant to sessional order 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 13 April 2000:

- Prostitution Control (Planning) Bill
- Flora and Fauna Guarantee (Amendment) Bill
- Renewable Energy Authority Victoria (Amendment) Bill
- Corporations (Victoria) (Amendment) Bill
- Prevention of Cruelty to Animals (Amendment) Bill

Mr McARTHUR (Monbulk) — The opposition will not be opposing the government business program. Nevertheless, I have some comments to make about the program and the management of the house in view of some statements made by the Leader of the House, the Attorney-General and other members of the government when they were in opposition that reflect on their behaviour now that they have changed sides in the house.

It is useful to remember that members of the Labor Party complained long and hard for many years about the use of the guillotine at 4.00 p.m. or 4.30 p.m. on a Thursday afternoon. In the previous Parliament it used to be 4.30 p.m., and it is now 4.00 p.m. In the last Parliament every time the government business program resulted in the use of the guillotine the Labor Party, through its key spokesmen, complained loudly about it and described it as a denial of democracy, a frustrating of the democratic process, a usurping of the powers of the Parliament, or one of a range of similar expressions. They also referred to it as gagging debate and restricting the public's right to know.

For the benefit of honourable members I advise the house that on Thursday, 25 November last year, the first guillotine was applied by this government to debate on the Essential Services (Year 2000) Bill. Further occasions on which the guillotine has been applied are: Thursday, 2 December last year, the Regional Infrastructure Development Fund Bill; Thursday, 9 December, the Melbourne Sports and

Aquatic Centre (Amendment) Bill and Legislative Council amendments to the Regional Infrastructure Development Fund Bill; Thursday, 16 December, the Rail Corporations and Transport Acts (Miscellaneous Amendments) Bill; Thursday, 2 March 2000, the Courts and Tribunals Legislation (Amendment) Bill, the Domestic Building Contracts (Amendment) Bill and the Melbourne City Link (Amendment) Bill; Wednesday, 22 March, the Financial Management (Financial Responsibility) Bill; and Thursday, 6 April, the Education Acts (Amendment) Bill, the Administration and Probate (Dust Diseases) Bill and the Road Safety (Amendment) Bill. Debate on all of those bills was guillotined.

In that short period 12 bills were guillotined. It is worth noting that all of those bills were either agreed to by both sides of the house or not opposed by the opposition. However, although the opposition decided it would not oppose the bills, it wished to put forward amendments to some of them or to make some criticisms or comments.

The other thing worth noting is that despite its frequent use of the guillotine in the management of the house during the past six months, the government pretends it wants to have full and free debate on legislation. Last week debate on three bills was guillotined. The opposition was keen to go into committee on those bills — and so was the government, because it had amendments to two of them. The government clearly wished to go into committee on those two bills so it could explain why the amendments were needed. One set of amendments was stolen from the honourable member for Warrandyte by the Minister for Education. They were his amendments, but she appropriated them and introduced them in her name.

Mr Batchelor interjected.

Mr McARTHUR — As I said, the opposition wished to take those bills to the committee stage, and so did the government, but the process was frustrated by the government putting up speaker after speaker and extending the allocated time for speaker's that was informally agreed to between the parties prior to the debate. As a result there was no time available for the bills to be considered in committee. The Leader of the House did not even provide a second-reading response on his own bill.

Mr Batchelor — Because I was talking to you.

Mr McARTHUR — The Leader of the House said he was talking to me. He was talking to me as the time for the adjournment at 10.00 p.m. was approaching on

Tuesday night, and I suggested to him in those discussions that the sitting should be continued a little longer to allow time for a second-reading response and for the bill to go into the committee stage. He refused to extend the sitting time that night, so the debate was cut off to comply with the compulsory 10.00 p.m. adjournment. The bill was never relisted by the government, except at the bottom of the government business program.

The opposition would like bills to go into the committee stage to allow for full and frank debate, which is what the government loudly proclaims — —

The SPEAKER — Order! The honourable member's time has expired.

Motion agreed to.

MEMBERS STATEMENTS

Attorney-General: conduct

Dr DEAN (Berwick) — Today we have witnessed the two-faced approach of the government, particularly the Attorney-General. On Thursday last week we witnessed an attack on a member of the opposition because he sent a letter addressed to the registrar of the Victorian Civil and Administrative Tribunal on behalf of his constituents. He was berated by the Attorney-General, but today we have seen that the Attorney-General has engaged in conduct far worse than that. This is not just a case of Robert Hulls throwing stones through his own glass house, it is clear that he has driven a bulldozer right through it!

On the one hand, on Thursday the claim concerned a member of Parliament who had not written to the judge but to the Registrar of the Victorian Civil and Administrative Tribunal. The member of Parliament was writing on behalf of his constituents as an objector and had no legal training. On the other hand, the Attorney-General, when attempting to seek a favour on behalf of a trade union, sent a letter directly to the coroner in the middle of an inquiry on bushfires and signed it 'Robert Hulls, shadow Attorney-General'. Worst of all, as shadow Attorney-General he purportedly has legal training. That is a gross breach of the code of ethical conduct that should be followed by any lawyer, let alone the first law officer of the state. There is no way out; he must be sacked.

Cancer After Care Group Geelong

Mr TREZISE (Geelong) — I wish to take this opportunity to recognise the work of the Cancer After Care Group Geelong. The organisation is made up of volunteers, most of whom have in some way been touched by the effects of cancer; either they or their loved ones have contracted the disease.

Over the past 22 years the group has contributed enormously to the Geelong community through the provision of cancer treatment and equipment for the Geelong Hospital. During that time the group has directly contributed more than \$1 million for the supply of vital equipment, and it has promised a further \$500 000 to purchase brachytherapy equipment when the Andrew Love Centre is extended. In addition to that contribution to the Geelong community, the group also provides ongoing support, advice and education to families dealing with cancer.

I wish the group all the best for its upcoming birthday and thank its members for their significant contribution to the Geelong community over many years.

Australian institute for depression

Ms McCALL (Frankston) — I wish to place on record my support for Dr Wooldridge appointing the former Premier, Jeffrey Kennett, as head of the new Australian institute for depression.

Those of us on this side of the house are aware of the commitment of the former Premier to this issue. I would also like to take the opportunity as a woman member of Parliament to distance myself from the remarks made outside the chamber by another woman member of Parliament, the honourable member for Gippsland West.

I believe it is incumbent on all of us, particularly on the women members of Parliament given that we are in the minority, to behave professionally and in a way that is appropriate for our roles. It is difficult for women to be elected to Parliament and to retain their seats, and it is inappropriate to show petty vindictiveness and spiteful attitudes or to engage in personality clashes with individuals outside the Parliament in a way that clouds our judgment and is a disservice to the people we are elected to serve.

Gas: Yallourn North supply

Mr MAXFIELD (Narracan) — Yallourn North is a great town in my electorate, small in size but a wonderful place to live. Unfortunately it is missing out

on natural gas, even though the gas pipeline runs past the town.

This week I will table a petition from the residents of Yallourn North calling on the Shire of La Trobe and the government to assist in supplying natural gas to the town. Given the increase of up to 50 per cent in the price of bottled liquid petroleum gas, many residents, especially those on lower incomes, find the cost of hot water, cooking and household heating during winter very high. I thank the many residents who took part in the survey on natural gas use, which showed there is a strong demand for natural gas.

I record my appreciation of the efforts of Ray Brown, Ann Lovison and the business people of Yallourn North in helping Chris Devers and me conduct the survey. The information we gained will be a great help as we lobby to have Yallourn North connected to the natural gas pipeline. The petition was signed by 312 residents, which is a large number for a small town.

The information we obtained from the survey of approximately 30 per cent of houses shows that 63 per cent use bottled gas, of which 91 per cent would convert to natural gas if it was available. The survey also found that 83 per cent of householders without bottled gas would consider converting to natural gas, bearing in mind the resulting expense.

As somebody who lives out of town, I appreciate people's need for natural gas. As I heat my own house with wood fires and electricity, I am aware that for those who are older and unable to collect wood — —

The SPEAKER — Order! The honourable member's time has expired.

Rail: Mildura service

Mr SAVAGE (Mildura) — I bring to the attention of the house the results of the Mildura passenger train survey. In February I circulated 22 000 copies of a circular that asked a series of questions of the community I represent. Of the 4896 surveys that were sent back, 98 per cent showed the respondents were in favour of the return of a passenger service. There is even better news than that: 10 437 people have said they would use the service regularly if the service were returned. That is proof positive that it is time for the return of a passenger service to and from Mildura after a seven-year absence.

I direct the attention of the Minister for Transport to the fact that there is significant community support for the return of the service. Given that services in the metropolitan area receive a significant subsidy from the

taxpayer — some \$800 million a year — the residents of Mildura could be said to deserve the return of their service.

Ballan autumn festival

Mr HOWARD (Ballarat East) — I am pleased to represent a vibrant electorate in which community events regularly take place. The event I direct to the attention of honourable members is the Ballan autumn festival, which was held recently. In particular, I refer to the community concert in the Ballan Mechanics Institute Hall, which I was pleased to attend. That entertaining concert, which filled the hall with Ballan residents, was organised by the Ballan Primary School and involved students from that and other schools in the region in dances and musical performance. It also involved some parents playing the cello and bagpipes. Other members of the adult community, including the Ballan Lionesses, performed an amusing slow-motion tribute to the Olympics. The finale was a rousing performance of bagpipes accompanied by side drums.

I congratulate the members of the Ballan community on staging a terrific community event, which all who attended very much enjoyed. I also congratulate the principal of the Ballan Primary School, Lyn Featherstone, and everyone else from the school who was involved. I wish them well in holding future Ballan autumn festivals, and I trust such community events will continue to be well supported.

Southern Health Care Network

Mrs PEULICH (Bentleigh) — Given the near completion of the ministerial review of health care networks, I call on the Minister for Health and the Bracks Labor government to resist playing politics with the health agenda by imposing changes on the Southern Health Care Network. The proposed changes are not supported by local stakeholders and local communities, who fear they will put the Sandringham accident and emergency service at risk of closure, especially if that campus is excised from the Southern Health Care Network and realigned with the Inner Health Care Network.

The Sandringham accident and emergency service is a vital part of the Southern Health Care Network. It serves local communities, including those in the Bentleigh electorate, which has the third-highest number of residents over 65 years of age in the state. Its closure in either the short or medium term would erode the availability of health services to people in surrounding communities, including those who at present can if necessary be treated at the accident and

emergency department of the Monash Medical Centre's Clayton campus.

When in opposition members of the Bracks Labor government promised as part of their 1999 health policy to ensure community participation in health policy planning and delivery. If the Minister for Health asked the opinion of people in the electorates of Bentleigh, Sandringham, Mordialloc and Oakleigh, he would be told that they want to keep the Sandringham casualty department and to stop the deterioration in patient services.

The SPEAKER — Order! The honourable member's time has expired.

Crown Championship International Dancing 2000

Mr LANGUILLER (Sunshine) — It takes two to tango, and tango, cha-cha-cha and waltz they did at the Crown Championship International Dancing 2000 on 26 March! That leading international dance event was organised by the Federal Association of Teachers of Dancing, and I had the pleasure of representing the Premier at the official opening, which was held in Melbourne.

The championship was a full-day event, with the grand finals held at night.

An opposition member interjected.

Mr LANGUILLER — Indeed I did. The event, which showcased the talents of 700 leading Australian international competitors, was watched by more than 2500 people. The championship events covered a range of dance styles, from jazz and funk to dancesport. It also included Latin, ballroom and new vogue competition dancing, which the government now recognises as a sport.

I commend the organisation, and in particular its head, Mr Don McRobert, on the spectacular event. I congratulate all the competitors, particularly the winners of the professional standard dancesport championship, the Chinese professional champions, Qi Zhi Feng and Zhang Zeng; and the winners of the professional Latin American championship, Neal and Nicole Byrnes from Sydney.

Vichealth Centre for Tobacco Control

Mr WILSON (Bennettswood) — I congratulate the Victorian Health Promotion Foundation on its initiative in establishing the Vichealth Centre for Tobacco Control. The centre, which has been established with

funding of \$500 000 per annum for five years from Vichealth, is a consortium of the Anti-Cancer Council of Victoria, the University of Melbourne Centre for Public Policy, and Monash University's Institute of Public Health and Health Services Research.

Honourable members will be well aware of the tragic health consequences and broader economic costs associated with cigarette smoking. Under the leadership of Vichealth, which has enjoyed bipartisan support since its inception, Victoria has led the battle against tobacco-related diseases. Although the state is renowned for the successes it has achieved, the battle is far from over. I congratulate the board of Vichealth and its chief executive office, Dr Rob Moodie, on this initiative. In launching this important centre, Dr Moodie correctly reminded us that:

It is imperative that we stem the epidemic of tobacco-caused diseases, and this centre will help see tobacco control moved forward into the 21st century. The centre helps fill the need for research on broader sociopolitical and policy factors associated with tobacco use and on how we can work to change public policy to advance tobacco control.

I wish the centre well in its research and its deliberations.

Lyndale Secondary College

Mr LENDERS (Dandenong North) — I direct the attention of the house to the good work done by the Lyndale Secondary College, which is in my electorate. Last week, at the invitation of the principal, Mr Ian Mitchell, I had the privilege of being a guest at the school assembly, where I addressed the student body and presented badges of office to the lead students — the college captains, Rebecca Little, Scott Miller, Amanda Henwood and Scott Lovell; the college vice-captains; the student representative councillors; and the scholarship winners. After the presentation there was a morning tea in the staffroom.

It was a privilege to attend the college and speak to the large number of students gathered in the Hugh McCrae Hall. Lyndale Secondary College, which is a leader in the area, takes enormous pride in the progress and academic and social achievements of its students. The leaders of the school community are elected to their positions of responsibility after a fairly onerous selection process. I am confident they will lead the way and that the school will produce a great number of community leaders. I commend the activities of Lyndale Secondary School to the house.

Wangaratta: financial counsellor

Mr JASPER (Murray Valley) — I bring to the attention of the house and the government the need for the appointment of a full-time financial counsellor to service the Rural City of Wangaratta. Over recent years the financial counselling service has been provided through the Upper Murray family care facilities at Wangaratta. However, this has been on the basis of one day per week being provided for the financial counsellor based in the Rural City of Wodonga.

The financial counsellor, Mr Allan Gurney, has provided the service over an extended time. Late last year representations were made to me by Mr Gurney and others highlighting the increasing workload and the need for a full-time financial counsellor to service the Rural City of Wangaratta. Extensive representation to the government has now been made on the subject, particularly to the Minister for Health. Country people face specific difficulties, and the need for financial counselling has increased dramatically in recent years. I am disappointed that I have not received any response from the government for my request, recognising that financial counsellors are provided across many parts of country Victoria. I seek an urgent and positive response from the government to the critical need for a financial counsellor to be appointed to the Rural City of Wangaratta on a full-time basis.

**PROSTITUTION CONTROL (PLANNING)
BILL***Second reading*

Debate resumed from 21 March; motion of Mr HAERMAYER (Minister for Police and Emergency Services).

Dr DEAN (Berwick) — Although it is small the bill makes a dramatic change to the Prostitution Control Act. Aspects of it are retrospective, and legislation with elements of retrospectivity should be treated cautiously and carefully. The bill amends the Prostitution Control Act, and it is important to understand the basis of the act introduced by the previous government in 1994.

It is easy to romanticise the life of prostitutes. I recall a film called *Pretty Woman* that showed how the life of a prostitute could be exciting and dazzling. My understanding of the life of a prostitute and the prostitution industry is the opposite: there is little romance about it. Many people are involved in the industry as a consequence of a connection with drugs and they have had horrific lives.

The previous government regulated the industry in a way it had never been regulated before, and introduced the process of licensing. The process of licensing and control by the government arose because legislation called the Prostitution Regulation Act 1986 was introduced by the then Cain government. It was heavily disputed in both houses and amendments seeking to increase and tighten the regulations were moved in the upper house by the then coalition opposition.

The story is important because we hear from the government how it treats the house with respect. In 1986, to get the bill through the upper house the then Cain government agreed to the amendments proffered by the opposition. The bill was duly passed in the upper house. The Cain government proclaimed only the parts of the bill it had initiated and not those agreed to by amendment in the upper house. The process was prostituted to the point where the act was passed but the Governor was not advised to proclaim the amendments agreed to in the upper house. The amendments were left languishing; they were not put into law until the 1994 act was passed. That is a nasty piece of history in relation to the Cain government and to the operation of the house. Let us hope it is never repeated.

As a consequence of the amendments to the 1986 act not being proclaimed, a range of things happened in relation to the Prostitution Regulation Act that caused the community great concern. Planning authorities were vetting potential brothel owners because the licensing system did not have a control board. Planners complained bitterly about their involvement in vetting criminal records and other duties not appropriate to planners. The rate of organised crime within the brothel industry increased enormously.

When the 1994 act came in grave concern was felt about the operation of brothels by organised crime. Escort agencies flourished because they did not need a licence to operate and were a quick and easy way for prostitutes to engage in the industry. More sadly, it allowed pimps, those making money from the earnings of prostitutes, to prosper. Many of them were part of organised crime.

By 1994 the location of brothels had become a huge planning question. Because the Prostitution Regulation Act did not implement the amendments proposed and because it was not a highly regulatory act, brothels were popping up all over the place in residential suburbs. Some honourable members will recall that it was a time when there was enormous debate about where brothels should be allowed to operate.

Some way to control brothels was needed. The first thing the then Attorney-General, Jan Wade, did was to impose a moratorium so that no more licences would be granted — everything was frozen and she conducted an immediate review. The review was not going to take a long time; it was one of those reviews for which the previous Attorney-General became famous — that is, it was a hard-hitting review where expert people were required to bring back a report quickly, which they did.

The review recognised the trick the Cain government had exercised in the upper house in 1986 of not proclaiming amendments and agreed that had led to a disintegration of the industry. It unanimously recommended that tougher controls were immediately required, that complete regulation of the industry was required, that offences in relation to fostering prostitution and so on should be introduced, and that there should be legislation in relation to paedophilia and the prostitution industry. It drew particular attention to the prostitution tours that were taking place at that time and the need for some offences to be introduced.

Subsequently the Prostitution Control Act of 1994 was born. It set out a structure that for the first time in this state included proper control of the prostitution industry and allowed it to operate in a way that reduced major concerns about health, wellbeing and victimisation. Provisions covering the capacity to inspect premises and so on were introduced. The Prostitution Control Board was set up under the act and was required to look into matters of health, control, licensing and all issues central to the operation of a safe industry. The purpose of the board is well set out in the 1994 act. It is important to note that acts introduced by the previous government — I hope this government follows the same path — were set out so that people involved in the industry in question and who were not lawyers could understand them. Section 4 states:

The objects of this act are —

- (a) to seek to protect children from sexual exploitation and coercion;
- (b) to lessen the impact on the community and community amenities of the carrying on of prostitution-related activities;
- (c) to seek to ensure that criminals are not involved in the prostitution industry;
- (d) to seek to ensure that brothels are not located in residential areas or in areas frequented by children;
- (da) to seek to ensure that no one person has at any one time an interest in more than one brothel licence or permit;
- (e) to maximise the protection of prostitutes and their clients from health risks;

- (f) to maximise the protection of prostitutes from violence and exploitation;
- (g) to ensure that brothels are accessible to law enforcement officers, health workers and other social service providers;
- (h) to promote the welfare and occupational health and safety of prostitutes.

A refreshing breeze blew through the prostitution industry with the introduction of the 1994 act and the removal of the problems and difficulties that had arisen as a consequence of that ill-founded piece of legislation, the Prostitution Regulation Act 1986.

The act had two major parts: firstly, the setting up of a control board which could oversee the whole industry and undertake proactive support; and, secondly, a licensing system. A lot of argument took place about whether there should be a licensing system. Many people argued that a licensing system in the prostitution industry is an impediment to what they do and to their lives and is over-regulatory. The fact is that the industry is renowned for criminal intervention and health issues that affect prostitutes. Consequently, licensing was the obvious and logical way to go.

Licensing provides a level of control because the owner of a brothel must pass certain tests to obtain a licence. He or she can be investigated to a high degree and certain controls are placed on the person. Once a person has a licence the licence can be inspected and the licence-holder is obliged to live up to the terms of the licence. If that is not done the licence can be removed. Therefore, although licensing is a strong form of regulation, in this case it was an appropriate form of regulation. Even those persons in the industry who were concerned about licensing at the time now see that, although there are still problems in the industry, it is a much cleaner and straightforward industry than it was and those involved are far better protected than they were.

Some specific matters in the act are important to note on the way through to this latest amendment of it. There were special offences in relation to living off the earnings of prostitutes. In other words, the act focused attention not just on the prostitutes themselves but on those who were fostering prostitution and profiting from it, those who incited prostitutes to break the regulations and laws, and those who breached their licences. They came in for penalties that were even higher than those applying to the prostitutes.

The act approaches street prostitution in a direct way. If prostitution is licensed so it can be carried on in a brothel under licence and legally, one then has the

wherewithal and the right to attack street prostitution and ensure prostitution gets off the streets and into regulated licensed brothels. That is what the act did both for the client and the prostitute. Street prostitution is an offence not only for the street prostitute, who puts herself and the community at far greater risk in carrying out her trade on the street, but also for those who encourage that behaviour.

Provisions were also introduced to deal with those who were offensive to prostitutes — for example, hooners in cars who harass prostitutes either on the streets, even if they are illegally on the streets, or going to and from their brothel or place of work. The act clamped down on those people who simply aggravate and place the lives and wellbeing of prostitutes in danger.

There was also a clampdown on advertising. A new and important change was a restriction on liquor being available in brothels. If a person goes to a brothel for that service, liquor should not be involved in the industry. Again, it leads to attacks on prostitutes and a breakdown in civil behaviour in an industry that is renowned for those sorts of problems.

The act went into great detail in setting out the procedures to be followed for any person wishing to obtain a licence. Many people said the licensee or approved manager tests were too strict or too harsh. I suggest there cannot be too strict or too harsh a scrutiny on those who run or manage brothels.

At last some attention was paid to the notion of an associate. While in the past a licensed brothel owner or manager had a licence and was approved, he or she may well have had an associate — a person associated with him or her who was really running the business and was really the manager. That person may have had a criminal record and certainly would not have passed the suitability test. Although it was extremely difficult to define what an associate was, because it could be a person associated financially, by marriage or in some other way, the then Attorney-General had the courage to face up to that issue and to legislate on who was or was not an associate to try to ensure the industry remained clean.

Sections 37 and 38 set out all the requirements a person must meet to be considered a suitable person to run a brothel. It is clear that what I have just said about the test being strict really is true, and it should remain that way. Section 37, which sets out circumstances in which the authority must refuse a licence application, contains strict provisions to ensure those people who have a criminal record are not involved in the licence or management of brothels.

Section 38 sets out matters to be considered in determining the suitability of an applicant. It is clear that a great amount of work was done to ensure that people who run brothels run them in a clean, straightforward and objective way. They have to be of good repute, honest and have integrity; they must make their reports appropriately; their financial resources are inspected; and whether the applicant has sufficient business ability to establish and maintain a successful business has to be taken into account, as does the applicant having in place arrangements to ensure the safety of people who are in the brothel premises and so forth. It is refreshing to see how the legislation has been arranged.

To get the flavour of the provisions, it is important to note that great trouble was taken to establish a framework that enables those responsible for checking on brothels to see that they are operating appropriately.

That brings me to another concern about powers of entry. Under the act that was introduced in 1994 a member of the police force above a certain rank — I think it is inspector — may enter a brothel without a warrant. At face value, entering any premises without a warrant is a major challenge to civil rights. Some people argue that it should not be possible for an inspector, or any member of the police force, to enter any premises without first having gained a warrant. However, the logic is that if a person has entered the industry and applied for a licence, as part of the terms of the licence he or she agrees that the operation can be inspected immediately by a police officer of the rank of inspector or above to ensure compliance with the licence. The person involved does not just occupy a house or a building; he or she is running a brothel and has obtained a licence.

As a consequence of the privilege of obtaining a licence there are certain things to which that person must agree. One is that his or her premises can be entered into without a warrant at any time so that an inspection of what he or she is doing can be carried out — for example, a warrant is required if an officer of inspector rank or above wishes to go onto a premise that does not have a licence but is suspected of being a brothel. One may argue that that is a bit contrary: a warrant is required even though police are inspecting an illegal brothel. The difference is that until you know that that premise is operating as a brothel, it is just a house or a place which belongs to someone and in which someone is entitled to live without interference. A warrant is required in those circumstances — although a place can be entered without a warrant, so long as the police notify a magistrate, it is an emergency and it complies with the requirements of an emergency as defined.

There is one drawback in the licence requirements, which relates to a business that is operated by people from the same family or people who are clearly not involved in the industry except on a personal basis. The act allows that if there are two people, and no more than two people, operating a brothel, and so long as they are operating it in a restricted area, they can operate without a licence. That was one of the concerns of the previous act because they could operate in non-restricted areas, so long as they complied with the definition of a restricted area — and I will refer to that shortly. That is a wise step back from an otherwise regimented and highly regulatory regime.

Only one owner per brothel is a central point of the legislation. It is incredibly hard to ensure that the requirements of that provision are complied with. However, at least it is there and there are powers available for those who have the capacity in the Office of Fair Trading and Business Affairs and the Victoria Police to inspect brothels and to go through people's backgrounds. At least now that the rule is there we have the capacity and the power to try to ensure that it is adhered to. Why is the provision there? Because it is singularly the most powerful deterrent against organised crime operating in the brothel industry.

The Prostitution Control Act provides that people of the type described in section 37 cannot operate brothels and ensures as well as legislation can that organised crime stays out of the brothel industry.

The amendment deals with planning controls. Because of the open nature of the earlier Prostitution Regulation Act enacted by the Cain government the planners themselves had to police it and that could not be done. A control body and others apart from planners were needed but the planning requirements were not strict enough. As a consequence the restricted area was introduced. The government of the day received much flak and shed much blood, sweat and tears over the definition of 'restricted area', which provided that a brothel could not be within 100 metres of a dwelling place or within 200 metres of a church, school or recreational facility where children were involved. A brothel could be conducted in small towns but not in rural areas or farming zones. A six-room limit also applied.

Those controls are stringent. However, residents in residential areas have a right to occupy their homes without nocturnal businesses operating next door making normal residential life a disaster. I will not enter into the moral arguments, but from a planning point of view it is inappropriate that a registered, licensed brothel where people come and go at all times

throughout the night should be conducted next to someone's home. Although the industry has improved, unsavoury characters still attempt to become involved and it is unfair on residents that that activity takes place outside their front gates.

The regulations were tough but appropriate and related to planning, although people may see the issue as moralistic if they wish. No major difficulty has existed with people who operate brothels fitting in with the planning notion that they simply operate in non-restricted areas. Some exemptions apply, but that is the general rule.

Why is the Prostitution Control (Planning) Bill before the house? The answer is simple. Those hard-fought and hard-won planning controls are in jeopardy because the courts have ruled that on a proper reading of part 4 of the Prostitution Control Act they will not apply to applications for extensions of permits granted before the legislation was enacted.

If that is the case any alterations from, as an example, 6 to 10 rooms or a change of location into a residential area, would not be subject to the planning controls of the 1994 act. It is one thing to argue that the planning controls are inappropriate, but it is another to say they are appropriate since they were passed by legislation and then to find they cannot be implemented because of a legal technicality. That situation must be remedied immediately.

The issue becomes worse. The government has had legal opinion that suggests that applications for planning permits under the Planning and Environment Act — applied for both before and after the enactment of the Prostitution Control Act — will not be subject to the planning controls contained in part 4 of the act. I have not seen the opinion but if that is correct unless something is done quickly the whole of part 4 will be nullatory and of no effect.

I return now to where I started. If retrospective legislation is to be introduced parliamentarians should be clear about what they are doing. Some honourable members — I am one of them — view as highly suspect retrospective legislation that changes people's rights. Retrospective legislation is dangerous if people's actions are based on the law as it stands and Parliament then enacts legislation that makes those actions unlawful. Because the legislation will apply to permits applied for in the future its retrospectivity goes only to the original application of the permit to conduct a brothel in 1994 when everybody thought they knew what the law was.

People who obtained permits then or have done so since were clear about the intention of the law in part 4. They cannot come back and say, 'Oh no, I didn't know anything about that'. A legal technicality arose. The public policy and social justice considerations are on the side of correcting the error rather than saying, 'You can have the benefit of the error because that was the law at the time and there will not be any correction to it unless it is done in the future'.

I make it absolutely clear that in supporting this legislation the Liberal Party is in no way suggesting retrospective legislation is a good thing. However, there are exceptions to the rule. In some situations retrospective legislation is necessary to correct an error because the justice of the situation and public policy considerations demand it.

Mr ROBINSON (Mitcham) — I am pleased to contribute to the debate on the Prostitution Control (Planning) Bill. I will refer to some of the wide-ranging comments of the honourable member for Berwick, whose contribution was in keeping with the contributions of members of the upper house in debate on the bill.

It is not ingenuous to try to portray the history of parliamentary action on this front from either side as based solely on moral righteousness. It might be fair for the honourable member for Berwick to raise some questions about the way the Cain government dealt with prostitution control and the regulation of brothels in the 1980s, but it is equally appropriate for government members to suggest it should not have taken until the 1980s to deal with the issues as thoroughly as was attempted at that time in Victoria.

The honourable member for Berwick put it to the house that past Liberal governments had dealt more effectively with these contentious issues than Labor governments had. I strongly dispute that assertion. When I was growing up — my recollection goes back to the early 1970s — the problems with prostitution and brothels were legion. For years the Bolte government, and in its early stages the Hamer government, turned a blind eye to what went on throughout Victoria. It does no-one any credit to suggest that all the fault in the management of these difficult issues lies on this side and that none lies on the other side.

Any examination of newspaper reports on prostitution back to the 1970s will reveal frequent references to drugs and standover men. I recall newspaper accounts of gang warfare over control of massage parlours, as they were then known. There was a Wild West mentality. As an institution Parliament cannot hold its

head high in reflecting on how long it took to pass legislation dealing with some of the far less desirable elements of prostitution and its associated activities.

There is no going back for the government once a collective will emerges to deal with these issues, which are at the less desirable end of human behaviour. Since the early efforts late in the Hamer government's time in office, and through the changes made under the Cain and Kennett governments, successive steps have been taken to regulate the industry. There are no easy fixes when dealing with behaviour that is in many instances considered to be undesirable. Although some of the people and activities associated with the industry have been less than desirable there is no going back because it is the role of the government to regulate the industry.

There are some parallels with the problem of drug abuse. At a later stage Parliament and the community will have the opportunity to look at ways in which the government might involve itself in that field in an unprecedented way — and once it does, there will be no going back. The government is taking proactive steps in these fields in the long-term interests of the community.

In his contribution to the debate on the bill in the upper house, Dr Ross, a member for Higinbotham Province and member of the opposition was more generously disposed than some of his colleagues to the efforts of the Cain government in trying to deal with prostitution. He is to be congratulated for the generosity of spirit he displayed in his contribution. The government would welcome a bipartisan position on the legislation, and I gather from the contribution of the honourable member for Berwick and those of opposition members in the upper house that that is effectively what is being offered.

Naturally enough, the debate in the other place was wide ranging, as is to be expected. The bill sends a clear message to people involved in the industry that tighter controls should and will apply.

Brothels and prostitution are legitimate businesses, but they stretch the tolerance of many in the community. From time to time all honourable members are confronted by constituents who have genuine concerns that any government tolerance of those activities is not a step in the right direction. Government cannot automatically make the world a better place. It must deal with the world as it finds it and do the best it can. In that sense, regulation is a desirable course of action.

Other concerns raised by constituents revolve around the ethics of paying for sex. It is not something I have much experience of.

Mr Dixon interjected.

Mr ROBINSON — Just the paying part — in fact, absolutely no experience!

Ms Asher interjected.

Mr ROBINSON — I thank the Deputy Leader of the Opposition for inviting me to clarify the position. I have absolutely zero experience. My wife is coming in to Parliament tonight, and I will mention that to her before we sit down to dinner!

Studies show that a large number of people choose to pay for sex, a fact which causes unease through many parts of the community. Dealing with those facts challenges the government. Prostitution is a longstanding practice; it is said to be the world's oldest profession.

Ms Asher interjected.

Mr ROBINSON — The Deputy Leader of the Opposition will get her turn and she can come clean and make her confessions to the Parliament!

An Honourable Member — What's the second oldest?

Mr ROBINSON — I am not sure what the second oldest is. It could be ours. Who knows?

Ms McCall — It's spying!

Mr ROBINSON — I would like to think that ours is slightly more honourable than the other, but that is in the eye of the beholder.

Government must deal with this side of human behaviour and make difficult judgments at times. Not too long ago an issue arose about the propriety of a football club — I do not think it was an AFL club; it might have been a VFL club — accepting an offer from a brothel to advertise on its jumpers. It caused an outcry and forced people to think about the prostitution industry which, while having a right to operate in a regulated way, still affronts many people's sense of morality and ethics.

The prostitution industry is its own worst enemies at times, and that is one of the reasons why many people do not hold it in high regard. For many years the industry was associated with drugs, standover tactics, pimps, corruption and payments to police officers.

In more recent times, the industry has been associated with incidents of illegal immigration. There have been a number of disturbing reports about depraved individuals enslaving women from Asian countries and forcing them to work in illegal brothels. That practice brings no credit on anyone in the industry, and it needs to be cracked down on very harshly.

At other times people have been confronted with reports of child prostitution. In February the *Age* published an article about a brothel madam who escaped a jail term. I will not mention her name, but the article states in part that she:

... walked free from the Melbourne Magistrates Court yesterday, despite pleading guilty to a charge of child prostitution.

The report also states that she claimed she had been naive.

She can consider herself fortunate to have been treated as she was. Such people bring great discredit on the industry. In large part they are responsible for people throughout the state not having a high opinion of the way the businesses are conducted.

The bill seeks to correct an unsatisfactory situation that has led to people who operate brothels under the 1994 principal act finding a way to increase from 6 to as many as 20 the number of rooms brothels can have. That has arisen as a result of a 1995 decision by the Supreme Court, which was appealed against. After listening to the contribution of the honourable member for Berwick, honourable members might reflect on why, if the regulatory attempts by the previous government were as outstanding as he claimed, the anomaly arose. I suspect that if more attention had been paid to the legislation introduced in the mid-1990s, some of the judgments of the Supreme Court might have been avoided. It is unfortunate that the court interpreted the legislation as it did — although it was of course free to do so.

The decision has effectively given brothel operators the opportunity of expanding their operations and increasing their revenue. I suspect that some brothel operators will not be pleased with what Parliament is doing by introducing the bill. I notice that not long ago the media reported that people in the industry were awaiting the green light from the government. The 1997 report of a committee comprising members of the government, the police and the community said that the 6-room limit on brothels should be raised to 20. So the expectation may well have been building in the industry that the extension would be given the green light. I will be pleased to vote decisively against it.

Many people in the Mitcham electorate would argue strongly that constraining the growth in the size of brothels is a good move and that governments should be doing just that and not shying away from it. For a long time Parliament has chosen to regulate the industry — and there are good reasons for doing so. This Parliament understands, as successive parliaments have, that an unregulated industry cannot be policed. If the industry is not regulated, it invites more criminal activity — including corruption and the exploitation of individuals, particularly young people — than would otherwise be the case.

On that point, I note that South Australia, where prostitution is still illegal, continues to have problems with its prostitution laws. Prostitution also remains illegal in Tasmania; Victoria, along with the Northern Territory, has a licensing system; and New South Wales, the ACT and Queensland have derivations of that arrangement. A report in the *Australian* of 20 January states:

Prostitution laws are almost certain to be reformed in South Australia after police yesterday dropped more than 150 prostitution-related charges and labelled current laws deficient.

The choice for government seems clear. It can regulate and crack down on the industry's activities by ensuring the regulations are adhered to, or it can attempt to ignore the problem — as appears to have happened in South Australia — and as a consequence endure all manner of regulatory and policing difficulties. I hope Parliament will support the bill. I also hope the government will continue to police the industry vigorously and crack down on illegal brothels in particular.

One of the first inquiries my office received after I was elected as the member for Mitcham was about an alleged illegal brothel in the electorate. Keen as I was to get out and about and do what I could to assist the electorate, on that occasion I chose not to be too investigative, preferring instead to pass the matter on to the local council. Illegal brothels are a big and continuing problem for councils. At the time my local council advised me that proving the existence of an illegal brothel was difficult and expensive and meant spending a considerable time in court. There is an ongoing trade in illegal brothels, and the police must exercise considerable skill in policing them. I am sure the Minister for Police and Emergency Services is only too well aware of the drain on resources associated with that policing role.

The new government is not afraid to police the underground sex industry. A report in the *Herald Sun*

of 19 January is headed 'Police blitz on illegal brothels', and that sort of action is welcome.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member's time has expired.

Ms McCALL (Frankston) — As a member who, along with other opposition members, is not opposing the Prostitution Control (Planning) Bill, I will take the house through the history of female prostitution in Australia, the history of brothels in my electorate and the purpose of the bill.

Firstly, I will talk about female prostitution. Prostitution per se is described as the great moral argument of the 20th century. It is acknowledged that members of Parliament are to some extent the moral guardians of public behaviour. I remind members of this chamber that the history of female prostitution in Australia is lengthy. Those of us who are migrants are perhaps not pleased to say that prostitution came to Australia with migrants — that is, on the convict ships.

I will read a small passage from a document which I downloaded from the Internet, and which I commend, on the history of female prostitution in this country. The 1994 copyright is held by Raelene Frances:

The fact that 12 per cent of convict women were recorded as prostitutes before leaving Britain no doubt predisposed them to continue their former occupation in the colony ... Other conditions in the penal settlements —

that is, apart from the ratio of males to females —

encouraged widespread prostitution.

In the early years of the settlement no provision was made for housing for female convicts and a woman's best chance of accommodation was through striking up a liaison with some man. Those who could not or would not attach themselves to one man found the temporary bartering of sex for accommodation just as effective.

Clearly nothing much has changed!

The history of female prostitution in Australia goes back, therefore, to the beginnings of white settlement, and records exist of sailors who visited the Northern Territory and bartered with local indigenous women even earlier in our history. The women were bartering for items of interest the sailors might have been carrying. While there was no exchange of money, those activities conformed to the fee-for-service arrangement that is so common, particularly in Australia.

One of the reasons prostitution became the issue it did in Victoria towards the end of the last century was the growth in urban life. Limited job opportunities — although as a feminist I hate to use that expression in

that context in this chamber — became available for women. A number of women preferred working in a factory; but the range of occupations open to women was very narrow, and all jobs paid about half the male rate for similar occupations. For young women living at home, that was just barely enough to make it all worth while.

For those reasons prostitution became attractive to many such women — like outwork in the clothing industry, it offered them the chance to work from home. Frances states:

The increasing work opportunities in shops and offices offered slightly higher status but usually not much more in the way of remuneration. Even if a woman —

a woman prostitute, that is —

took only one paying customer a day, at the going rate of two shillings and sixpence for a short time (at the bottom end of the market) she would earn more in a week than as a skilled tailoress or a lady typist. In times of economic depression the gap between respectable and unrespectable earnings was even wider ... Given these economic realities, it is hardly surprising that there was always a ready supply of women to meet the demands for commercial sex in Australia's colonial cities. No doubt there were also women drawn to the prostitute's lifestyle for its own sake, as offering a more enjoyable and freer way of earning a living than other kinds of feminine work.

I draw the attention of honourable members to some interesting literature written in Victoria at about that time. Some honourable members may have read Fergus Hume's *The Mystery of the Hansom Cab* and his subsequent book *Madame Midas*. Both books say a lot about life in Victoria in the late 1890s — probably not the cleanest or most desirable environment to live in, but interesting all the same.

The connections between this Parliament and brothels and prostitution have also been less than distinguished. I refer honourable members to a fascinating document to be found in the parliamentary library called *Who Stole the Mace?*. It puts an interesting slant on the history of this Parliament. In about 1892 the mace — not the one you see in the house today — disappeared. Alfred Lomax of the Criminal Investigation Branch post office section revealed that during the course of investigations, according to rumour, innuendo and local newspapers:

... it was an open secret in police circles that the mace had been spirited away from the Speaker's chambers by 'two whores' and a parliamentarian, and taken to a well-known brothel near Parliament House. It was, he said, a practical joke that had gone wrong.

The history of this Parliament is fascinating — and yet we are still debating issues about prostitution even in 2000!

My particular interest in the bill, as was the case with the Prostitution Control Act of 1994 and the amending legislation passed in 1999, springs from the fact that there is a brothel in my electorate; and I am not ashamed to say with a clear conscience that I have visited it. I did so in the interests of women's health and women's rights and as a response to the concern held by my electors about its location and management. I studiously avoided writing down any registration numbers from cars in the car park outside.

Two other brothels have recently opened in the electorate of Frankston East. I drove past them the other day to check where they were and whether they were complying with the regulations.

The brothel in my electorate is called Palace Playmates, and I commend the management of that establishment. When I visited it I was impressed by the manner in which it was managed. The women in the brothel received training in personal hygiene, personal health and related matters. However, I am still worried about the location, because it is a bit too close to a primary school and a railway station.

Of the two brothels that opened recently in the electorate of Frankston East one is called New Horizons and the other is called the Presidential Suite — one hopes the manager of that one is not called Clinton.

Concern about brothels in my electorate is associated with concern about another aspect of the sex industry — escort agencies and tabletop dancing. That is an argument for another day. The issue focuses on whether the provision of sexual services referred to in the bill should embrace all sexual services, including tabletop dancing, escorting and so on. Based on the history of prostitution in Australia and around the world, I am concerned about whether we are specifically addressing the issues of feminism, women's rights and women's health. I agree that it is better for prostitution to be regulated rather than non-regulated.

One of the issues that arose as a result of the UK experience towards the end of the last century was that the streets of London were unsafe because there was little regulation of the industry. Incidents, such as the Jack the Ripper murders, arose as a result of that lack of regulation and concerns were raised at that time about whether the increase in prostitution was a reaction to

the notion of sexual restraint within marriage, which was upheld by a stringent, highly moral community. In the year 2000 prostitution serves a number of other purposes.

So long as women's health regulations are observed, the industry is regulated to address the issues raised by the honourable member for Mitcham about sex slavery and under-age usage, and the operators are made to operate as honestly as is possible in such an industry, I have no difficulty with prostitution being legal. I would prefer it to be legal than to be made illegal and driven underground, because many other problems would be likely to arise as a result of that.

The honourable member for Mitcham referred to brothels and other prostitution establishments such as massage parlours. It is interesting to note the changes in history. I am told my electorate had a nice massage parlour well before I came to live there. It is now a privately owned art gallery. The progress from its original usage to its more modern one provides hope.

The purpose of the bill is to implement planning regulations. It corrects a loophole, which was probably inadvertent, in the 1994 and 1999 acts. As I have said before, not everything is perfect the first time around. If the community and society are to move forward it is incumbent on us to ensure that the legislation moves forward as well. I am pleased we have discovered the loophole and taken steps to close it. I encourage the same level of caution shown by the honourable member for Berwick about any legislation that includes retrospective provisions. I understand the rationale behind the bill, but I think we have to be careful that retrospectivity does not become a way of patching up the past rather than tidying up for the future.

I wish the bill a speedy passage. The opposition does not oppose it. I am aware that the operators in the industry in my electorate are supportive of the provisions of the bill because as honest operators they believe they comply with them. The history of the whole issue is interesting; the topic has been raised twice in the house since my election in 1996. Given the history of prostitution in Australia, I suspect the issue will never go away.

Ms DUNCAN (Gisborne) — I commend the honourable member for Frankston for her thorough research of the prostitution industry and for her visit to her local brothels. This would be one of the few times when it would be an advantage to be a female member of Parliament — I do not know whether male members of Parliament would get away with a visit to a brothel on the grounds of research.

I gives me much pleasure to speak on the Prostitution Control (Planning) Bill. As has been said earlier, prostitution is probably the oldest industry in the world. I was told today that the second oldest industry is spying. That is news to me. I wonder about spying on prostitutes!

The history of civilisation shows that society has either turned a blind eye to prostitution or has sought to stamp it out. The method often used to stamp it out was simply to harass the prostitutes rather than the customers. The approach adopted was to give prostitutes a hard time so they would move elsewhere. In most areas that approach failed: the industry continued to develop and flourish and the people working in the industry continued to be exploited. I suspect that exploitation continues today.

As a society we finally accepted that something had to be done. A number of speakers on the bill in both this house and the other place have outlined an interesting history of prostitution and the legislation dealing with the industry. Society has come full circle from trying to stamp it out and turning a blind eye to it to the position we are in today: accepting that it exists and seeking to regulate it in a non-moral way by simply treating it as a business and applying to it the same planning controls as are applied to other businesses that may be offensive in some people's minds.

The bill does nothing to radically change the debate about prostitution. The laws on prostitution have been changed a number of times, and the bill simply closes a loophole in the legislation.

The bill results from the 1995 Supreme Court judgment in *Beaufonte v. The City of Yarra and Others*. The main finding of the court was that the principal act does not apply to applications to modify existing permits but applies only to the granting of permits for new brothels. That was clearly not the intention of the principal legislation the Kennett government introduced in 1994. The bill's simple purpose is to close the loophole that permits an increase in brothel numbers without any limitation on their placement.

The effect of the Beaufonte decision has been that brothels operating under permits granted before 14 June 1995 can continue to operate without reference to the Prostitution Control Act and can expand well beyond the six-room limit the act imposes. The government has received legal advice that the principal act does not constrain the amending of permits granted after part 4 of the act came into operation. The bill is therefore required to ensure the intention of the act is put into effect.

While preparing my speech on the bill I found some extraordinary figures that not only reveal how large the industry is but highlight the need for strict legislative controls over it. An article in the *Herald Sun* of 19 January states that:

Up to 20 000 men a week are estimated to visit the 84 legal, licensed brothels in Victoria.

I was stunned by that figure. The article also reports that turnover in the sex industry is estimated to be more than \$350 million a year.

Mr Smith — How much?

Ms DUNCAN — More than \$350 million a year.

Ms Asher — It's bigger than the grand prix!

Ms DUNCAN — It's much bigger than the grand prix. One of the articles talks about the grand prix weekend being a big industry winner. The local brothels are unable to keep up with demand, which is a bit of a worry.

Not only does the industry turn over up to \$350 million a year, it is also growing.

Honourable members interjecting.

Ms DUNCAN — I note the laughter from the backbench. An article in the *Herald Sun* of 16 March quotes sex industry representatives as claiming that demand is growing and that the grand prix weekend is a boom time for the industry.

Although society accepts the existence of prostitution and brothels and has done so for many years, the terminology used to describe them over that time has changed. Once brothels were referred to as massage parlours; at least people now accept them for what they are and refer to them as such. That suggests the community has grown up and accepts prostitution as part of the rich fabric of society.

Debate on the sex industry has raged for many years. It is both interesting and pleasing that the bill has bipartisan support and that both sides of the house acknowledge the need to close the loophole.

An opposition member interjected.

Ms DUNCAN — I assume that when the honourable member says he supports it he means that he is not opposing it. I assume the honourable member supports the closing of a loophole in legislation introduced by his government.

Government members accept that the change is necessary. As the honourable member for Mitcham said, the change will cause some anguish in the industry. I understand there was an expectation in the industry that amendments would allow the number of rooms in brothels to increase to 20, but that will not happen at this stage. The bill maintains the status quo by ensuring that the original legislation is adhered to.

While the bill may cause some anguish in the industry, the community accepts and supports it. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I do not oppose the Prostitution Control (Planning) Bill. As has been said, it is minor legislation that is reactive rather than proactive. I urge the government not only to close the loophole revealed by the Supreme Court by restricting the number of rooms in brothels to six but also to examine the industry with a view to improving the lot of those who work in it.

I am pleased to remind the house that it was the Hamer Liberal government that in the early 1970s pioneered the control of brothels in an attempt to apply some agreed standards to their location. Because of the community standards of the time and the reluctance of the government of the day, the word 'brothels' was rarely mentioned. Instead, they were referred to as massage parlours.

In an attempt to treat brothels in the same way as any other business, in 1975 the then government proposed planning scheme amendments to restrict their operation to industrial and commercial areas. That attempt to hide them away from public view by tucking them down back streets proved impracticable. The then government found it difficult to effectively regulate the growing sex industry.

All honourable members must realise that prostitution is one of the oldest industries in our civilisation. It is a growth industry and will continue to exist, no matter how much governments legislate against it.

Prostitution laws should not be tough so much as wise. The more complicated and restricting governments make the operation of brothels, the more they will encourage illegal facilities. Brothels must be accessible to people who need to visit them, whether it be because of social or physical disadvantages. My own circle of friends includes a mother who has regularly taken her severely disabled son to a brothel. Another friend of mine has a son who is mentally disabled. He regularly takes his son to a brothel. Both those parents see that as a way of helping their children meet their needs without

their threatening anyone else in society. They believe that if their children — they are young adults now — could not visit brothels, they would seek sexual relief elsewhere, which, as honourable members can imagine, could cause tremendous problems for the rest of the community.

Apart from physically and mentally handicapped people who need the services of brothels there are those who are reluctant to form relationships with persons of the opposite sex — or indeed the same sex, given that there are now male and female brothels. Those people visit brothels to obtain sexual relief as part of a business relationship. They do so because they want to remain distant from and not form close emotional relationships with other human beings.

With this subject one has to be careful about the wording. Sex is a natural earthy occurrence and is often referred to in that way in the language of the outside world.

When I first came to Australia many years ago I worked at Winlaton, a youth training centre for girls in need of care and protection. Young girls were brought into the home for working as prostitutes, stealing or other offences, or because the police thought they were safer with us. As a result of overcrowding one of the dilemmas facing us in allocating rooms was whether to put a newly arrived girl in with a professional thief or a prostitute. It was a difficult decision which still confronts many administrators of remand and youth training centres. The friendships formed on first coming into the homes often continue outside. The majority of girls preferred to share a cell with a prostitute because they knew that outside there would always be a home as prostitutes were also paid to recruit extra workers. They offered friendship, food, clothing, shelter and the gradual progression of life onto the streets.

Drugs also add to the growth of the industry. It is hard to determine whether drugs come before commencing work in the industry or after. Some sex workers who are on drugs see the work as a way of funding their addiction. Others go into prostitution because it allows them to support a family, often alone, and the hours fit in with looking after children. To cope with the occupation they often then turn to drugs.

Prostitutes used to be called ladies of the night but that does not apply to the sex workers of today. It is often said in a quite humorous way, 'The rush hour is coming', because it is lunchtime. Australia used to have the 6 o'clock swill. I do not know the terminology for the after-work rush hour in Victoria's brothels, but it is the peak time of operation.

The bill limits the number of rooms in brothels but does not limit the number of people using the rooms. I am not sure how to do that — perhaps it could be done by limiting the size of the room. The car parking area of a hotel in my electorate had a number of small rooms attached, each containing a single bed and one chair. The door could just be opened. Part of me is wondering whether the bill should stipulate the size of the room because I am told the occupation can involve more than two people at a time. There is a higher turnover and a larger number of operatives in the room than the majority of people in the house might think. It is difficult to find the politically correct terminology to describe the industry.

Some people try to glamorise the industry. A quote from Betty MacDonald, an American, is:

I can feel for her because, although I have never been an Alaskan prostitute dancing on the bar in a spangled dress, I still get very bored with washing and ironing and dishwashing and cooking day after relentless day.

She compares the glamour and excitement of prostitution with the routine repetitiveness of housework. In case anyone misunderstands, prostitution is a repetitive, boring job for those who have worked in it for a long time. They probably prefer to do something else.

Some sex providers have worked as professionals for a number of years; some are in it for a short time; some go into it for a few months to meet certain commitments or acquire money for an overseas trip or a luxury item; some are in it for 25 or 30 years. There is a gamut of people to protect through legislation without making it so onerous that there will be more illegal brothels than currently exist.

There are many illegal brothels. The legal ones are in the minority. In nearly every town and suburb homes are used by one or two women working together, advertising their services or getting business by word of mouth. In small country towns advertising is not needed: information is spread by word of mouth.

Again referring to professionals I met during my work with the Salvation Army and in the community — I thought I should add that, in case members were concerned about my knowledge of the prostitution industry — it is said that enthusiastic amateurs are destroying the profession. Some people would like to see legislation introduced to control the more enthusiastic amateurs who work for only one half day or an evening a week. The industry is being made vulnerable.

Prostitution has always been referred to humorously by comedians. Over the years many jokes have been made about it, some quite sarcastic. In talking about the amateurs Alexander Woollcott said, 'Prostitution, like acting, is being ruined by amateurs'.

I was thinking about that, and I guess one would have to be an actor to be a prostitute, because one would really have to pretend on the day or night, or whenever.

Opposition members interjecting.

Mrs FYFFE — Yes. I am sorry, it is important — —

The ACTING SPEAKER (Ms Davies) — Order! I suggest the honourable member stick closely to the bill.

Mrs FYFFE — I will. The legislation dealing with inspections is very important because there were problems when police could not enter houses without having a council representative with them.

As all honourable members know from the advertisements in the newspapers, the escort agency business is growing. 'Escort agency' is often another term for prostitution. Many escort agencies are registered on a confidential register, but the prostitutes who work for them do not have the same protection as workers in brothels and are exposed to aggressive people. Prostitutes working for escort agencies do not know their clients, just as streetwalkers do not know their clients, and so ways must be found to protect them without making it more difficult for them, because it is a necessary service.

The honourable member for Gisborne said she was amazed by the size of the industry and the fact that there are 20 000 clients per week. My research tells me there are actually 60 000 clients per week with a total turnover of \$360 million. It is a huge business. I have heard prostitution referred to as being bigger than the grand prix. I hope we are getting taxes from the prostitution business. I do not know how the goods and services tax will apply; that will be the concern of the accountants. I suppose brothel owners should be concerned about how the goods and services tax is recorded on the books. That may be a problem that the accountants who work for the brothels will have to work out.

Although there is lightness and humour in the debate while I am speaking, the proliferation of illegal brothels is alarming. There are criminal components in the industry which make it a very dangerous industry in which to work. Even though the Parliament has tried to control the ownership of brothels by introducing

legislation, there is no doubt in anyone's mind that a large number of people with criminal intentions run brothels and use them to launder money. Brothels are open seven days a week, including public holidays. One cannot assume that their busiest time is late at night — it is actually during the day, which fits in with a lot of mothers who work in the industry. I suppose the majority of people have the idea — —

The ACTING SPEAKER (Ms Davies) — Order! I remind the Leader of the National Party that he is not supposed to walk between the Chair and the member speaking. Even when he has successfully distracted the attention of the Chair, it is still not acceptable!

Mrs FYFFE — As I said, the majority of members of the public have no idea what life is like in a brothel or what life is like for a streetwalker. The people who work in this business come from all walks of life. One must not always think it is only those from desperate situations who work in the industry.

We need to get more prostitutes off the streets and into brothels, where it is safer for them because they are provided with more protection by their co-workers and the people on the doors. They must also be protected from those who benefit from the industry — that is, the minders who may force them to work more hours than they desire and take clients they do not want to take.

As mentioned earlier, the proliferation of illegal immigrants being forced to work in brothels for very long hours over long periods in order to pay back debts must be stopped. They are often introduced to the industry through the forced administration of drugs, which can result in addiction and they are then on the roundabout of needing to work as prostitutes to satisfy their desire for drugs. It is a different world that cannot be treated as a normal business operation.

I refer members of the government to an interesting paper entitled 'Safe sex industry' written by Kevin Jones from Workplace Safety Services Victoria, published in the February 2000 *Occupational Health and Safety* magazine. If the government is seeking ideas on which way to go when introducing legislation his ideas are proactive. Among many things, he talks about the inappropriate storage of chemicals, smoking in the vicinity of chemicals, emergency evaluation procedures, slippery floors, narrow and steep stairwells and so on — the usual occupational health and safety matters that apply in any business.

In formulating the 1984 act, the Kennett government acknowledged the demand for sexual services. The reality is that there will always be a high demand for

such services in the community. There is no point in the government putting its head in the sand. The choices are either to regulate the industry or allow it to self-regulate, which then opens the door to criminal activity, health problems and wide drugs usage. As I said at the beginning, over-regulation could drive the brothels underground and more illegal brothels would commence operation. Criminal activity is tied to brothels, and that problem must be addressed.

I do not oppose the bill. I encourage the government to consider how to make the industry safer for its workers and easier for members of the community to accept brothels in their area.

Mr STENSHOLT (Burwood) — I support the Prostitution Control (Planning) Bill. The bill provides for a minor amendment to close a loophole in the principal act and is clearly of universal interest. Its aim is to limit the impact of prostitution on the community and the local environment in line with the intent of the Prostitution Control Act, which regulates the industry.

As has been pointed out by previous speakers, prostitution is now a highly regulated industry. I understand from various figures — they probably keep changing — there are 51 licensed brothel operators in Victoria, 31 licensed escort services, and 66 licensed operators that provide both services. Licensed operators obviously come under the Prostitution Control Act and presumably they will be paying goods and services tax after 1 July. Currently, 13 brothels have more than 6 rooms, one of which has 18 rooms. The bill deals with brothel size in terms of the number of rooms in the brothel.

The bill refers to part 4 of the Prostitution Control Act, in particular section 74 which deals with the restriction on granting of permits. A number of restrictions are listed including:

The responsible authority must refuse to grant a permit for a use or development of land for the purposes of the operation of a brothel if —

it is within an area zoned as residential; within 100 metres of a residence, unless it is within the central business district of Melbourne; within 200 metres from a church, school, kindergarten, hospital, children's services centre, or any other facility or place frequented by children for recreational or cultural purposes.

Many citizens want brothels to be kept well away from shopping centres, be they large or smaller suburban shopping centres. Section 74(1)(d) states:

unless there exists special circumstances as set out in the guidelines issued by the Minister administering the Planning

and Environment Act 1987, more than 6 rooms in the proposed brothel are to be used for the purposes of prostitution.

It puts a cap on the number of rooms and a limit on the exercise of prostitution within the licensed premises.

The genesis of the amending bill comes from a Supreme Court judgment of 9 October 1995 in the case of *Beaufonte v. The City of Yarra and Others* — they seem to have such extraordinary names! — which has been referred to by previous speakers. An appeal was made against a decision by the appropriate authority concerning a brothel in Collingwood which was 20 metres from a residence. However, it had commenced operation in 1989, and in 1995, which was prior to the new act coming into force, it received a permit to extend for six years. The court considered the application of section 74 and whether it applied to the brothel's operations before the act commenced operation on 14 June 1995.

In its judgment the court found that nothing in part 4 of the Prostitution Control Act revealed an intention on the part of the legislature that an application to modify an existing permit was affected by section 74. In other words, the court said there was a loophole in the act. On further advice, it seemed the loophole applied to the number of rooms and to existing brothels being able to apply for a planning permit, including existing brothels with six rooms. Merely by obtaining an amendment to their current permit they could expand well beyond the six-room limit.

The bill seeks to ensure the integrity of the original intent of the act — namely, to put a cap on the size and location of brothels in Victoria, which is an important aspect. I am sure that move is widely welcomed by my constituents.

The act and the amending bill continue the appropriate regulation of the prostitution industry. Honourable members have heard about the size of the industry. I have mentioned the number of brothels. We have also heard about the economic value of the industry, at least the licensed aspect, which is worth around \$350 million to \$360 million a year, and the regulation of it under the principal act. The amending bill, if passed, will ensure that brothels are well away from residential areas, especially from schools, churches, kindergartens and other areas frequented by children.

A number of honourable members have said that the bill will ensure brothels are operated with high health standards. That is particularly an issue with the incidence of hepatitis and HIV/AIDS. Also, in their operation brothels must ensure that sex industry

workers are not maltreated. Honourable members have read in the newspapers about illegal migrants working in the sex industry; indeed, such articles have appeared in newspapers this year. There have even been prosecutions through the courts of under-age sex workers. Clearly, the act regulating the health and occupational safety of the workers is extremely important, because the objects of the act include maximising the protection of sex workers from violence and exploitation and promoting their welfare and occupational health and safety.

An unregulated or self-regulated industry can quickly be taken over by criminal elements, or the workers in it can be the subject of illicit control, whether it be by pimps, drugs, and so on. The act and the amending bill provide suitable support and control over the industry so that it can continue to flourish in the way it is meant to under the act.

I note various newspaper reports earlier this year commented on the police being active in implementing the provisions of the principal act, both in ensuring licensed brothels are properly run and located as well as ensuring that illegal brothels are closed down. I refer to an article reported in the *Herald Sun* of 19 January titled 'Police blitz on illegal brothels'. The aim of the blitz, known as Operation Punch, was to blitz and close down about 100 illegal brothels in the suburbs.

I was concerned not only to read the article but to see the photograph of an illegal brothel in Glen Iris, which forms part of my electorate. However, I was pleased to read the comments of Detective Superintendent Gary Jamieson about the powers given to police to deal with illegal brothels. Rather than being on the police, the onus is on the owners of the premises to prove they have no knowledge of a brothel operating on the premises.

The police see the act as providing a strong disincentive to operate an illegal brothel insofar as it carries a penalty of five years jail and a fine of \$60 000. It is also an offence to be found in an illegal brothel.

I share the concerns of the police and members of the Municipal Association of Victoria about illegal brothels becoming a problem in local shopping centres. Cr Brad Mathieson stated he did not favour illegal brothels as they attracted the criminal element and other unsavoury persons and drug dealing often occurred in the vicinity. I support the proper licensing of brothels, which includes keeping them away from shopping centres and other public places. They should be conducted according to both the strict guidelines in the principal

act and the amendments in the Prostitution Control (Planning) Bill.

I know my constituents will be delighted when the bill is enacted and will support the closing of illegal brothels in shopping centres. Earlier in the year there was some expectation in the industry that a review of the legislation might see an increase in the size of brothels. However, for the sake of good order and the health and safety of the workers and their clients, the bill reinforces the intent of the act by putting a cap on the number of rooms and ensuring that the industry is properly regulated. I commend the bill to the house.

Mr SMITH (Glen Waverley) — I also speak on the bill as a local member. The contributions of earlier speakers have been mature — light hearted though such an issue may be treated at times. As local members we have a responsibility to keep an eye on what is happening in our electorates.

As the lead speaker said, the opposition does not oppose the bill, although it is wary of some aspects, including retrospectivity. The debate on the bill, which deals with planning issues, has been wide ranging. Registered licensed brothels have attracted the attention of Parliament since I was first elected to this place in 1985, the same year in which the report on prostitution by Professor Marcia Neave was published. The first bill on prostitution introduced by the Cain government followed the publication of that report.

The former Liberal Attorney-General, Jan Wade, later introduced the Prostitution Control Bill, which contained provisions designed to protect the community. Arguments were raised that the provisions protected the industry — and that was important — but the main purpose was the protection of the community.

A few years ago I received several telephone calls from residents of houses in a street near my office, who complained about a brothel in which illegal immigrants worked and which was being run by an unsavoury person known to police. When I contacted the police to see how they were handling the issue, I found that although they were aware of what was happening they were finding it incredibly difficult to prosecute the operator. The house was placed under surveillance, as a result of which police found the provision requiring that brothels not be located less than 100 metres from a house or 200 metres from a school or church was not being observed. However, as the police said, even with the powers they had been given it was not as easy as it seemed to prosecute the operator.

The residents supplied information about the establishment, including the comings and goings that occurred every night. The police were preparing their case when we thought of a great idea: we wondered whether the tax department might be interested in the brothel operator.

Once the department of internal revenue was aware of the situation it was amazing how quickly matters came to a head. The establishment closed down within four days of it having been brought to the department's attention, to the delight of all the residents in the area. Later, some of them rang me and said that they did not know what I had done, but that the situation had been resolved. My advice to other honourable members is that the income tax department is another tool that can be used when police activities are not proceeding as quickly as they possibly could.

In the case involved in the story mentioned earlier apparently the fellow had been running three or four establishments, one of which was in my electorate. Once the police included observation of those establishments in their day-to-day routines the residents became far more comfortable in going about their normal lives. I do not think there are any establishments in my electorate at the moment because we are vigilant.

The aim of the bill is to limit the impact of prostitution in the community. I indicated to the former Attorney-General that I would have doubled the minimum distances from houses, churches and schools provided in the original bill. Most residents would agree with me on that issue, but it is not as easy to achieve as it sounds.

One of the biggest problems in the industry is gutter crawling in areas such as St Kilda. A good friend of mine who resides there asked me during the time of the Kennett government, 'What are you going to do about the girls in this area?'. Although the police are vigilant, because of the level of resources available to them they are able to respond only at particular times. However, police resourcing is probably a bigger problem and the quicker prostitutes are off the streets the better.

It reminds me of a legendary story that I heard when I was a police rounds reporter with the Sydney *Sun* some years ago. Tillie Divine was one of the best known madams in Sydney. She ran brothels and street girls in the inner Sydney city area in the 1930s and during and after the Second World War. It is possible she was able to give testamentary benefits as a result of her business because apparently she gave her daughter the south side of Pitt Street with no strings attached as a 21st birthday gift.

Mr Richardson — G-strings?

Mr SMITH — I think we might leave that one for another time. Although it has its amusing aspects, the problem of kerb crawlers — the name given to unfortunate individuals who drive around trying to pick up girls from the streets — is probably one of the hardest for the police to address.

There is also the other legendary story involving members of the British commonwealth occupation forces (BCOF) in Japan after the Second World War. The forces were under the command of Lieutenant General Horace Robertson, an Australian known as Red Robbie Robertson. He was not a communist but had red hair. One day Red Robbie was showing around Dorothy Drain, a famous *Women's Weekly* columnist. He was telling her about the benefits of the regimental brothels he had set up because the incidence of venereal disease (VD) had been extraordinarily high. She returned to Australia and wrote a story about the regimental brothels with incredible rigour and a fair amount of spite. As a result the Prime Minister of the day sent a signal back to the commander of the BCOF telling him that he must close down the brothels. The sequel to the story was that the incidence of VD skyrocketed to its previous level.

Throughout time the subject of prostitution has had to be addressed, and this debate is yet another occasion. The churches take a moralistic view and would like to see prostitution even further restricted. I hope that because the bill seeks to limit the number of beds in a brothel to six the churches will feel more kindly disposed to accept that parliamentarians are trying to curb the trade and prevent it from getting out of control, and are addressing the health aspects in particular. As the honourable member for Burwood said, the health issues involve not only HIV and hepatitis C but also the traditional venereal diseases, which despite advances in medical science have not been eliminated.

It is to the Parliament's credit that these issues arise from time to time. If Parliament failed to address the problems the forces of evil would have free rein with their wicked ways and would be flouting the law. Parliament should give every encouragement to the police to rigorously enforce the law. Unless that message is sent out and everything possible is done to help curb the excesses in society the criminal element will take over, the drug industry will proliferate and the result will be a community that does not care.

Many members have focused on moral attitudes. Even though that is not necessarily the point of the bill, those attitudes must be kept in mind because they are what

we want for our community and for our children. I urge the minister to look even more carefully at the distances that brothels are set from residential areas, churches and schools so that those distances can be increased as a means of putting brothels out of the sight of children.

It seems eminently sensible that industrial areas are used for purposes such as prostitution. From my perusal of the daily newspapers, which is part of my training, it would seem that there has not been the imagined problems with brothels set up within the city itself. It must be that they are being properly run and supervised.

I urge the parliamentary committee responsible for the legislation to take note of community concerns. Many people in the community are terribly worried about the effects of the prostitution industry on children and are concerned about the economic lures that draw people into the industry. Workers in the prostitution industry do not necessarily come from the deprived areas of society; they can come from any level of society. It is a profession which has traditionally been scoffed at by society but, like spying, it is one of the oldest professions in the world.

I have just finished reading a book entitled *Sarum* by Edward Rutherfurd which is a history of Salisbury to the present time. One section is devoted to prostitution and how the churches — which in former days required compulsory attendance — were able to discipline their parishioners. However, even then clever people plying the trade of prostitution were able to get around the harsh laws of the time. The young lady in the story started her prostitution business in a very humble way. When the right man came along, she convinced him of the desirability of holy wedlock with her and, as a result, one of the great dynasties was started. The book used fictitious names but it is easy to guess to which family it refers. It is interesting that those things occur in all societies and from the humblest of beginnings.

The house has before it some minor amendments to the act which will ensure that the six-bed limit is enforced. Had the judge who made the relevant ruling considered it from a moral viewpoint as well, perhaps we would not now be debating this necessary legislation.

Far be it from me to advise judges, but from time to time it has been suggested that some of our judges should undertake courses in what is morally best for our society. If the judge had considered that, the result might have been different and the government might not have needed to introduce the legislation. One of the deciding factors in appointments to the United States Supreme Court is the views the prospective judges have

on the morals of their society and the effect their decisions will have on the rules that are made as a consequence.

I do not oppose the bill, which has a certain amount of merit. Any legislation that helps to control prostitution in Victoria is to be commended.

Mr LANGUILLER (Sunshine) — I support the Prostitution Control (Planning) Bill, and I am delighted that it has the backing of all parties. All honourable members have moral values that come into play when they debate bills such as this. Prostitution is not an easy subject to discuss, and its consideration requires the level of maturity that previous speakers have displayed. Their contributions show that opposition and government members can put aside their differences and get on with ensuring that, on behalf of the people they represent, the sex industry is managed in the best possible way.

As the Minister for Police and Emergency Services said in his second-reading speech, the bill:

... will ensure a legislative framework that limits the impact of prostitution on the community and environment. In particular, the bill will close a loophole that permits brothels to increase their room numbers without consideration of important limitations on the placement and expansion of brothels.

Although we have a long way to go, we have come a long way, too. I welcome the commitment displayed by governments over the years. One of the roles of government is to intervene and regulate when the need arises. If any issue requires intervention and regulation to protect the wellbeing of the community, this is one of them — and Parliament must protect the community. The bill clearly says that brothels should be located at an appropriate distance from child-care centres, schools, churches, hospitals and so on. It demonstrates that, along with the current government, governments of all persuasions have been committed to striking the right balance between protecting the rights of the business sector — that is, the sex workers and the prostitution industry — and protecting the community.

Given the contributions made by previous speakers, particularly the wide-ranging speech of the opposition spokesman, it is clear that another subject needs to be dealt with — that is, the protection of sex workers. I am delighted that over the years regulation and intervention have distanced sex workers from the criminal element. I have seen what happens in other states and countries where the industry is not as regulated as it is here and where governments have not intervened as governments in this state have. We must be mindful of the rights and entitlements of sex workers. They are

involved in a business and are entitled to be safe from the criminal element. By intervening in and regulating the industry, governments have achieved a number of outcomes, one of which is the protection of sex workers. I am delighted that the research conducted since the introduction of the principal legislation confirms that the industry has distanced itself from the criminal element.

I also put on the record a number of matters relating to community attitudes. In the process of researching my contribution to the debate I found a report commissioned in 1993 by a former member for Melbourne, Neil Cole.

Mr McArthur interjected.

Mr LANGUILLER — Indeed, he was a very good member, and he was particularly honest about this subject. I am happy the honourable member interjected with positive remarks about Neil Cole. In the research he conducted under the auspices of Melbourne University, the former honourable member for Melbourne asked respondents how acceptable they found the registering and licensing of brothels. Of the total sample, 34.9 per cent found it very acceptable, 50.9 per cent found it acceptable, and 12.4 per cent found it either unacceptable or very unacceptable.

It is important to put the results of the survey on the record because they show that over the years the community has come a long way in its attitude to the prostitution industry. One of the reasons for that is the mainly bipartisan support for the bills introduced in this Parliament. However, I am told that in the past some of the recommendations of Professor Neave, who was commissioned to review aspects of prostitution, were not taken on board by the opposition parties in the upper house.

The bill compels any government of any persuasion, including the current government, to keep its eyes and ears open, because there is an ongoing job to be done on the matters referred to in the bill. The business of prostitution must be managed. As the dynamics of the city change, and as communities change, governments must be continually mindful of and committed to reviewing the planning matters relating to brothels to ensure that we do not move too far away from the community safety principles in the original legislation. In addition, we must be continually mindful of and vigilant about the maintenance of the precincts in which the sex industry is located — that is, the brothels.

Those are important issues, and local and state government must be continually mindful of them

because they go to the heart of community safety and the safety sex workers are entitled to.

There must be continual review of and improvement in health education and the methods of applying health standards to prostitution and sex workers. We have come a long way in improving health in the industry. I acknowledge the contribution made by a number of organisations, particularly the Prostitutes Collective of Victoria. That organisation was officially formed in September 1983. Its members succeeded at that difficult time in grouping themselves within a very difficult industry, and they articulated the concerns of the industry well. They also put forward the concerns of the community at large and recognised how important it was to get the workers in the industry together and have them understand that organising themselves was to their own benefit and for their own protection. The big issue at the time was the link between sex workers, criminal elements and drugs.

The emergence of AIDS was a turning point, both for the community and for governments. They recognised the need to move rapidly into intervention and regulation in the industry to safeguard the community from significant and dramatic problems associated with that illness. Dr Penington, who at the time chaired the National AIDS Council, made a significant contribution and assisted in the process of regulating the industry and intervening for the better. We have come a long way!

There was a time when we called brothels massage parlours. The assumption was that prostitution per se did not necessarily occur in those places, that commercial transactions — money in exchange for sex — did not necessarily take place. That assumption was a reflection of community and government attitudes of the time. I am happy that we have moved away from that era of open prejudice and have begun to recognise that governments need to work with and manage the sex industry. The 1994 act was a part of that, and we are moving steadily towards the full recognition that the sex industry, like drugs, is a public health issue.

I commend Dr Penington and others like him who through the reports they have provided us with have enabled us to get our act together in relation to the industry.

Several honourable members have made useful contributions to the debate. All of the contributions have, at least in the main, been productive and useful, and I for one have certainly learnt a lot from them about developments in the sector.

One important matter that we must continue to address as servants of the public — and that is, after all, what we were elected to be — is the fundamental question of why some people get involved in the sex industry, plus the intertwining dialectic of why some people use sex workers.

I commend the honourable member for Evelyn on her honesty in tackling an issue not yet openly tackled by the community. Her comments went to the heart of the question of why people become involved in the sex industry.

It seems to me that some of the reasons are socioeconomic. For a number of years now there have been significant levels of unemployment, including structural and cultural unemployment, leading some people into the sex industry. All governments, including this one, have a responsibility to intervene in and regulate the industry while not losing sight of the broader questions, including the reasons for individuals in our community moving into prostitution.

Other cultural issues include the problem of children growing up in an environment in which they become too closely associated with people who condone and encourage prostitution. We need to keep that problem in mind and take steps to assist the community to protect its children. The government must play a role in protecting children who are associated in one way or another with the sex industry.

The other side of the coin is that prostitution is, in the end, a sector in which women are terribly exploited. Honourable members hope, of course, that women can avoid moving in that direction.

Drugs are also an associated issue. I am not competent to offer judgments in that area of the debate. For example, I am not sure which comes first, the drugs or the prostitution. Some women may feel they need illicit drugs to be able to continue working in the industry. That problem must be monitored and policed closely. Society has a greater chance of managing prostitution and policing the drugs associated with it by having a tightly regulated industry.

We should not lose sight of the fact that the sex industry involves many occupational health and safety issues — for example, those involving building maintenance and hours of work — that need to be addressed together with industrial relations issues, such as the employee-employer relationship. Prostitutes have the same rights as other workers, and we need to protect those rights and ensure that the community and Parliament do not overlook those industrial relations

and occupational health and safety issues. We need to be mindful of the occupational and rehabilitation issues associated with the industry and deal with them in a way that does not place a value judgment on the profession. I am sure the community, and particularly the government, will not avoid its responsibility to protect the rights of the industry workers.

Victoria should be proud of the fact that it has come a long way in dealing with the sex industry, which becomes particularly apparent when the Victorian experience is compared to that of many other nations around the world. Victoria has tackled the issue in a responsible and mature way, and I am confident that many other nations look to Victoria's management of the industry when they are trying to minimise the problems associated with the industry.

I wish to commend the contribution of Professor Marcia Neave. Her first report led Victoria and the world, and brought about this important bill. I also wish to commend the contribution of Dr Penington. In my humble view those two individuals have done a great deal to help workers in the sex industry in this state.

I commend the bill to the house. It advances the policy objectives of the Prostitution Control Act.

Mr THOMPSON (Sandringham) — On being invited to contribute to the debate on the Prostitution Control (Planning) Bill I perused both the bill and the second-reading speech. It is clear that the intention of the bill is finite: to give effect to the original wording of the Prostitution Control Act 1994, which imposed a six-room limit on licensed brothels. In a case that involved a challenge to the provision dealing with that limit a Supreme Court judge said the act covered only prospective cases and did not cover cases where permits had been granted prior to the introduction of the act. The bill gives retrospective effect to the original intention of the principal act.

In both second-reading speeches it was said that Parliament considers it appropriate to limit the impact of prostitution by regulating the industry so that people are not adversely affected by illegal operations, the use of imported sex workers or by being exposed to contagious diseases, which can impact significantly on people's lives in ensuing years.

A number of years ago I was invited to attend a committee meeting at a housing ministry estate in my electorate. The community worker who was the principal tenant in charge of the committee was keen to build a strong community on the estate and was doing a good job. At that time she was undertaking literacy

classes at the Council of Adult Education, which taught older people how to read. My office undertook much work with the people of that estate, and a number of years later I received a copy of her autobiography, which she wrote when she was in her 50s, shortly after learning to read. In her autobiography she described her meetings with local members of Parliament and the Governor-General and recounted her earlier life, which included a period working as a prostitute. It is interesting that that sort of work has been part and parcel of community life for a long time.

The parliamentary library has various encyclopedias and books that provide a good overview of the different societal attitudes to prostitution, ranging from the views held in southern India, western Africa and the ancient world of the Mediterranean to the more constrained approach of Western society during the past 150 years. The *Encyclopedia Britannica* states that:

International cooperation to stamp out the traffic in women for the purpose of prostitution was begun in 1899. In 1921 the League of Nations established the Committee on the Traffic in Women and Children, and in 1949 the United Nations General Assembly adopted a convention for the suppression of prostitution.

A brief review of court cases conducted in Victoria in the past few years indicates that some difficulties have been experienced in law enforcement. According to the *Age* of 6 June 1998 a brothel proprietor was charged with operating more rooms than the brothel was licensed for. In another article appearing in the *Herald Sun* on 19 January — not all that long ago — mention is made of illegal workers dominating the sex industry:

Detective Senior Sergeant Clemence said the owners of illegal brothels usually leased vacant shops in suburban strip shopping centres.

They advertise in local newspapers as relaxation therapy centres, which were sparsely furnished and usually staffed by one or two girls.

Mention is made of significant turnover in their takings, nevertheless.

A serious aspect of the conduct of brothels is child prostitution. An article appearing in the *Age* of 16 September 1999 under the headline 'Brothel owner banned after child sex charges' reports that children were induced or forced to take part in prostitution in a brothel. People as young as 15 years of age were alleged to have been employed at that establishment. The *Age* of 11 February this year reported on another case in which a brothel owner was involved in child prostitution, drug trafficking and a range of other prostitution offences. An article in the *Herald Sun* of 1 December 1999 suggested that young Thai women

were contracted to a Melbourne hotel owner who headed an international prostitution ring.

All those practices and breaches of the law in the sex industry have been conducted in a regulated environment. However, the Victorian legislature has held the view that a regulated industry should provide greater safeguards and levels of safety both for those who patronise brothels and for those who work within them.

Today's *Age* carries the story of a First World War veteran who spent time in Gallipoli and was involved in a number of Australian campaigns in Europe as a pharmacist. In his memoirs, published today, he noted that following the time spent by Australian soldiers in Cairo there was an increase in the number of cases of venereal disease reported to him.

In my legal career I had occasion to act on behalf of a number of people who encountered difficulties in relation to prostitutes and prostitution. In the middle 1980s a young lady contacted me about her concerns about a Melbourne brothel owner who she alleged was involved in the distribution of drugs through the brothel. She feared for her safety if the information she conveyed to me was reported to the police. On another occasion a taxidriver, who described himself as 'an information service on wheels', had driven down Blanche Street, St Kilda, where a police patrol was in operation, and it was alleged that he had offered money in return for sex. His account was that he thought the lady on the street was asking for directions and, as an information service on wheels, he was just endeavouring to provide that information to her.

An honourable member interjected.

Mr THOMPSON — I have been asked whether the taxidriver was successful in avoiding prosecution. The answer is that he was well represented and was successful in not being prosecuted.

A number of applications to establish brothels throughout Victorian electorates have resulted in appeals. I recall an application that was lodged to operate a brothel in a fine Victorian building in Dandenong Road, Oakleigh. As a consequence of concerns held by neighbours in an adjoining street who thought patrons might seek to park their motor vehicles outside their homes, and by several local school principals who did not want their students walking by the premises, the applicant was unsuccessful when the matter was determined by the Administrative Appeals Tribunal.

On another occasion in a light industrial part of Huntingdale a motor vehicle repairer was surprised to note that the property adjoining his premises was being established as a brothel. In that case the operation was successfully established.

In my electorate an illegal brothel was operating behind a shopfront in a suburban strip shopping centre in Highett. As a result of concerns expressed to the local council regarding the nature of the activities being conducted close to housing and in proximity to children travelling to and from school, the council was able to intervene because the establishment did not have a permit.

A serious aspect of the industry is highlighted by the circumstances in which a constituent who saw me perhaps four or five years ago had been sexually assaulted by a taxidriver. The matter caused that person and her family great distress.

It is difficult to strike a balance between the competing values and needs within society. The honourable member for Evelyn raised a number of those concerns and drew them to the attention of the house.

I noted at the outset of my remarks that the bill gives effect to the original intent of the Prostitution Control Act — that is, it limits the ambit of operations within a brothel by limiting the number of rooms in which the activities can be conducted. That reflects the finite nature of the bill.

Many social issues have been considered by former inquiries into prostitution and many varying views are held in the wider community; however, I have confined my remarks to the general context of the bill.

Mr SAVAGE (Mildura) — I rise — rather quickly, and much to the dismay of the honourable member for Dromana — to support the bill. I am in favour of strict controls in the prostitution industry, but I find it hard to accept that it is an industry that can be effectively controlled. Many indicators in society suggest that prostitution is an industry that is up to its armpits in syringes, drugs, exploitation and the like. I have listened with some disbelief to previous speakers who think the industry can be effectively controlled and rid of all those elements.

One of the problems with the industry is that as well as those that are legal hundreds of illegal brothels operate. Persons who are owners of brothels, by the very nature of their industry, are not honest people of good repute who possess integrity. How could a brothel owner be of good repute? That is an oxymoron. The act specifies the

qualifications that an applicant must possess to be a brothel owner.

Exploitation is the part of the industry that concerns me the most. A recent article from the *Age* highlights exploitation in the industry. The owner or manager of a licensed brothel was charged with exploitation of a minor by encouraging a 16-year-old to take part in prostitution. Another identity involved in the lawful brothel was a notorious Melbourne criminal. The owner was given a moderate penalty — a suspended sentence — on the basis of her unfortunate marital problems and the fact that she was brought up in Croatia.

The use of excuses such as upbringing or marital problems or being interfered with as a child for inflicting bad behaviour on others is difficult to understand. People have to be responsible for their own actions. Here is an example of a legitimate brothel exploiting children and introducing them to drugs. It cannot get much worse than that — juveniles under the age of 15!

Honourable members should read the newspapers from the past 12 months if they are in doubt that the industry is out of control. The newspaper articles read like a script for a sleazy porno movie: schoolgirls are sold into virtual slavery and illegal immigrants are exploited. The numerous allegations relate to both licensed and illegal brothels.

How do we know if organised crime is involved in brothels? They do not have family trees to determine the connections. The primary owners and managers may not have criminal records, but the problem of association is impossible to police. For example, Mildura has the only country permit for a brothel and the identity of the primary owner cannot be known or ascertained. The applicant is from a legal firm, but the actual owner is not named. The community has the right to access that information.

Another issue in the industry that concerns me is the grizzling of licensed owners about the illegal operations of other brothels — another example of irony.

I am bitterly disappointed with the legislation — not the bill but the fact that local government in country areas still does not have an appropriate measure of control. Councils in towns of 20 000 people or more cannot refuse an application for a brothel other than on vague planning grounds. I hope the issue will be addressed.

Tighter controls on brothels are essential, and I support the bill. It is necessary to be realistic when looking at the issue and not be deluded into believing it is possible

to control the industry. Let us be practical and do what is possible without imagining the industry is under control. I commend the bill to the house.

Ms ALLAN (Bendigo East) — Like the honourable member for Mildura and many members who have spoken before me, I am also pleased to speak on the bill. It has been interesting to hear some comments on the bill. In particular I commend the honourable member for Evelyn for finding such an interesting quote about actors and prostitutes and what appears to be a common link. As the honourable member for Berwick mentioned, sometimes Hollywood actors try to make their lives imitate art, with little success.

The bill impacts on an occupation that is often vilified and forced to operate illegally and on occasions causes community outrage. The industry is part of society and is the oldest profession. For the many professional women choosing to follow its calling it is dangerous. While the bill makes only minor amendments to the principal act, the more prostitution is discussed, the greater its impact on community, police and legislators, and the better regulated the profession will become.

I acknowledge the remarks of the honourable member for Mildura that the industry can never be totally regulated and controlled. However, the more it is regulated, the more account is taken of the negative impact on women who are physically abused as they go about their jobs. The environment must be made safer for the women in this occupation. While talking about the bill it is important to reflect on the culture that makes up prostitution.

The bill closes a loophole which allows a brothel to increase its number of rooms without consideration of the impact on the community and the surrounding environment. In Bendigo, a situation arose with a similar profession — lap dancing. A proposal came up in Bendigo to open a lap-dancing venue in a former hotel. The existing legislation allowed premises with an existing liquor licence, by extension, to operate as a tabletop dancing venue without going before the state government or the council to seek approval. Neither the council nor community members had an opportunity to oppose it in terms of the effect on the amenity of the town, the desirability of the location or its suitability for Bendigo. Citizens of Bendigo had no opportunity to participate in the discussion.

At the time there was great media speculation on the issue, and I was part of a community campaign that involved church groups, community health workers, the Salvation Army and many concerned members of the broader community.

A community group was formed and we had a meeting with the then Minister for Planning, the Honourable Robert Maclellan, and exchanged a number of letters with the then Attorney-General, the Honourable Jan Wade. In some instances it was fortuitous because a statewide review was being undertaken by the then Attorney-General into the sex industry and we were able to contribute to that review. The Attorney-General subsequently closed the loophole that enabled lap dancing venues to operate under existing liquor licences. I acknowledge the former Attorney-General's work in that regard. I am sure there will be an opportunity for members of Parliament to talk further about the lap dancing industry.

In drawing that example and discussing other loopholes connected with the sex industry, it is important that we as legislators constantly review and revise the law. The legislation introduces a new section to the Prostitution Control Act by inserting new section 75A, which gives the Victorian Civil and Administrative Tribunal the opportunity to consider applications or requests about the use or development of land for the purposes of the operation of a brothel. That will provide community members with the opportunity to have an input about the potential impact the opening or expansion of a brothel might have on their community.

In his second-reading speech the minister referred to the desirable containment of prostitution and how expanding brothels beyond a six-room limit is at odds with that position. As I mentioned with respect to the lap dancing industry, it is undesirable for a brothel to be able to expand its operations via a permit as a result of a gap in the original legislation.

The prostitution profession is not limited to notorious areas of Melbourne. I am sure many honourable members are aware that there are brothels, some not altogether legal, operating in country Victoria. The honourable member for Mildura referred to one in his electorate. Although there are no registered brothels in Bendigo there are a couple of well-known illegal establishments. The legislation will impact on communities in country Victoria.

I welcome the changes contained in the bill. It is very similar to the community campaign I was involved in two years ago in Bendigo which resulted in a loophole in the lap dancing legislation being closed. I commend the bill to the house.

Mr DIXON (Dromana) — I wish to make a short contribution to the debate on the Prostitution Control (Planning) Bill, which the opposition does not oppose.

Considering the title of the bill, not much mention has been made this afternoon of the planning aspects.

A brothel is an industry like many other industries in society: certain planning rules and regulations place certain industries and businesses in various areas of our suburbs, cities and country towns. We must be especially aware of the proximity of brothels to schools and residential areas because the vast majority of people living in our suburbs and towns do not think prostitution is the sort of industry they want in their face all the time, especially so far as children are concerned. Brothels should not be within sight of schools or along the paths taken by children to schools. They certainly reduce the residential amenity of our suburbs.

Another planning aspect to consider is the proliferation of brothels in some areas. Planning authorities must have control of where brothels are sited because there should not be a whole lot in one area as that would bring with it the inherent problems of people hanging around and traffic problems. It is not conducive to the amenity of the suburb, and if an industry such as prostitution is to be legal it must be spread out across the community.

Brothels should operate in certain areas only; for example, they seem to be situated in the more industrial areas, which is a suitable place for them. The location in certain areas of suburbs or towns of other industries is controlled because of traffic or the noise they may generate or simply because of the physical aspects of a factory or premises. The prostitution industry should also be subject to planning rules. Most of the planning rules are in place, but the bill limits the size of brothels, and that closes a very significant loophole which, if left unattended, would result in the operation of huge brothels. That is no good, especially in a planning sense, for the local area. Most people would view six rooms as more than adequate for that type of business.

In my electorate of Dromana there are no legal brothels and, so far as I am aware, there are no illegal brothels, but I may be challenged on that. I live in and represent an electorate with the oldest population in Victoria — it is a fairly conservative electorate. I know my constituents would not want a brothel in the area.

In the neighbouring electorate of Mornington, which is also controlled by the Mornington Peninsula Shire Council, a number of attempts have been made to place a brothel in Hastings. Those attempts have been well and truly put down by the council and the local community — they do not want a brothel in their town. I will watch that situation with interest.

The bill is another step along the road to controlling the prostitution industry. I agree with the honourable member for Mildura that the industry can never be totally controlled. The bill is subsequent to the great work done by the previous Attorney-General, the Honourable Jan Wade. With those remarks, I rest my case.

Mr NARDELLA (Melton) — I support the Prostitution Control (Planning) Bill which is a continuance of the reforms recommended in Professor Marcia Neave's report of the mid-1980s. Society has certainly come a long way, and that can be seen through the development of, for instance, things like the Sexpo and the mainstreaming of advertisements for Goldfingers Men's Club and the Men's Gallery.

The six-room limit is appropriate as it keeps brothels small and more community based. The needs of the state will be covered much better as a result.

Parliament must be concerned about the harm minimisation strategies and policies it puts in place. It must continue to be vigilant about the message of safe sex and the use of condoms in legal brothels. The protection of prostitutes, women and men, is of the utmost concern for the government and for the opposition. I agree with the honourable member for Mildura that under-age prostitution should be shut down. Illegal brothels, under-age prostitution and sex slavery are abhorrent and there will be no argument from this side of the house against their closure.

Parliament must also deal with street prostitution. One of the issues we need to face in the future is how to deal with and regulate women and men who work the streets and also protect the local residents where street prostitution predominantly occurs — which in Melbourne is mainly around the St Kilda area.

We also need to deal with options for prostitutes to leave the industry. We need to work with the Prostitutes Collective of Victoria and other community workers to ensure options and support are available if prostitutes want to leave and gain other skills and work in other industries.

One of the interesting aspects of prostitution and the goods and services tax is if by 1 July a prostitute has not got an Australian business number, or ABN, the client can withhold 48.5 per cent of his or her payment! On that basis, I support the bill.

Ms PIKE (Minister for Housing) — It has been an interesting debate on the Prostitution Control (Planning) Bill this afternoon. The contributions from both sides have identified that there is ongoing community

concern to ensure that prostitution is well regulated and that people who engage in the industry are protected. I thank the honourable members for Berwick, Mitcham, Frankston, Gisborne, Evelyn, Burwood, Glen Waverley, Sunshine, Sandringham, Mildura, Bendigo East, Dromana and Melton for their contributions, which have all been well researched and have added to our understanding and knowledge of the issue. I commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Sitting suspended 6.30 p.m. until 8.03 p.m.

FLORA AND FAUNA GUARANTEE (AMENDMENT) BILL

Second reading

Debate resumed from 21 March; motion of Ms GARBUTT (Minister for Environment and Conservation).

Mr PERTON (Doncaster) — The Flora and Fauna Guarantee Act proclaimed in 1988 was intended to provide the main legal framework for the protection of Victoria's biodiversity, native plants and animals, ecological communities on land and water and for a major program of state government and community action.

The bipartisan legislation was inspired by the United States of America Endangered Species Act. When first proposed it was heralded as pioneering Australian conservation legislation. Its primary purpose was to provide legal controls over habitat management for individual threatened species and ecologically threatened and threatening processes. It also aimed to guarantee not only the survival of species but for species and communities to evolve and flourish in the wild.

The web site produced by the former government at www.nre.vic.gov.au ensured that the processes, the details of the legislation, and the flora and fauna to be protected were accessible to the public. I pay tribute to the former Minister for Conservation and Land Management, the Honourable Marie Tehan, who took great pride in building the web site.

A key part of the original legislation is the listing process that is set out on the government web site. It states:

Under the act, species, ecological communities and potentially threatening processes can be listed by the Governor in Council after being recommended by the responsible government minister. Any person or organisation can nominate an item for listing. Guidelines —

which are, again, set out by hotlink —

are available. The nomination which must include scientific evidence, is assessed by an independent scientific advisory committee. The committee makes a preliminary recommendation which is advertised and public comments are invited. After public comments are taken into account the committee makes a final recommendation to the minister. If this is accepted it is published in the newspapers.

At this time 141 plant species, 128 animal species and 23 ecological communities are listed on schedules as being threatened under the act and 22 processes are listed as potentially threatening.

The next fundamental part of the act is the schedules dealt with by the bill. They are also set out on the web site and include a list of threatened taxa and communities of flora and fauna. Schedule 3 contains a list of potentially threatening processes.

A further major part of the act involved the preparation of Victoria's biodiversity strategy on which the former minister's department and others did much work. The work provided a good base for what the government must now do to properly implement the legislation. Another key part of the legislation is the action statements.

It might be worth while mentioning again a good web site that sets out the action statements. In relation to plants, for instance, although the Audas spider orchid is not well known in the community the web site I mentioned earlier provides a diagrammatic representation and description of the orchid, including its distribution, its conservation status and the reasons for that status. The objectives are listed as follows:

To protect existing plants and encourage regeneration.

To maintain habitat in an undisturbed condition so that the natural ecological processes continue to operate.

To develop successful propagation techniques so that additional wild populations can be established if the need arises.

The action statement sets out a long and elaborate process and seeks to address means by which the state and the community can increase the numbers and distribution of the species to both ensure its protection

and enhance the biodiversity of Victoria. The bill provides for critical habitat determinations, public authority management agreements, interim conservation orders and the provision of powers which together with the Wildlife Act and the Fisheries Act can be used to control the use of or damage to protected native flora and fauna.

Mr Acting Speaker, you were a member of this Parliament in 1988. At that time the community set out a number of reservations and the broad ecosystem protection approach was strongly criticised by some industry groups, because the guarantee requires conservation objectives to be met and to hold a higher priority than mere economic or social objectives. In particular, industry groups have voiced criticisms of the protection of ecological communities and subspecies, and the identification of threatening processes. The Public Land Council made a detailed submission outlining a variety of proposals for amendments to reassert the economic rights of those affected by the act.

There was also criticism both ways in relation to the rights of third parties. On the one hand there was industry criticism of the opportunity for the public to make nominations and therefore provide possible delays of development approvals of up to three years while an item was assessed. On the other hand many environmental groups also believed there should be third party rights to enforce the objectives of the act, similar to the third party rights available to objectors to planning developments. There was also some criticism from members of the National Party, because some rural people saw the legislation as a threat to their livelihoods. Finally, environmental groups argued that the lack of legal protections for listed items on private land meant that the guarantee could be compromised too easily in favour of developers.

The views of those in the community who believe that the rights provided by the act are too broad have probably continued. On the other hand there are people in the conservation movement who do not think that the legislation goes far enough. These are interesting questions.

At the end of the term in office of the previous coalition government there were 280 taxa and species, 23 communities and 22 processes listed, as well as 100 action statements in existence and some 30 or 40 in preparation. It was a substantial achievement as part of the former government's efforts to protect parks and the environment.

In respect of this bill, while the opposition will not oppose the amendments they are an indictment on a

substantial lack of vision and imagination by the government. The debate in the other place canvassed these provisions in substantial detail.

Mr Lenders interjected.

Mr PERTON — The honourable member for Dandenong North interjects and suggests that the opposition should support the bill.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster will ignore interjections. They are disorderly.

Mr PERTON — The Liberal Party has substantial reservations about the way the government intends to proceed with its administration of flora and fauna. Early indications of the minister's performance are either that the amendments do not go far enough or that her administration of the act is seriously lacking. All the bill does is change the word 'schedule' to 'list'. It is a shocking indictment of the administration of the minister and her commitment to the portfolio that five months into the government's period in office she is introducing her first bill and that the bill essentially does no more than convert a schedule to a list.

Mr Doyle interjected.

Mr PERTON — The honourable member for Malvern rightly asks, 'Where is the Minister for Environment and Conservation on her first bill?'

Opposition members interjecting.

Mr PERTON — They were good questions from the honourable members for Dromana and Wantirna. They rightly asked, 'Did the minister sign off?'. This is not the minister's legislation, it was drafted by the previous government. It is a piece of coalition legislation that seeks to correct a defect of drafting.

For the sake of the honourable member for Gisborne, who in her electorate is known as the member for the Regional Forest Agreement, Woodchips and Clear Felling — —

Ms Duncan — By whom?

Mr PERTON — The honourable member asks, 'By whom?'. That title is given to her by the conservation groups she betrayed. The honourable member for Gisborne pokes her head up. She should not forget that — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Seitz) — Order!
The honourable member for Doncaster will continue without assistance. He will address his remarks through the Chair.

Mr PERTON — The honourable member for Gisborne has a very short memory. She stood in the streets of Gisborne and Woodend and got signatures on a petition calling for no regional forest agreements, no woodchipping and no clear felling. People remember that you did that and that you betrayed them. At the next election the honourable member for Gisborne and her Labor Party supporters will be reminded of her betrayal of a community.

The ACTING SPEAKER (Mr Seitz) — Order!
The honourable member for Doncaster will use the proper form of address.

Mr PERTON — It is a relief to the opposition that the seat of Gisborne will be such easy meat at the next election. Should the honourable member for Gisborne speak in this debate she will be acting in a most hypocritical fashion.

Ms Beattie — On a point of order, Mr Acting Speaker, I seek your guidance. This diatribe on the regional forest agreement (RFA) does not seem to have anything to do with the current bill.

The ACTING SPEAKER (Mr Seitz) — Order!
The honourable member for Doncaster is making a passing reference.

Ms Campbell — On a point of order, Mr Acting Speaker, the honourable member for Doncaster is casting aspersions on the honourable member for Gisborne, and I ask him to withdraw.

Mr PERTON — On the point of order, Mr Acting Speaker, the minister shows her lack of experience in the house. Firstly, neither of the points of order — —

Ms Campbell — The only one who is hypocritical is you.

Mr PERTON — A very thin-skinned minister. The Minister for Community Services has just complained about unparliamentary language and by way of interjection referred to me as hypocritical. The minister is quite out of place in suggesting that any language I used was unparliamentary and, according to the forms of the house, if I had referred to an honourable member inappropriately it would be up to that member to take objection. This very thin-skinned and incompetent minister who has shown herself to be — —

The ACTING SPEAKER (Mr Seitz) — Order!
The honourable member for Doncaster should stick to his point of order.

Mr PERTON — I ask you to rule against her.

The ACTING SPEAKER (Mr Seitz) — Order!
I do not uphold the point of order. The honourable member who feels offended and aggrieved must raise the point of order herself and ask for the words to be withdrawn.

Ms Duncan — Mr Acting Speaker, I find the comments objectionable, and the honourable member for Doncaster is misleading the house in his representation of my campaign on the RFA. I ask him to withdraw those statements as well.

The ACTING SPEAKER (Mr Seitz) — Order!
As to the claim that the honourable member for Gisborne has been misrepresented, she will have time to refute those matters in debate. It is only if unparliamentary words have been used or a member has been personally offended that a misrepresentation can be dealt with by way of personal explanation. There is no point of order.

Mr PERTON — Before returning to the bill I will compare the record of the Labor Party with that of the Liberal Party in Victoria. The best record in conservation and the protection of wild animals and places is held by the Liberal government. Indeed, the shining lights in this state on conservation and environment matters were the Hamer and Fraser governments. The national parks legislation and the system of national parks as they exist today were set up under the leadership of Sir Rupert Hamer. However, Sir Rupert was not the first Liberal to be involved in the conservation movement. Historical records show that the great Liberal Prime Minister Alfred Deakin, formerly a member of this chamber, dealt with conservation issues as early as 1908 and invoked customs law to help protect native species.

Shortly after his election Sir Rupert Hamer said:

We will be less materialistic and more interested in things of the spirit. All other development and growth is negated if we destroy the surroundings in which we live.

A couple of years later in an article that appeared in the then *Herald* of 15 November 1974, Sir Rupert said:

We have an obligation to preserve the natural heritage, and we are moving ahead as fast as possible in this area.

He went on to say:

Then there are conservation organisations geared to protecting wildlife and fauna — as well as the environment

against pollution. The picture emerging is one of increasing conservation and increasing number of reserves set aside for people to enjoy.

Recently the *Age* paid tribute to Sir Rupert Hamer, applauding the fact that he had founded the Environment Protection Authority (EPA) and set up the commission that recommended increasing the number of national parks and forest reserves.

It is interesting to consider some recent publications on the heritage left to the United States by President Teddy Roosevelt. Sir Rupert Hamer had the same substantial impact on environmental policy in Victoria as President Roosevelt had on the American consciousness of the environment in the early part of the 20th century. As they were being impacted on by business interests, President Roosevelt moved to protect America's natural resources through the application of scientific management techniques. From many of his speeches and subsequent writings it is clear that he believed humans are stewards of the environment and must take the longer view and not use up resources — because if we use them up now they will not be here for our children. As he said in 1912:

This country belongs to the people who inhabit it. Its resources, its business, its institutions and its laws should be utilised, maintained or altered in whatever manner will best promote the general interest.

President Roosevelt looked on the countryside as most people did in his time — that is, as an economic resource that could be improved on. But he was also romantically attached to it and attributed to it a capacity to inspire and teach. Certainly his heritage of national parks draws a lot on the protection of wild animals and other things that inspire the community. The Victorian Liberal Party has a proud record in conservation and environment. As I said, the EPA stands as a tribute to the state Liberal Party's efforts in the area.

I note that the Minister for Environment and Conservation has entered the chamber. Her commitment to the EPA is nowhere as strong as that of previous Liberal governments. Her recent creation of a so-called flying squad of secret police seems to be at odds with the fact that she has a working party considering the treatment of hazardous wastes. It seems extraordinary to me as the shadow minister that an organisation that for a quarter of a century has been held in high regard by both sides of politics and by industry, unions and conservationists should have its work undermined by a minister who acts in such a pre-emptory way. The Environment Protection Authority, a fine organisation that has been well managed in a bipartisan way for 25 years, has a proud

history of working with communities to enhance their environment.

The Minister for Post Compulsory Education, Training and Employment, who is also the member for Altona, has often spoken to me of the fine work the EPA does with the community in Altona by giving business the incentive to do the right thing. It organises forums in which the community and business get together and decide on the appropriate action for what could otherwise be a hazardous industry. Yet through her precipitate action in establishing what can be described only as the secret police of the EPA — she has referred to it as a flying squad — the Minister for Environment and Conservation has undermined the work of the community in environment protection, not just in a bipartisan political sense but in bringing together business, unions, interest groups and others. I hope the Minister for Post Compulsory Education, Training and Employment will join the debate at some stage and share her thoughts on government, community and environmental agencies working together.

I have been referring to the Liberal Party's record of achievement in conservation and protecting the environment. Federal Liberal governments have introduced the Antarctic Treaty Act of 1960, abolished whaling at Albany, proclaimed the Great Barrier Reef Marine Park, prevented sand mining on Fraser Island, and proclaimed the Kakadu and Uluru national parks.

In the five months during which I have been shadow minister for conservation and environment I have had the pleasure of meeting with many conservation and environment groups in Victoria, most of whom are doing fine work. Already many of their members are having to work in opposition to and are feeling betrayed by the government. My role as shadow minister includes listening to members of local communities and members of environment and conservation groups. To the extent that they disagreed with the actions of the former government, I must listen to and understand their views and ensure our policies take them into account.

I also understand that many people in the conservation movement regret the demise of the former Kennett government. For instance, the Wilderness Society will remember the great contribution the former minister, the Honourable Marie Tehan, made to the establishment of additional wilderness areas in the state. Those things are sorely missed by the community. The previous government gave coastal groups a lot of support, but the minister has given them no indication of the direction her government will take and has instead caused great confusion.

The honourable member for Bellarine, who is a fine representative of his constituency, has tried to guide his community through the issues raised by the development of his area. Queenscliff is becoming a popular tourist destination as well as a place to which increasing numbers of people are coming to live, many of them commuting to and from Geelong each day. He has tried to help his constituents deal with the changes caused by developments in recreation and tourism while addressing the important environmental and conservation aspects of the area. However, in his case the minister came in over the top of a planning process. Did she discuss it with the local member or the local community? No, she did not. She acted in the manner for which she is becoming notorious both within government and outside — that is, precipitately, without sufficient evidence.

Mr Lenders — On a point of order, Mr Acting Speaker, I draw your attention to standing order 99. The honourable member for Doncaster is well and truly straying from the subject matter of the bill.

The ACTING SPEAKER (Mr Seitz) — Order! I uphold the point of order and ask the honourable member for Doncaster to come back to the bill.

Mr PERTON — Mr Acting Speaker, I shall comply with your ruling as well as your previous rulings and those of other Speakers that say that the lead speaker for the opposition party can canvass a wide range of issues relating to legislation.

Honourable members interjecting.

Mr PERTON — I am glad to see the honourable members for Tullamarine and Carrum in the house.

The ACTING SPEAKER (Mr Seitz) — Order! the honourable member for Doncaster, without assistance.

Mr PERTON — It is such a pleasure to have them contributing to the debate. I am sure they had a lot of input into the bill. I have never had a kiss blown to me in the chamber, but the member for Tullamarine is showing a great deal more affection for me than I knew she had. I am pleased she is in the house!

The extraordinary thing about the bill is that it is the previous government's legislation. It was not generated as a result of any policy deliberation but because parliamentary counsel raised a technical issue. After five months, all the minister can do is introduce a technical piece of legislation. If flora and fauna and the environment are in the sort of danger the minister described when she was the opposition spokesman, one would have thought that in the last sessional period and

this more legislation that delivered on modern concepts such as biodiversity would have been forthcoming and that the minister's second-reading speech would have made more reference to developments at the federal level.

It is no surprise, however, because in the October 1999 address to the Parliament by the Governor, Sir James Gobbo, environmental issues took up only three paragraphs. Regardless of whether that is a function of the minister's laziness in her submission of draft comments for the Governor's speech or the surprise felt by the government at its election, the speech was shallow indeed in its commitment to the environment. In his speech the Governor said:

The government's environmental agenda will make Victoria a better place to live.

Mr Cameron interjected.

Mr PERTON — The inane interjections from the honourable member for Bendigo West are quite extraordinary. I have never heard of anyone being required in this house to quote from memory. I look forward to the honourable member for Bendigo West doing it himself.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster will use the proper form of address.

Mr PERTON — I refer to the Minister for Local Government, and I acknowledge that it hurts.

I return to the Governor's speech:

The government's environmental agenda will make Victoria a better place to live. It will build the principles of ecologically sustainable development into the process of decision making across the whole of government and strengthen environmental monitoring and reporting requirements.

The opposition will certainly hold the government to that very high standard if that is what it is going to do.

Ms Duncan interjected.

Mr PERTON — I take up the interjection of the honourable member for Gisborne. She is very helpful in debates, but she is an example of what I hope I will never be in my environmental work.

Between 1992 and 1999 the previous government extended national parks and reserves, including and the Yarra Ranges, Terrick Terrick and Chiltern. French Island and Lake Eildon national parks were created and box ironbark forests and woodlands were protected. Two new state parks were added and thousands of

hectares of new open space was created in existing parks.

The previous government established the Good Neighbour program to eradicate pest plants and feral animals in parks and on other public land. In matters of conservation and environment it is important to have the support of the farming community — people who live in the areas where most of the threatened species, the subject of this bill, dwell. Many of the environmental problems in this country can be traced back to the efforts of our early settlers to introduce European styles of agriculture and European treatment of forests and the like.

Mr Steggall interjected.

Mr PERTON — As the honourable member for Swan Hill says, they did it very well. Farmers and farming communities have seen the increasing problems of salinity, deforestation and the like, and the communities themselves have changed, too.

As a member of the partnership team travelling in rural Victoria over many years I have enjoyed seeing the rural communities taking up the Landcare program. There is no greater tribute to the volunteer capacity of Australians, and Victorians in particular, than the work done in Landcare for the environment, and farmers are vital to that work.

In establishing the Good Neighbour program to eradicate pest plants and feral animals on public land the previous government took away from rural communities the sense of anger, hurt and anxiety. A lot more work is still to be done in this area.

I would be pleased to hear the minister, either in her summing up or in committee debates, say what she will be doing to extend and continue the Good Neighbour program, which is well supported. There is no doubt that in Victoria, as in the rest of Australia, pest animals and pest plants remain a substantial problem. A recent estimate by a United States scientific organisation is that the cost of weeds to Australia is approximately \$15 billion a year. Indeed, in today's *Herald Sun* an article reports on the role of domestic and feral cats and the damage done by them to our endangered flora and fauna. It will be interesting to hear the minister, after six months in office, give her views on the program.

The previous government introduced a renewed and comprehensive capital works program for beach renourishment, boating facilities, sewer upgrades and pollution control to improve water quality along the Victorian coastline. Some 25 000 hectares were added to Victoria's parks, and in 1997 Parks Victoria was

created as a single agency with a dedicated focus on the protection and management of Victoria's outstanding network of national wilderness, state and regional parks, and bays and sanctuaries.

One would have thought that Parks Victoria would be seen as crucial to the management of flora and fauna, since it has control and management of some of the most important parts of the state.

I note that the honourable member for Polwarth is in the house. Only last week the honourable member and I visited the terrific and well-managed Otways National Park.

Ms Lindell interjected.

Mr PERTON — The national and state parks that exist across the state are a great tribute to the management of Parks Victoria, which was established by the last government.

Ms Lindell interjected.

The ACTING SPEAKER (Mr Seitz) — Order! I ask the honourable member for Doncaster not to invite the house to participate. He should be able to debate without assistance.

Mr PERTON — Thank you, Mr Acting Speaker. Perhaps if the honourable member for Carrum complied with your rulings it would not be necessary to do so. I refer in passing to the interjection from the honourable member for Carrum, who, at her most churlish, dismissed the work of Parks Victoria. That is typical of a person such as she — an ideological hack, preselected for her ability to stack branches —

Mr Lenders — She was unopposed!

Mr PERTON — It is hardly likely that she would understand the work of Parks Victoria.

The ACTING SPEAKER (Mr Seitz) — Order! Can the honourable member explain to me what that has got to do with the bill? I ask the honourable member for Doncaster to come back to the bill. I have allowed the honourable member some leeway, but I ask him now to come back to the bill.

Mr PERTON — I am grateful to you, Mr Acting Speaker.

Parks Victoria has been a world-leading agency. Agencies from the United States of America, New Zealand and Europe have come to Parks Victoria to get advice and see how parks can be well managed and how remote parks can be protected. The honourable

member for Polwarth and I saw how well the Otways National Park was managed. That park is reasonably remote, but it attracts a large number of tourists, it is well protected and has lower-than-average numbers of pest animals and plants.

We learnt from the rangers who work for Parks Victoria that one of the great things about the agency is that it has enabled rangers to move from low-visitation, remote parks with very high conservation values and many rare flora and fauna to parks that attract high visitor numbers. Parks Victoria has enabled rangers who are able to identify pest species to move from remote parks to metropolitan parks to enable them to be better run. At the same time it has brought rangers from metropolitan parks to the more remote parks to assist with modern techniques of visitor management. An issue around the world is that an increase in tourism has meant that visitation numbers need to be controlled and well regulated in park environments. For instance, programs that ensure that everything brought into parks is later taken out are very important.

I know the honourable member for Bayswater is a committed bushwalker. The honourable member for Dromana spends much time travelling around the state and working on conservation and environment issues. He and others have seen the work of Parks Victoria close at hand.

Given what the minister did on Sunday the bill means nothing. In a quiet news period she put out a press release saying that the fine service run by Parks Victoria would be split into a national parks service and a metropolitan parks service. There is no logical reason for doing that. The service has worked well in the past, and breaking it up into two services will mean that it does not have the management flexibility that allows rangers to move around, which will limit their career opportunities. It will mean that the skills and talents that are required to administer the bill will not be so readily transferable.

Mr Dixon interjected.

Mr PERTON — As the honourable member for Dromana said, it will mean a duplication of administration. The bill brought before the house by the minister is a load of nonsense given her actions at the weekend. The press release must have been released quietly, because I did not see anything about it in the *Herald Sun*, the *Age* or the *Australian*. The honourable member for Dandenong North may be able to enlighten me about that — has he seen it anywhere?

Mr Lenders — No.

Mr PERTON — No. The press release was produced on a Sunday in the hope that it would not see the light of day.

Mr Lenders — On a point of order, Mr Acting Speaker, I draw your attention to standing order 99, which states that no member shall digress from the subject matter of any question under discussion. The honourable member for Doncaster has strayed a long way from the bill, yet again, and I urge you to counsel him.

Mr PERTON — On the point of order, Mr Acting Speaker, this bill is called the Flora and Fauna Guarantee (Amendment) Bill. The honourable member for Dandenong North has probably not read the bill — he seems to have only a virgin white copy of the standing orders, which he has obviously been reading for entertainment. I inform him, through you, Mr Acting Speaker, that this is the Flora and Fauna Guarantee (Amendment) Bill. The principal act provides for the protection of threatened species, most of which exist in the state and national parks of Victoria. The state and national parks of Victoria are administered by Parks Victoria, and if no member of this house were able to talk about Parks Victoria in the context of a flora and fauna guarantee bill the debate would be nonsense.

The ACTING SPEAKER (Mr Seitz) — Order! I do not uphold the point of order. The honourable member for Doncaster is the lead speaker for the opposition in the debate, and I have given him plenty of leeway to express his view. However, if he strays from the bill again, I will have to ask him to return to it.

Mr PERTON — As I said, it is extraordinary that the first and only piece of legislation brought before the house by the minister shows she has a complete dearth of new ideas or initiatives. That fact has been recognised by the media. In an article on the regional forest agreement process in the *Age* of 2 March the expert environmental writer, Claire Miller, states:

... Garbutt cannot pretend the situation is merely an unfortunate hangover from past regimes for which she bears no responsibility. She has been in office for more than four months, time enough to turn any ship if the captain is in command. Four months ago the minister had time and plenty of community goodwill to help do the job of reforming Victoria's forest management system. Now, unfortunately, she has neither ...

More importantly, in the context of this bill I will refer to the minister's lack of action to protect one of the rarest birds in Victoria, the red-tailed black cockatoo. Last month it became known that 80 trees had been illegally felled on private land near Horsham in western

Victoria, despite their being clearly identified as important nesting sites. The red-tailed black cockatoo is currently listed as endangered under both the commonwealth Endangered Species Protection Act and the Victorian flora and fauna guarantee legislation. A 1989 study of the species in western Victoria revealed that large, dead trees with hollows, on private land, are important to the survival of the species.

Allowing the destruction of that habitat was a mammoth bungle on the department's part. In January a planning permit was issued to allow the removal of trees on the site, a condition of which was the protection of the identified nest trees. An inspection of the site by specialist biologists revealed that all the important nest trees have been cleared. That has been allowed by a minister who stated in her pre-election policy that the principal issue for many species is loss of habitat and who claimed that under the Kennett government the procedures outlined in the act had ground to a halt. She promised to ensure the survival of threatened species by adopting the dual strategy of targeting programs to enable threatened species to recover their numbers and protecting natural habitat!

It is remarkable that the bill relates to the aspect of environment policy to which the Minister for Environment and Conservation claimed to be most committed. Timbercorp, the company that owned the land, was staggered that on each of the three occasions on which it sought advice from the Department of Natural Resources and Environment on the trees that needed to be protected, it was referred back to the local council.

Although I have full confidence in the ability of local councils to manage their own affairs, I would have thought that, if the minister had any commitment whatsoever to flora and fauna protection and to the legislation, she would have made sure her department took responsibility for identifying the trees that needed to be protected. The trees have been destroyed, with no apology from the minister — in fact, with anything but an apology.

The federal Minister for the Environment, Senator Robert Hill, has written to the minister on two occasions asking for an explanation. Minister Hill has rightly pointed out that under the Natural Heritage Fund money has been made available to Victoria for the protection of various species. Minister Garbutt has not bothered to write back. She is the same minister who, when asked back in December by the honourable member for Monbulk whether she had replied to a letter from her South Australian counterpart, said she had

written back to the minister but who later had to apologise for having misled the house!

Mr Acting Speaker, you do not have to take my word for this. Crikey.com, for instance, has said she has some 750 pieces of correspondence on her desk.

Mr Dixon — It has grown!

Mr PERTON — As the honourable member for Dromana rightly points out, the good information is that the number has grown and that some 2000 documents are awaiting the minister's signature. The minister's good advisers on flora and fauna are sitting in the advisers' box. I have no doubt they are embarrassed by her lack of performance on the question of the red-tailed black cockatoo — and by her lack of action, full stop!

However, to make matters worse, having presided over the destruction of the most important breeding area in the state for the red-tailed black cockatoo, the minister was asked by Environment Victoria and the federal minister to intervene in another land clearing matter involving the destruction of some 250 stringy bark trees. I raised that matter in the Parliament last week, only to have the minister give me the learned response that because some pasture was growing under the stringy bark trees she therefore had no responsibility to protect one of the most important breeding areas of one of the rarest birds in the state.

What nonsense the bill is if the minister charged with the responsibility of administering the act not only allows the destruction of one important breeding site of a rare and endangered species but then washes her hands of any responsibility at all to protect another.

Ms Davies interjected.

Mr PERTON — I hear shrill cockatoo-like interjections from the honourable member for Gippsland West. I always thought she wanted to improve the standards of the house, but her interjections suggest that is not the case.

The actions of the Minister for Environment and Conservation in failing to protect the red-tailed black cockatoo give the opposition and the community no cause for confidence in her ability to administer the Flora and Fauna Guarantee Act and call into question the need to introduce the amendments in the bill.

By contrast, in 1998 under the former Liberal government the former Minister for Conservation and Land Management, the Honourable Marie Tehan, produced a landmark strategy for the conservation of

biodiversity in Victoria called 'Victoria's biodiversity — directions in management'. The strategy — —

Ms Davies interjected.

Mr PERTON — Are you still screeching?

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster will address the Chair and ignore interruptions.

Ms Davies interjected.

Mr PERTON — Mr Acting Speaker, you might hold the honourable member for Gippsland West to the standards she claims to endorse.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster will address the Chair and look at the Chair when he is speaking to it.

Mr PERTON — The strategy represents a national benchmark for biodiversity conservation and management. I suggest the minister or her advisers, if they are not too busy attending all the opposition briefings, visit the web site for which she now has responsibility and read it.

While there is no denying that the Flora and Fauna Guarantee Bill was landmark legislation when it was introduced in 1988 to bipartisan support, other states have now moved on as part of the new global trend in environmental management. The biodiversity report prepared by the former government is an example of that new trend.

The Liberal–National Party coalition strategy encouraged Victorians to better understand and appreciate their rich and diverse flora and fauna and ecosystems. The strategy is a key step in the flora and fauna guarantee program, showing how to achieve the Flora and Fauna Guarantee Act objectives of conserving and preventing threats to native species, communities and gene pools, and encouraging community involvement through the establishment of links with biogeographical regions.

The debate gives the minister an opportunity to endorse that strategy and to go beyond the 1980s legislation and look at ways of improving the listing process by establishing links with biogeographical regions as proposed in the landmark report on Victoria's biodiversity.

The coalition parties have lost the election. Being in opposition is a good opportunity to free oneself from

the shackles of bureaucracy and to revisit legislation and practices with a fresh mind. My discussions with conservationists and environmentalists across the state — whether in the Otways or in the electorates of the honourable members for Gippsland West or Gippsland East — have been beneficial. People are willing to contribute their ideas on conservation and environment.

Ms Davies interjected.

Mr PERTON — Mr Acting Speaker, I would resist responding to interjections if only the honourable member for Gippsland West would continue to maintain her silence. However, she cannot control herself.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster is being extremely rude to the Chair by turning his back to the Chair while speaking. I ask the honourable member to face the Chair.

Mr PERTON — I am trying to wind up the debate. If you want to protect the honourable member for Gippsland West in her unruly behaviour, it is your right to do so, Mr Acting Speaker.

I am saying that in preparing for government opposition members are talking to the community. That is not what the minister is doing.

Mr Robinson interjected.

Mr PERTON — The honourable member for Mitcham laughs. However, while talking with various groups over recent weeks, whether it be in Woodend, Mount Macedon, Gisborne or in the Otways, it has been clear to me that the minister has not been consulting with them.

In her signature of the regional forest agreement (RFA) the minister pulled off a remarkable trifecta. She betrayed the industry and the timber towns so well represented by members like the honourable member for Polwarth and the honourable members representing Gippsland and Warrnambool for the National Party and the Liberal Party. The communities have been betrayed. At the same time the conservation and environment movement has been betrayed in the selection of reserves and the permission for timber felling in the reserves over the period of the agreement. To hold the government to account and to ensure the best policies when the opposition is returned to government those groups are ready to work with the opposition.

My colleagues of both the Liberal Party and the National Party look forward to continuing to work hard to protect the wild animals and places that Victorians hold dear — the Otways National Park, the parks around Mildura and Gippsland East, Wilsons Promontory and Phillip Island. Victorians hold national and state parks close to their hearts. They want wild animals — particularly threatened species — protected. If the minister proceeds as she did in the case of the red-tailed black cockatoo, the opposition parties will have a lot of work when returned to government to ensure that the protection of threatened flora and fauna continues under the next coalition government.

Mr HOWARD (Ballarat East) — In speaking to the Flora and Fauna Guarantee Bill I will explain some of the detail in the bill and why it has been brought forward. The bill brings the act into line with current parliamentary practice by inserting schedules that can be added to by Governor in Council orders. It therefore rectifies anomalies in the existing act.

The bill strengthens the ability of the government to ensure the protection of endangered taxa and habitats. For the benefit of those who do not understand it I point out that the word ‘taxa’ means ‘groupings, classifications of plants or animals, flora or fauna as either species, subspecies, genera or other groupings’. Taxa are listed in the bill and identify species, subspecies and habitats as endangered.

The aim of the bill is to provide for a smooth and speedy addition to the schedules by Governor in Council orders. The existing legislation led to a slower introduction of changes to endangered species listings, often causing greater danger to those species.

Under the proposed legislation the listing of threatened flora and fauna will occur more smoothly. The bill includes a brief introduction specifying the changes I have outlined, but the major part of the bill comprises the three schedules. The first schedule is a brief listing of the species the government will exclude, including human disease organisms. The second schedule lists species and taxa identified as endangered and thus in need of protection, including nearly 300 species of plants and animals. The third schedule lists processes which if implemented can cause danger to many habitats identified as important and in need of protection.

I encourage honourable members to look through the lists. The government has an important task and the minister is working aggressively to ensure opportunities to protect flora, fauna and habitats across the state are maximised. The legislation assists in doing that.

It is important to remind members that a significant list of nearly 300 taxa is before us. It is a quirk of fate that Australia has been inhabited by white people for little more than 200 years. They did not understand the fragility of the environment, and great damage has been caused to the habitats in that time.

As a former teacher of environmental studies I worked hard to impress on my students how fortunate Australia is to have such a broad range of naturally occurring flora and fauna. We have the only monotremes to be found anywhere in the world, the platypus and the echidna; a broad range of rare marsupials found only in Australia; a unique set of organisms among vertebrates and invertebrates; and a unique set of flora that needs protection. Australians need to understand the environment.

Sadly, in just 200 years since the arrival of the white race, many species have become extinct or threatened with extinction because white people have not understood the circumstances in which the environment is changing and the damage that can be brought about.

What are some of the things that have happened since the arrival of white man to cause those changes? There has been extensive clearing of our native forests for agriculture and forestry purposes and to build towns and cities. Numerous non-indigenous species, whether they be plants or animals for agricultural and domestic purposes, were introduced simply to remind European settlers of their former European surroundings. Many non-indigenous animals were released innocently by European settlers in the belief they would be a pleasant addition to our Australian environment, but they quickly bred and overtook the natural species. The rabbit is a classic example, as are rats and mice and domestic cats and goats that have since gone feral. Those animals have caused damage to the natural Australian environment.

Mr Perton interjected.

Mr HOWARD — It is a shame the honourable member for Doncaster is interjecting at this time. He addressed the house for a long time in presenting a dreary diatribe that did not really relate to the bill. He would be well advised to listen and perhaps learn something about this matter. It might save him having to go to www.otways to find out a bit more about the environment!

The early inhabitants of this country and of Victoria caused much damage to our environment. Not only did they introduce many species that have since overrun our native species but they also developed cities and

introduced industrialisation. Urbanisation has caused pollution and has had many other effects which have reduced the amount of natural habitat and endangered many of our species.

Many of our fauna species in particular were hunted in early days, some to extinction, either because people were seeking their fur or meat or because they thought they were pests.

I have always been pleased to educate my students about a whole range of environmental issues. Victorians are gradually becoming more aware that they need to respect our environment and that unless they do so we will not have in the future many of the species that exist today.

Fortunately, people are becoming more aware of our environment and more appreciative of those native species of flora and fauna that are unique to our country. People already understand that a number of those species have become extinct — the most well known being the thylacine — the Tasmanian tiger. Unfortunately it became extinct partly because it was hunted and partly because of environmental changes. Numerous other species have become extinct, or are believed to have become extinct, including the *Chaeropus ecaudatus*, the pig-footed bandicoot, the *Conilurus albipes*, the white-footed rabbit-rat; *Lagorchestes laporides*, the Eastern hare wallaby and *Leporillus apicalis*, which is the lesser stick-nest rat. All those species have become endangered to the point of extinction since the arrival of white man. Many more have become extinct — we have lost them already.

The aim of the bill is to ensure that we put an end to the extinction of any other species, ensure they are protected and ensure that their habitat will grow so that those species can come back in greater numbers in future. When a species is identified as being endangered a clear management plan goes along with that. They are listed both in typed form and also on the web site for anybody to look at. One example of a species that is of much interest to many people is the Leadbeater's possum which was thought to be extinct in 1960 — it had not been sighted for many years. In 1961 there were a couple of sightings in the Marysville area, and since that time there have been more sightings in that region. It was then put on the endangered species list, and a full management action plan was put in place to protect it. Action plans have been put in place to ensure that the nearly 300 taxa that are listed are protected. That is part of the management plan.

Other aspects of the management plan that are tied into the act relate to further studies to evaluate the specific

habitat requirements, how the numbers are changing for those species and the wider conservation issues of what happens when Leadbeater's possums are found on private forest land. The plan ensures that the owners of the private forests understand the particular circumstances required to protect the Leadbeater's possum and that the owners are provided with support to ensure the continuation of the Leadbeater's possum communities in those areas.

Obviously the action plan also provides for community education, which is vital to all aspects of environment protection. The government will be looking to support that in the years to come.

Community education is vitally important so that communities can understand what they can do to protect Leadbeater's possums and have a greater appreciation of endangered species. Although I have been speaking mostly about mammals and marsupials, the bill does not relate only to mammals; it also refers to numerous amphibians, fish and birds that have become endangered.

I am pleased to support the bill because it ensures we raise to a higher profile concerns related to endangered species and the protection of flora and fauna. It will provide the community with a better understanding of those issues. The bill particularly ensures that the concerns raised in the community about species that are becoming endangered can be processed more quickly. Under the legislation the process for ensuring that they are protected will allow for about six main steps to take place. If people believe a species of plant or animal is likely to be endangered they can nominate that species.

A Scientific Advisory Committee will be established to consider those species and make recommendations. The committee will embark on public consultation, which may take up to 30 days, to enable it to gain more information to satisfy its members fully that they are investigating an endangered species and to establish the means by which that species can best be protected. The Scientific Advisory Committee will then report back to the minister who has up to 30 days to consider the recommendation. If the minister is satisfied with that recommendation it can go on to the Governor in Council, which can then add the species to the schedule. The process will be much more secure in a legislative sense and a much speedier way of ensuring endangered species are put on the list and are given the protection that the Flora and Fauna Guarantee Act provides for them.

The bill will ensure Victoria is at the forefront of protecting endangered species in a range of ways. It is

based on sound and safe legislation and can be added to quickly and efficiently when any other species is found to be endangered.

As the lists are updated they will continue to be made fully available to the public either at Department of Natural Resources and Environment offices or on the DNRE web site. Victorians will be able to access the web site or go to DNRE offices and see the lists in hard copy format. Victorians will learn more about species identified as endangered and about the processes which should not be carried out — for example, alteration to the natural flora regimes of rivers and streams, and a whole range of other issues.

Mr Perton interjected.

Mr HOWARD — I encourage the honourable member for Doncaster to take time to read the lists himself and become familiar with them, because the diatribe we heard from him earlier showed he has not studied the lists or the legislation closely. Perhaps the honourable member may need to be added to the endangered list when it comes to his preselection and his role in future governments, which will become more limited.

The bill shows that the government is moving in the right direction to ensure that flora and fauna are guaranteed in Victoria. In his contribution the honourable member for Doncaster was critical — as he is known to be — and did not present any positive policy guidelines about the regional forest agreements. He did not suggest any positive policy guidelines on how he would protect plants and animals. His speech was negative, which is disappointing. If the honourable member wants to get off the endangered list he should do a little more work and discover a little more about how to provide positive policy ideas to support both flora and fauna guarantee areas that Victorians can contrast with the government's policies.

I am confident that Victorians believe the government is moving in a much more positive direction on environmental issues. They are confident in the Bracks government providing a great contrast to the former government. Those who have a genuine interest in the environment will continue to support the Bracks government.

Mr DIXON (Dromana) — I will make only a brief contribution because I know a number of other opposition members have a deep interest in conservation and wish to contribute to the debate. The opposition will not oppose the Flora and Fauna Guarantee (Amendment) Bill. The bill brings the

original act into line with current parliamentary practice. I am a member of the Scrutiny of Acts and Regulations Committee and its numerous subcommittees, and the act is a good example of where subordinate legislation overrides the original act. It is a bit like the tail wagging the dog. The bill transfers control of the legislation back to the primary act and the schedules will be changed into lists. That is not a huge task.

The bill provides for the regular updating of endangered flora and fauna lists, which is important not only for the education of the wider community, whether it be landowners, farmers, conservationists, developers, and those who just have an interest in conservation and want to know what plants and animals are endangered, but also for the future education of our children. If the information is not readily available to children when they are researching for school projects, they will not learn about the endangered flora and fauna of our state and start to make those links and build up important conservation concepts at an early age. I applaud that aspect of the bill.

The honourable member for Doncaster rightly pointed out the long and full record of the former government in its contribution to conservation in Victoria. There has been no better example of that than in my electorate of Dromana. I refer to the large extension to the Mornington Peninsula National Park that was made by the former government. The honourable member for Doncaster mentioned a number of national parks and state parks that were established or extended by the former government.

The Mornington Peninsula National Park covers the long coastal strip from Port Nepean to Cape Schanck and also the bushy areas from Greens Point to Arthurs Seat. It is an important tourist precinct and an area that harbours and protects some fragile flora and fauna. The national park is close to many residential areas and Parks Victoria is doing a wonderful job managing that — for example, the local community and friends working with Parks Victoria have aided in the protection of the hooded plover, which is a rare bird.

There is only one small nesting site for the bird on the Mornington Peninsula. Unfortunately, the bird builds its nest on the ground, so it is open to being trampled on. The nests are easily got at by foxes, dogs and even human beings who stray off the tracks. Through Parks Victoria grants, the education of the community and the great work of the friends of the hooded plover, fences have been built around the site and it is good to see the numbers now coming back. There is a long way to go but it is another example of the local community

working together with Parks Victoria to assist endangered species.

As the honourable member for Doncaster said earlier, Parks Victoria has played a vital part in the conservation and protection of Victoria's flora and fauna through its parks network. The rangers on the Mornington Peninsula are great educationalists. They work very hard escorting tourists about the national park, conducting rock pool rambles and supervising many other activities. However, they do not know what the future holds. Will the national park become a metropolitan park or a country park? The diversity referred to by the honourable member for Doncaster, as well as the opportunity to better utilise the rangers' skills, will be lost. I pay tribute to their great work.

Mr Perton — The Minister for Environment and Conservation got the policy wrong.

Mr DIXON — The former government protected the flora and fauna in my electorate by banning dogs from national parks. The move was unpopular with some people, but it has gone a long way towards the protection of Victoria's flora and fauna. Mud Island and the South Channel Fort have been included in the parks system. The islands in Port Phillip Bay — one man-made and one natural — are important nesting sites for the terns and gannets. The silver gull also nests on Mud Island, but that is not an endangered species.

Probably the most popular and far-reaching protective measure introduced by the former government was the regulations relating to people's interactions with dolphins. Regulations governing the swim-with-the-dolphins tours, which include the distances people must keep, whether they be in private or chartered boats, are now set in concrete. The number of tourist operators is increasing — but luckily, so are dolphin numbers. However, the dolphins have been under strain due to the proliferation of tourists in the bay, and the regulations have worked well during their first summer in operation. One operator has already been fined in the courts, which shows that the regulations have teeth.

Mr Perton — It is the same with the Otways.

Mr DIXON — I pay tribute to the honourable member for Doncaster. As the shadow minister for conservation and environment he does not sit in his office in Doncaster. Rather, he travels across Victoria examining conservation issues. I have travelled with him on some occasions. Last week, for example, we visited the Otway National Park.

A government member interjected.

Mr DIXON — Opposition members went there; they know how important the park is. We visited the lighthouse at sunset and were delighted to see two pods of fin whales, the second-largest species of whale. They are an endangered species, yet they were swimming in Victorian waters two months earlier than they would normally be seen. It was wonderful.

A government member interjected.

Mr DIXON — There were no beached whales; they were all swimming. The former government's regulations have gone a long way towards protecting Victoria's endangered flora and fauna, including the seabeds of our marine parks. The banning of scallop dredging was both popular and practical. Given the extent of the dredging, scallops were in danger of becoming an endangered species. Stopping the practice has allowed the fragile ecosystem on the seabeds to recover. Divers have told me how incredible it is to see the seabed in Port Phillip Bay flourishing. Vulnerable species of seaweed and the marine creatures that live on them and form part of the food chain have recovered. I look back with pride on the former Kennett government's performance in conservation.

The Bracks government has a hard act to follow. The bill takes one tiny step by changing a schedule to a list, although I suppose it is one of the Minister for Environment and Conservation's biggest achievements. Victorians may be lucky enough to see the bill signed off! I received a telephone call from a member of one of the Labor Party branches who requested that I ask the minister to acknowledge its letters. Although an answer was not expected, an acknowledgment was hoped for.

Although the bill is only a small step, I hope it will lead to better things for the conservation of Victoria's flora and fauna.

Mr INGRAM (Gippsland East) — I support the Flora and Fauna Guarantee (Amendment) Bill, which amends the listing process in the Flora and Fauna Guarantee Act. Currently, the list of organisms that are not to be conserved — that is, the excluded list — as well as the list of threatened taxa and communities and the list of threatening processes appear in schedules 1, 2 and 3 of the Flora and Fauna Guarantee Act and can be amended only by an order of the Governor in Council that is passed by Parliament.

The change in the bill is necessary to bring the act into line with current parliamentary practice, which is that primary legislation should not be amended by subordinate legislation. The bill is about an

administrative issue, not a policy issue. It contains several consequential amendments and two transitional clauses that are related to its main purpose. An additional purpose is to clarify the time period in which the minister should respond.

Mr Perton — Imagine all the things that can happen.

Mr INGRAM — I assume the opposition is not opposing the amendments in the bill. The principal act was passed in 1988, and the associated flora and fauna regulations were made in 1991. The act has not been amended since that time.

The act includes provisions on the role and composition of the Scientific Advisory Committee; the preparation of a flora and fauna strategy; the listing of excluded species, threatened species, threatened communities and potentially threatened processes; the preparation of action statements and management plans for listed items; the determination of critical habitat; and the application of interim conservation orders. It also takes into consideration the removal of native species; the trading in, moving of or processing of protected flora and fauna; and ties in the Wildlife Act and the Fisheries Act.

The bill adds definitions of 'Excluded List', 'Processes List' and 'Threatened List' and substitutes proposed new schedules 1 to 3 of the bill for schedules 1 to 3 of the principal act. Proposed new schedule 1 provides that only organisms which present a serious threat to human welfare are not protected. Proposed new schedules 2 and 3 list threatened species and potentially threatening processes. The bill specifies a 30-day time limit in respect of recommendations of the Scientific Advisory Committee. The minister has 30 days from the date a recommendation is received to decide whether or not to accept it. Clause 10 amends section 67(c) of the principal act to ensure lists are available for inspection. The bill also contains a number of transitional clauses.

I welcome the comments of the honourable member for Doncaster on the natural assets in my electorate of Gippsland East. In addition to abundant native flora and fauna, the area also contains some of Victoria's greatest national parks. They are Croajingolong National Park, which is recognised both in Australia and throughout the world, the Alpine National Park, the Snowy River National Park and the Errinundra National Park. These parks hold a bank of biodiversity that is second to none in Australia.

Mr Perton — They are well administered by Parks Victoria, aren't they?

Mr INGRAM — I think Parks Victoria could probably do slightly better than it does currently. It is probably an issue — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Doncaster would help the Chair if he did not assist the honourable member for Gippsland East.

Mr INGRAM — Australia's biodiversity is extremely important. Victoria has a responsibility to protect and maintain its flora and fauna, and its national parks. Some 75 per cent of the Shire of East Gippsland, which comprises 10 per cent of Victoria, is either national park or state forest. Honourable members can deplore the fact that species have been lost — I have mentioned this in contributions in the grievance debate — and that other species are at risk of extinction, but until governments allocate the resources necessary to protect parks and reserves and eliminate potentially threatening processes, including the removal of introduced flora and fauna, nothing will be achieved.

The amendments in the bill are mainly administrative. They deal with the potentially threatening processes of which I have spoken previously — namely, the predation of native wildlife by the introduced red fox, the predation of native wildlife by cats and the invasion of native vegetation by environmental weeds. These processes pose a serious threat to the environmental and biodiversity values of my region and there is a need for the allocation of adequate resources to provide protection.

Other potentially threatening processes that I have a particular interest in relate to rivers. Among the processes listed in schedule 3 of the principal act are an increase in sediment input into Victorian rivers and streams due to human activities, the alteration to the natural flow regimes of rivers and streams, the introduction of live fish into waters outside their natural range within a Victorian river catchment after 1770, the alteration to the natural temperature regimes of rivers and streams and the introduction of exotic organisms into Victorian marine waters. All of those potentially threatening processes have a serious impact on aquatic life forms, particularly native fish and frogs.

It is necessary to question the level of commitment to the act by previous governments, and probably by the present government, given that Victorian fisheries allow or participate in the stocking of introduced fish into Victoria's rivers. In 1999 the Victorian fisheries

web site showed that 731 572 salmonoids were stocked into Victorian waterways. As I mentioned earlier, the introduction of live fish into waters outside their natural range is a potentially threatening process. One of the major threats to all Victoria's native fish and frogs is the introduction of fish such as salmonoids, carp and red fin into our rivers and streams.

Mr Perton — What are your views on trout?

Mr INGRAM — We should recognise that trout is an introduced species and there are many areas in Victoria where introduced fish that pose a risk to the populations of native fish should not be allowed.

Mr Perton interjected.

Mr INGRAM — We should identify where we should be putting them.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Gippsland East will ignore the interjections of the honourable member for Doncaster. I ask the honourable member for Doncaster to refrain from interjecting.

Mr INGRAM — I support the amendments to the Flora and Fauna Guarantee Act. However, the real reasons for the decline of many of Victoria's native species will not be addressed properly until the reasons for their decline are addressed. I support the bill.

Mr DELAHUNTY (Wimmera) — I am not opposed to the Flora and Fauna Guarantee (Amendment) Bill. I represent the electorate of Wimmera, which is the largest electorate in the state.

An Honourable Member — Just!

Mr DELAHUNTY — It is 38 square kilometres bigger than East Gippsland. It is a diverse area stretching from the breathtaking Grampians National Park across the fertile plains of the Wimmera to the unique panorama of the Little Desert National Park. It is interesting to note that the area has significant tourism potential. Unfortunately, because of the lack of rain over the past three years there is not much water in the lakes and waterways or the Wimmera River. Some commendable environmental projects are being developed and implemented in the Wimmera area, including the development of wetlands.

When I was a member of the former Horsham Rural City Council it initiated a wetlands project along the Wimmera River. It would be well worth any honourable members interested in that area visiting the project and having a look at it. The shires of Hindmarsh

and Yarriambiack are among some of the councils with smaller populations that are doing a lot of work in biolink corridors with the support of the National Heritage Trust.

The second-reading speech states the purpose of the bill as amending the Flora and Fauna Guarantee Act, which was established as a legal and administrative framework to promote the conservation of Victoria's native flora and fauna. All honourable members would support that. The bill provides for threatened flora and fauna to continue to be protected under the Flora and Fauna Guarantee Act 1988, and the bill will not diminish the status of the items listed under the act.

I am concerned that the responsible minister will be the only person able to amend the list after considering recommendations from the Scientific Advisory Committee. I hope the minister consults more broadly than she did when she withdrew the permits for the control of plague proportions of corellas in the Wimmera area! The decision of the responsible minister will continue to be advertised statewide and in regional newspapers — in large print I hope — and in the *Victorian Government Gazette*. Honourable members will monitor that process.

I have researched the act, which was proclaimed in 1988 with the intention of providing the main legal framework for the protection of Victoria's biodiversity, our native plants and animals and our ecological communities on land and in the water and for major programs for state government and community action. I was pleased when the previous government established Parks Victoria with a specific focus on those areas. It did a commendable job. It still has a lot more work to do, but Parks Victoria is heading in the right direction.

The act has been the subject of criticism. Members of the broad ecosystem approach were strongly criticised by some industry groups and some saw the legislation as a threat to their livelihoods. That is where any government legislation needs to find a balance. We always want to protect our flora and fauna and our native vegetation, but we must realise that those needs must be balanced with people's ability to create wealth and food products and to export them around the world. Some 80 per cent of Australia's agricultural products are exported, so it is important for the country's gross domestic product that a balance is found.

I commend the previous government for its performance in the area of environment and conservation. It should be proud of its achievements — 280 taxa and species, 23 communities and 22 processes have been listed. There are also 100 action statements

in existence with 30 to 40 in preparation. That is a pretty good scorecard for the previous government; one that the Labor government will have to live up to.

I take the opportunity of raising for the attention of the house the concerns of many western Victorians, who were extremely surprised a fortnight ago when, without any consultation, the Minister for Environment and Conservation removed the option of using poison under a strict permit system to control corellas. The issue is a sensitive one. Farmers in the communities with whom I have worked are also mindful of the concerns of the broader community about the problem of plague corellas.

About three weeks ago I walked along the Wimmera River with people from the catchment authority who are concerned about the impact the corellas are having along the river. They are driving away many of the bird species that have their natural habitat in the area. The crop damage alone could cost the rural community many millions of dollars. It is of major consequence not only to the state but, importantly, to the people of the Wimmera whom I represent. It is unfair to remove that option, particularly when farmers, local councils, tourism operators and, as I am informed, the Minister for Agriculture were not consulted.

As I said last week, it is a city-centric decision that fails to address the problems faced by rural Victorians. Rural people — not the people in Melbourne who often make the decisions — always bear the burden of city-centric decisions. Melbourne people often have no idea of how much damage wild birds can do. I repeat my request of a couple of weeks ago that the minister reconsider her decision.

I am also well aware that under the previous government the Environment and Natural Resources Committee undertook a major inquiry into Victoria's native flora and fauna, with a particular reference to identify the potential for their utilisation. Secondly, it considered how to assess the economic and environmental sustainability of that potential. Thirdly, it examined and reported on the statutory and other controls over the utilisation of native flora and fauna.

I am informed that the committee's report contains some 30 recommendations. The new committee is waiting to hear from the minister what the government will do with the recommendations. Not to proceed would be a grave injustice not only to the members of the former committee but also to the people who put a lot of effort into preparing submissions and attending hearings to express their views on the future of our native flora and fauna. I ask the minister to give the

new Environment and Natural Resources Committee some guidance on what she will do with the 30 recommendations of the former committee.

Victoria needs policies that identify how we can improve our understanding of the state's natural resources and how landholders and regional communities can manage them to protect the environment and create new business opportunities. To achieve the best long-term social, economic and environmental benefits for Victoria, we need healthy ecosystems and catchments in which the integrity of the soil, the water and the flora and fauna is maintained and enhanced. We need innovative and competitive industries. That will not be achieved unless we have self-sustaining and proactive communities that are committed to the ecologically sustainable management of the natural resources in their region.

As I said, in the short time it has been operating Parks Victoria has done an exceptionally good job with the state's flora and fauna, and I hope that that continues. Parks Victoria must continue to manage, maintain and conserve the biodiversity of Victoria's flora and fauna reserves. It is important to maintain the reserves in the area I represent — that is, those in the state parks in the Grampians, around Mount Arapiles and in the Little Desert. It is important that Parks Victoria has the resources to oversee the management of state parks and reserves. They must be protected and conserved for their natural heritage.

We also need expert scientific advice. At the end of the day, members of this chamber are not experts in the field. The government must make available the necessary resources to provide the expert scientific advice that is required to protect and enhance the state's parks and reserves and assist local communities to conserve the state's biodiversity and manage its flora and fauna.

The government must introduce initiatives to prevent and where possible reverse land degradation, including salinity, on which a great debate is being conducted right across Victoria. Those problems need to be addressed in government policies, and the opposition will be pushing the government in that regard.

Mr Steggall — Hard.

Mr DELAHUNTY — As the honourable member for Swan Hill says, the opposition will be pushing hard on that matter. We also need initiatives to improve water quality and effluent disposal. That impacts not only on our native flora and fauna but also on rural communities. Some towns, particularly Minyip, which

is in my electorate, have environmental concerns about effluent. Again I ask the minister to meet a deputation from the Shire of Yarriambiack to discuss a matter that is important to that rural community. Why should the township of Minyip not have waste water facilities the equal of those in major centres right across Victoria? Why should it not have the first-class facilities that are available in other towns?

Mr Howard — On a point of order, Mr Acting Speaker, standing order 99 requires members' speeches to be relevant. The honourable member for Wimmera is getting well off the subject of the bill.

Mr Perton — On the point of order, Mr Acting Speaker, the honourable member who has raised the point of order also seems to have a virgin copy of the standing orders. It appears that over dinner, and perhaps after a little wine and some coffee and port, he and the honourable member for Dandenong North have read standing order 99. They seem to think it is a formula to see them through the rest of their political lives. The honourable member for Ballarat East referred to precisely the same matters to which the honourable member for Wimmera is referring. There was no challenge to his being in order, and I put it to you, Mr Acting Speaker, that the honourable member for Wimmera is precisely on point in talking about the protection of flora and fauna.

The ACTING SPEAKER (Mr Lupton) — Order! There is no point of order. As the honourable member for Doncaster said, so far the debate has been wide ranging. The contribution of the member for Ballarat East was wide ranging. There is definitely no point of order.

Mr DELAHUNTY — I thank the member for Ballarat East for listening to the debate, because as the parliamentary secretary he should prod his minister to address some of the issues that have been raised.

As I said, as part of the process we must rehabilitate our waterways and improve the quality of our water, which in turn will have an impact on biodiversity and our flora and fauna.

I know other honourable members want to contribute to the debate. Over the past decade, particularly under the previous government, Victorians have learnt a great deal about and made considerable progress in dealing with the environment. However, all honourable members will agree that problems with salinity, acid soils, pests and weeds still affect large areas of Victoria. The protection of our native plants and the quality of our water supply are major concerns. The government

and the opposition need to find new approaches to and new ways of protecting, maintaining and enhancing our natural resources.

Ms BEATTIE (Tullamarine) — I am pleased to support the Flora and Fauna Guarantee (Amendment) Bill, which amends the Flora and Fauna Guarantee Act. I do not often agree with the honourable member for Doncaster, but I agree with his praise of the former Premier, Sir Rupert Hamer, for his support for conservation and environmental and heritage issues. Perhaps that interest is why Sir Rupert chose to become the patron of the Trades Hall Restoration Appeal. I congratulate him on his commitment to heritage values and the environment in this state.

The bill provides a legal and administrative structure for the promotion and enhancement of the conservation of Victoria's native flora and fauna and provides procedures for the management of potentially threatening diseases. As an enthusiastic member of the Scrutiny of Acts and Regulations Committee, of which the honourable member for Dromana is also a member, I understand the desire to bring the act into line with the current parliamentary practice that primary legislation should not be amended by subordinate legislation, which is what the bill does.

It contains a listing process that is entirely under the control of the Governor in Council and provides for the maintenance of a register through the Governor in Council. The Scientific Advisory Committee will review nominations that fall under the act and advise the minister, who will then make recommendations to the Governor in Council.

The substantive legislation has a number of key elements: the listing of threatened or endangered species; the preparation of both management and action plans to protect listed items; the determination of critical habitat, a process by which the geographic location and circumstances of threatened species may be dealt with; the application of interim conservation orders, which are measures designed to take urgent action to protect species; the preparation of a longer term flora and fauna guarantee strategy that will apply in both a local and a statewide context; and the enshrining of the important role of the Scientific Advisory Committee.

Schedule 2 lists the taxa and communities of flora and fauna that are listed as threatened, of which currently there are about 280 taxa and 23 communities. Clause 7 will amend section 10 of the principal act to provide for the Governor in Council, on the recommendation of the minister and by order in council in the *Government*

Gazette, to specify on a list any taxon or community of flora or fauna that is threatened and to amend or repeal such list.

Proposed section 10(2) will allow for the adoption of the same process, rather than the amendment to schedule 3 which currently applies, for adding, varying or repealing potentially threatening processes from a list.

The list of taxa is quite long — there are about 280 of them, ranging from the dwarf lantern-bush to the jumping-jack wattle, the maiden's wattle, the needle wattle, the death adder, the small ant-blue butterfly, the filmy maidenhair, the pink-tailed worm-lizard, the great egret, the blue whale, the silver perch, the bush thick-knee, the charming spider-orchid and the limestone spider-orchid, to name but a few. They are indeed rare and wonderful species that deserve to be protected.

I note that other honourable members in their contributions to the debate have collectively produced a *Who's Who* of national parks. The honourable member for Dromana said he had the finest national or state park, and the honourable member for Wimmera stated that his was the best, but they are both wrong because I have the best one — the historic Woodlands Park, in my electorate. It is the home of the eastern barred bandicoot, which was on the knife edge of extinction until saved under a previous Labor government. That colony of eastern barred bandicoots, I am happy to report, has not only been saved but is flourishing at Woodlands, right out near the airport. I invite all honourable members to come out and visit the historic park and view the eastern barred bandicoots being tagged. They will learn how endangered species can be rehabilitated.

The ACTING SPEAKER (Mr Lupton) — Order! There is too much audible conversation in the Chamber.

Ms BEATTIE — Thank you, Mr Acting Speaker. I am sorry if they missed my invitation to visit the historic Woodlands Park. They should come out and see those little eastern barred bandicoots being tagged. Perhaps we could all go on a nocturnal walk and see them doing what comes naturally to eastern barred bandicoots.

Many other speakers want to talk on the proposed legislation. For the reasons I have outlined I support the bill. It maintains the sound processes available under the Flora and Fauna Guarantee Act for conserving Victoria's flora and fauna, while correcting a deficiency

in the act in relation to the amendments made by subordinate legislation. For those reasons I commend the bill to the house and wish it a speedy passage.

Mr THOMPSON (Sandringham) — The technical aspects of the bill have been well covered by earlier contributors. I merely draw the attention of the house to the *Aprasia aurita* and the *Pomatostomus temporalis* — the legless lizard and the grey-crowned babbler.

They represent some interesting species. I refer to a fundamental point made at the National Coastal Conference by Don Argus, the former banking head — economic sustainability and industrial development can go hand in hand, but they are not necessarily companions. He outlined some outstanding work undertaken by BHP Australia in a number of projects on the Minerva oilfield and the North West Shelf.

The bill makes some technical amendments to the Flora and Fauna Guarantee Act that relate to procedures arising out of the use of what might be termed Henry VIII clauses, which are inappropriately applied — that is, where the head statute is varied or amended by a subordinate instrument.

Another point made by Don Argus at the conference concerns the importance of communities working together. Professor John Wamsley of the sanctuary in Warrawong in South Australia, who recently embarked on a program in the You Yangs, made the point that it is imperative that conservation issues not be governed by broad motherhood statements but rather be outcome-focused and outcome-assessed. That has been one of his objectives in Warrawong, and it is one of the objectives for the You Yangs project being developed by Sanctuaries Ltd, which is part of a public float.

New ideas are very important. Great initiatives often start as small ideas that are nurtured. Professor Wamsley, with the support of David Bellamy, has made some outstanding contributions by way of new approaches and techniques for the protection of threatened species.

Michael Norris and Moira Longden are two people in my electorate who have done some outstanding work in observing the ornithological patterns and breeding habitats of bird species in my electorate, the numbers of which have been threatened.

Debate interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Richardson) — Order! Under sessional orders the time for the adjournment of the house has arrived.

National Livestock Reporting Service

Mr RYAN (Leader of the National Party) — It is a delight to raise with the Minister for Agriculture an issue of considerable significance to rural communities. It concerns the funding for the National Livestock Reporting Service.

I understand the minister has advised the Victorian Farmers Federation of his intention to cut the funding for that important service. Until 1997 the service was supplied at a cost of \$450 000. After being outsourced to the New South Wales meat industry authority it was provided at a cost of \$270 000. Under the former government, the Department of Natural Resources and Environment contributed approximately 40 per cent of the cost, about \$110 000 a year, under a three-year contract.

The minister has now indicated that at the end of the term of the contract there will be no more Victorian government support for that important service. Some \$50 000 will be provided between 1 May 2000 and 30 April 2001 to assist the restructure of industry support, but all funding will then cease and the industry will have to provide the full cost in the future. That will have serious consequences. The abolition of the funding could result in the service ceasing or saleyard market reports decreasing and the quality of the service declining. It could also result in additional fees being charged to saleyards, thereby increasing costs so that every producer would face higher yard dues. That would result in an obvious disincentive to use the saleyard system and would lead to Victorian producers being at a competitive disadvantage compared to those in New South Wales and South Australia.

The service is used by all producers and stock agents and the majority of processors, as well as mainstream rural press and regional radio stations. The \$110 000 a year currently provided is not much, and on behalf of all country Victorians, particularly those involved in rural enterprise, I ask the minister to review the decision. That important service does much to assist those folk in the pursuit of their respective activities. The minister should review the decision to avoid this important service being cut. A cut in funding would mean yet another blow for country Victorians who have been promised so much by the government.

Dinjerra Primary School

Mr MILDENHALL (Footscray) — I raise for the attention of the Minister for Education the plight of the Dinjerra Primary School, which is located in South Road, Braybrook. It is one of two primary schools that serve a community the Australian Bureau of Statistics described as having employment, health and housing services equivalent to those of an outback Aboriginal settlement and identified as one of the poorest and most disadvantaged communities in Victoria.

Recently I inspected the school in the company of the regional education director. In 1996 as the shadow Minister for Education I referred to the school as the worst in the state. At that time I drew attention to the abysmal condition of the school after having peered through smashed windows and noticed suspended sections of the ceiling and smashed sections of the toilet blocks. The school had and still has rotted gutters, holes in the lino and woefully inadequate facilities.

The Kennett government closed the two neighbouring primary schools, both of which were excellent schools in better condition than Dinjerra. However, Dinjerra Primary School now has fewer students than it had prior to the closure of its neighbouring schools. Finally, after three years of an absolute perversion of the physical resources management system, the school was allocated approximately \$250 000, but the work was suspended because of the desperate need for a comprehensive upgrade.

Under the new government the school, which recently appointed a new principal, has a chance for a new life and the opportunity to provide reasonable education opportunities for a poor and disadvantaged community. I ask the minister to give urgent and intense attention to the physical and programming needs of the school. It is in desperate need of help after having been ignored for the past seven years. The school is attended by a great group of students who do their very best under extremely trying circumstances. The administration under a compassionate minister can at last respond to the needs of a deserving school.

Southern Health Care Network

Mrs PEULICH (Bentleigh) — I ask the Minister for Health to respond to a number of concerns that have been raised with me and other local members about the ministerial review of health care networks and its likely impact on the provision of health services in the Southern Health Care Network, especially the Monash Medical Centre and the Sandringham and District Memorial Hospital.

It appears that the Minister for Health, in order to satisfy a political beast he has created — that is, the expectation that some changes to health networks, whether efficient and effective or not, will occur — is likely to excise Sandringham hospital from the Southern Health Care Network merely to be seen to be doing something.

The political beast the Minister for Health has created will lead to the unpicking of a successful partnership that has provided the Southern Health Care Network with additional flexibility to respond to the growing health needs of the local catchment area. The minister is hell-bent on trying to scale down the network, irrespective of the cost of unpicking its partnerships and relationships, thereby diminishing accessibility to health services in the area.

Of particular concern are the threat to the Sandringham accident and emergency service that I raised this morning in a members statement and the future of the Sandringham hospital, with its long and proud history of serving the local community, if it is forced into a shotgun marriage with the Alfred Hospital.

The Sandringham hospital serves my electorate and a number of surrounding electorates very well. Those electorates have higher numbers of older people than most Victorian electorates. The Bentleigh electorate has the third-highest number of residents aged over 65, and Sandringham has the second-highest number.

Also of concern are waiting lists. What will happen to the many people on waiting lists, in particular the 600 orthopaedic patients waiting for surgery, if the rearranged marriage is to occur? I am informed that a 20 per cent increase in waiting lists would occur at the Monash Medical Centre should the Sandringham hospital be taken out of the network. That would be an outrageous outcome for the people of not only the Bentleigh electorate but also the electorates of Oakleigh and Clayton and the many other electorates that are served well by the Monash Medical Centre.

An Opposition Member — They don't care!

Mrs PEULICH — The government obviously does not care that it will be detrimental to the accessibility and quality of health services in those areas.

The casualty department at the Sandringham hospital has to be kept. The message I have been asked to convey to the Minister for Health is: keep your hands off Sandy, keep your hands off the Southern Health Care Network, and don't fiddle just for the sake of being seen to be doing something!

Police: Preston station

Mr LEIGHTON (Preston) — I refer the Minister for Police and Emergency Services to the physical condition of the Preston police station. I draw his attention to a state Australian Labor Party election commitment made last September to rebuild the Preston police station at a cost of \$3.5 million and call on the minister to now implement that commitment as a matter of urgency.

The only way to describe the physical condition of the Preston police station is as a physical disgrace unfit for habitation by either police officers or offenders. Last Friday I again visited the station and inspected the police cells. They are, to say the least, archaic. Having been through a number of prisons across Australia and New Zealand and the old J ward at the facility for the criminally insane at Ararat, I am in a position to describe the cells as archaic.

I should also point out that under the previous Kennett government the Preston police station was substantially understaffed. At the beginning of each day the station would receive calls to send officers to Reservoir and Heidelberg. The minister will recall that when he visited the station during the election campaign half a dozen police cars were parked there because there were no police officers to drive them.

When the Kennett government was elected in 1992 it tore up a contract to rebuild the station. Ever since then the Preston station has sat at the top of the Victoria Police building priority list. However, on each subsequent occasion when the station was considered for upgrade the Kennett government decided against it on the basis of electoral considerations, not on the basis of need.

I am asking the minister to make a decision based on merit and need. On that basis the Preston police station would be rebuilt as a matter of priority. The minister is welcome to come to Preston and revisit the police station for at least the third time. One of the things that needs to be considered in particular is not only what can be done about the police cells but also what can be done about their relationship to the courthouse, because there are concerns about the transporting of prisoners and offenders to court. If the minister comes to Preston he will see just how antiquated the police cells are — they are a 19th century facility!

Water: rural infrastructure

Mr McARTHUR (Monbulk) — I refer the Minister for Environment and Conservation — who was in the

chamber a little earlier but who seems to have scuttled out now that the adjournment debate has started — to her failure to make any decision about the small-town sewerage schemes that have been discussed across the length and breadth of rural and regional Victoria.

By way of background, in case the minister does not understand the importance of the project, I point out that the water and sewage treatment systems of a large number of small Victorian communities were well below par. They had either water supply systems that were below world health standards or sewerage systems that did not meet Environment Protection Authority standards.

In 1998 the former government announced a water reform program into which it injected \$450 million — the largest infrastructure project undertaken in rural and regional Victoria, including the Snowy hydro system built in the 1950s. Of the \$450 million, \$410 million went to urban areas across regional and rural Victoria. A large number of the towns that received funding discussed for a long time the design and implementation of their sewage treatment facilities. Many were successfully implemented, although in some areas there was significant resistance or opposition to the water reform program. Nonetheless, the program also received significant support across regional and rural Victoria.

In the lead-up to the election the Labor Party took political advantage over the areas of opposition and announced three elements in its policy: firstly, that it would abolish the practice of charging customers directly for infrastructure costs and either provide a grant or move to a supply charge system; secondly, that it would provide hardship grants to residents; and thirdly, that it would provide \$4 million additional capital funding, including \$500 000 this year and \$1 million next year. Nothing has been seen of that.

In November last year the minister announced a review into the issue. She received the report of the review panel about two months ago and it is languishing among the 2000 other documents on her desk waiting for her signature. She has made no decision.

The residents of the small towns need an answer; they are awaiting a decision and demand that the minister make a decision. The water authorities across regional and rural Victoria are calling on the minister to make a decision, and the department wants a decision. The only person not wanting a decision is the minister. She should make up her mind!

Warley Hospital

Ms DAVIES (Gippsland West) — I raise a matter for the attention of the Minister for Health concerning the provision of accident and emergency services at Warley Hospital, a private not-for-profit bush nursing hospital. I ask the minister to find ways of offering sufficient support to the hospital to enable it to continue to provide its valuable 24-hour accident and emergency service.

The nearest public hospital is in Wonthaggi —

The ACTING SPEAKER (Mr Richardson) — Order! I am sorry to interrupt the member but I require clarification. Is the matter directed to the Minister for Police and Emergency Services or to the Minister for Health?

Ms DAVIES — It is directed to the Minister for Health and concerns the provision of 24-hour accident and emergency services at Warley Hospital.

The ACTING SPEAKER (Mr Richardson) — Is it the Minister for Health?

Ms DAVIES — Yes, I said ‘the Minister for Health’.

The nearest public hospital is 45 minutes away on an often congested road. Phillip Island is an important tourist destination. Many major events are held at the raceway there, including the Australian Motorcycle Grand Prix and the World Superbike Championship, as well as many other events involving motorbikes and fast cars. Participants often require medical attention.

The area also has a high proportion of elderly retired citizens, and only 24 per cent of them have private medical insurance — a significantly lower figure than the national average. Phillip Island also has some of the most popular surf beaches in the state. Those are four special reasons why Phillip Island needs a 24-hour accident and emergency service.

Last year Warley Hospital treated 2300 patients in its accident and emergency service, and over 50 per cent of them were visitors. On the March long weekend 65 patients were treated. The hospital does not have sufficient staff or financial resources to enable it to continually subsidise the service from normal ward staff, and doctors are reluctant to work on call for too many hours per week.

Warley Hospital is a community based not-for-profit hospital offering a valuable service to the local community and the many visitors to the island. I ask the

minister to find additional ways to support the hospital to enable it to keep the 24-hour on-call accident and emergency service running.

Housing: applications

Mr LUPTON (Knox) — I raise a matter for the attention of the Minister for Housing. I refer to a 69-year-old lady who came to my office today, who is a pensioner suffering from cancer. My constituent lives with her daughter in private accommodation but has applied for public housing under application no. 659959 because the home she currently lives in will be sold.

The doctor treating her supplied a letter indicating that she was too ill to meet the private rental test of obtaining five quotes from private individuals so the degree of rental assistance to be provided can be determined. The lady agreed to supply the letter to the Ringwood branch of the Office of Housing and visited the office to determine whether that would be sufficient or whether she would have to go through the process of visiting the five estate agents.

The attendant serving her at the Ringwood office made no attempt to assist her, knew nothing about the case, and refused to do anything about the matter. As a result, the lady and her elderly brother spent a day looking at private accommodation to get the five rental property quotes. The brother is no longer able to take time off work to assist, so the lady came to my office to ask for assistance.

A staff member in my office rang the office at Ringwood and was told that no case could be discussed without the applicant's written consent — a decision brought down by the minister and the government. The attendant supplied a form to be completed and returned before my office can assist this lady.

The government is talking about honest, accountable and open government, yet a 69-year-old pensioner with cancer comes to my office for assistance and I cannot assist her. In the past seven and a half years we have been able to talk to the officers of the department. In this case we cannot assist unless the person fills out the form and takes it to Ringwood, and then perhaps the department officers will assist us.

I ask the minister to review the situation so that people are not disadvantaged by the gag placed on departmental officers and members of the Victorian Parliament can assist people who come to us — particularly those like my constituent, a person who is elderly and ill and requires assistance.

Mary Beck Preschool

Mr MAXFIELD (Narracan) — I raise a matter for the attention of the Minister for Community Services. I have visited many excellent preschools in my electorate over the past few months. I have taken a personal interest in this area because I believe the first few years of a child's growth are extremely important. If one examines the policies of the Labor government one sees why it strongly supports the early development of our children.

As a result of my visits I have developed a good relationship with many preschools in the electorate of Narracan, particularly the Mary Beck Preschool in Neerim South, which is an excellent preschool that has first-rate staff and fantastic parent support. It is working hard to follow the policies implemented by the government to increase the preschool participation rate in the electorate.

I was very fortunate when visiting the Mary Beck Preschool a few days ago to receive an excellent briefing about what it is doing and how it is trying to grow preschool education in my electorate. There are two issues the preschool would like me to raise with the minister. The first — —

Opposition members interjecting.

Mr MAXFIELD — Obviously honourable members opposite do not care about preschools. Why they don't like — —

The ACTING SPEAKER (Mr Richardson) — Order! The house will come to order!

Mr MAXFIELD — Thank you, Mr Acting Speaker. I need to talk about the important matter of preschool education. There are two issues. The first is that a new group is starting in the next term and I want the minister to advise whether pro rata funding will be available for that preschool group. The second issue relates to the health card rebate, which was introduced by the minister before Christmas. My concern is that at the moment the rebate is paid on a six-monthly basis, and that will cause problems where the preschool starts new groups at the beginning of the second term.

The ACTING SPEAKER (Mr Richardson) — Order! The honourable member may raise only one issue.

Mr MAXFIELD — Mr Acting Speaker, I was trying to raise the issue that parents with young children need preschool funding, and if the group starts at the normal time of the year funding is needed for that part

of the year — not six monthly but every three months. It is vital that preschool education be given very high priority. It is sad that members on the other side of the house seem to dislike preschools so much; they are not interested in learning what the government is doing to increase participation rates in preschool education in this state.

The ACTING SPEAKER (Mr Richardson) — Order! To my great regret, I inform the honourable member that his time has expired.

Wangaratta showgrounds

Mr JASPER (Murray Valley) — I raise for the attention of the Minister for State and Regional Development an application from the Rural City of Wangaratta for an allocation under the rural communities development program.

The Rural City of Wangaratta has lodged an application to spend approximately \$115 000 to upgrade the facilities at the Wangaratta showgrounds in preparation for the Olympic torch relay, which will arrive in Wangaratta on the evening of Saturday, 12 August. The council wants to upgrade the facilities at the showgrounds so that this rural city can be better presented when the Olympic torch arrives at the Wangaratta showgrounds. It is proposed to upgrade the lighting and the seating and surrounding facilities, particularly the grandstand, so that the city can present a great picture when the torch arrives.

The application is for \$50 000 to be provided under the state government program. The balance will be found by the management committee and other users of the showgrounds facilities. I should also add that we were pleased to welcome the minister to Wangaratta recently when he opened facilities developed by the Wangaratta Rotary Club. The minister also inspected other facilities for which funding applications have been made. I particularly seek the minister's assistance on this occasion regarding the application lodged by the Rural City of Wangaratta. The application has been assessed by Business Victoria at Wangaratta, and I understand it has the support of that organisation.

Local funding will be provided, with the support of the Rural City of Wangaratta, and we seek the support of the minister to enable us to get early approval for government funding in the lead time running up to the torch relay — as I said, the torch will arrive in Wangaratta in the evening of Saturday, 12 August — so that the upgrade program can be finished in time to present the best picture of the completion of the torch relay that evening in the Rural City of Wangaratta.

Housing: Pines estate

Mr VINEY (Frankston East) — I raise with the Minister for Housing a matter concerning the Pines estate in my electorate, which was developed about 35 years ago as low-income housing for both public rental and private purchase. The estate includes a number of schools and other infrastructure developments to support the community.

Unfortunately, under the Kennett government too much of that infrastructure was lost, and there is considerable concern in the community about the demolition of housing in the area over the past few years by the Office of Housing. Regrettably many of the blocks have remained vacant, which has meant a loss of families on the estate.

I seek from the minister information about the action being taken to replace this lost housing. I also seek her advice regarding the replacement of older, poor-quality stock. Much of the stock is old and in poor condition and is no longer suitable for the needs of families. There has been a multiplier effect of the downgrading of the housing stock that has had some serious impacts on local schools. Twenty families lost from the Pines because of those vacant blocks has meant the loss of more than 50 children from the Pines Forest Primary School and the Monterey Primary School. I know that this community is greatly appreciative of the new commitment to the Pines — —

The ACTING SPEAKER (Mr Richardson) — Order! I suggest the honourable member should ask that the minister do something about it, rather than merely ask questions.

Mr VINEY — I have. I have asked for the minister to advise on the actions the government is taking to replace that stock.

The two key points are the replacement of the lost stock and the upgrading of existing stock that is now out of date. I know the community appreciates the renewed commitment to the Pines after the election of the Bracks government, and I seek the early attention of the minister to the renewal of housing stock in the Pines.

Mr Perton — On a point of order, Mr Acting Speaker, matters that have been raised by two government members — namely, the honourable members for Narracan and Frankston East — have clearly been in the form of questions rather than requests for action.

The rules are clear that the adjournment debate is an opportunity for a member of Parliament to ask a

minister for action by the department under his or her responsibility. This appears to be a new ruse. Both honourable members have asked for advice for themselves and not for the provision of advice to the community. In both cases they have flouted the rules of the adjournment debate, and I ask that both matters be ruled out of order.

The ACTING SPEAKER (Mr Richardson) — Order! There is no point of order.

Responses

Mr HAMILTON (Minister for Agriculture) — The Leader of the National Party raised the National Livestock Reporting Service. This week the Department of Natural Resources and Environment announced it would be reducing its funding in line with what has happened in other states. As the Leader of the National Party said, South Australia and New South Wales have reduced their funding to zero, and Queensland, the other participant in the organisation, pays \$10 000 a year. The government has indicated to the industry that, because of a number of other pressing matters, it will reduce its contribution from the end of next year. It may be a little embarrassing to the Leader and the Deputy Leader of the National Party to learn that the recommendation for the reduction was made by the previous Minister for Agriculture and Resources. The government is implementing a decision made by the previous minister who happens to be the former Leader of the National Party.

The government understands the importance of the service and how well it is used, especially by farmers in country Victoria. I am negotiating with the industry to see if we can agree to money that has been allocated for other services being sensibly and properly transferred so that the service will not disappear. We want to ensure the service is there. However, we need to ensure that the reasons it is there are understood by the industry. If a pot of money has to be reallocated from somewhere else, we will do it. I assure the house that the service will not disappear. However, the government wants to ensure that all honourable members understand that the recommendation was made by the National Party. It is jolly good news that it is thinking about changing its name back to the Country Party!

Ms DELAHUNTY (Minister for Education) — I am pleased to respond to the honourable member for Footscray who raised the tragic state of Dinjerra Primary School, which is in his electorate. He described it quite accurately. After seven years of devastation under the Kennett government it is one of the poorest

and most disadvantaged schools in the state. Honourable members should hang their heads in shame to think that at the beginning of the new millennium schools have been left to wither as this primary school has.

In 1996 the honourable member for Footscray drew attention to the plight of the school, which was caused by the Kennett government taking a machete to many schools, particularly in the west and the north of Melbourne and some schools in the outer regional areas. The Kennett government amalgamated three schools, two of which were in much better physical condition than this school. It amalgamated the schools and gave a cruel and empty promise that more funding would be provided for Dinjerra Primary School. The school received nothing from the Kennett government except empty promises and a door slammed in its face. As the honourable member for Footscray described, there are smashed windows, rotting walls and empty useless downpipes — insulting, inadequate facilities not just for the staff but also for the students who need to learn in them.

The Bracks government is bent on the renaissance of education in Victoria. This will be a test of its resolve. Not only does the government have to clean up the mess of the seven years, but it must urgently revive the learning environment for students. For no reason, apart from not being in the right area, the school has been punished by the former Kennett government.

Honourable members interjecting.

The ACTING SPEAKER (Mr Richardson) — Order! I ask the house to calm down.

Ms DELAHUNTY — In less than six months the Bracks government has given Dinjerra some of the money that should have been given to those students in the seven years of the Kennett government. The government will not allow the amalgamate-and-forget philosophy. The Bracks government has increased the special learning needs funding to Dinjerra by \$11 500, which takes the special learning needs index funding for the school from \$50 000 to \$61 500. The school also received extra money under the successful and much-loved primary schools prep to grade 2 class size initiatives of around \$10 000.

The government has also — and this goes to the heart of the honourable member's question about what the government will do to improve the physical learning environment of the school — provided \$250 000 in urgent, desperately needed maintenance funds. However, we will not stop there. I have asked for an

immediate and urgent briefing on the physical state of Dinjerra Primary School. I assure the honourable member that according to the priorities and the urgency of the school's needs, the government will provide what is required to give those students a safe, supportive and consistent learning environment. They will not be treated as second-class citizens; they will not be turned away from; they will have an environment in which they can learn.

Mr THWAITES (Minister for Health) — The honourable member for Bentleigh raised the Sandringham and District Memorial Hospital and the network review panel investigation.

Mr Leigh interjected.

Mr THWAITES — The honourable member for Mordialloc talks about dumping the hospital, as did the honourable member for Bentleigh. The Sandringham hospital has and will continue to have a proud history.

I compare that to the history of the Mordialloc hospital. The honourable member for Bentleigh was nowhere to be seen when that hospital was closed by the former government. When in government the opposition had every chance to stand up for hospitals, including Mordialloc, and it did nothing for seven years. Honourable members opposite are hypocrites to complain now.

It is odd that the honourable member for Bentleigh seems to be pre-empting the review and impliedly criticising the panel members. Although she claimed the review was my decision, I cannot take full credit. Everybody in the health care system realised that the existing network was unwieldy. The Metropolitan Hospital Planning Board established by the former government also said it was unwieldy and the networks were too large. The government has established an expert review panel to advise on the appropriate aggregation of hospitals.

Mrs Peulich — It will be your decision.

Mr THWAITES — It will be, but it will be a decision based on the recommendations of experts, almost all of whom the former government used and supported. People such as Professor Stephen Duckett, Stan Capp — —

Opposition members interjecting.

Mr THWAITES — The opposition laughs but Stephen Duckett was head of acute health under the former government, Stan Capp was appointed as head of the Geelong Hospital under the former government,

and Ella Lowe was the director of nursing services at the Peninsula hospital.

Mrs Peulich — On a point of order, Mr Acting Speaker, in the Labor Party health policy of 1999 the former shadow Minister for Health and the present Minister for Health promised full community participation in the planning and delivery of health services. He obviously has not extended that opportunity to the catchment area served by the Sandringham and District Memorial Hospital and the Monash Medical Centre.

The ACTING SPEAKER (Mr Richardson) — Order! I understand the passion of the honourable member for Bentleigh, but her point of order is not valid.

Mr THWAITES — I am concerned by the comments of the honourable member for Bentleigh. I should have thought if she were concerned about her community she would have made a submission to the Duckett review. Has the honourable member made such a submission? She has not. She admits she has not made a submission to the review panel yet she talks about lack of consultation. If she were genuine she would have made a submission, as many others have done.

People hold different views on the issues. Some support the aggregation of the Alfred, Caulfield and Sandringham hospitals and others support the retention of Sandringham hospital in the existing Southern Health Care Network. There are good reasons to link the world-class Alfred Hospital and its world-class facilities with Sandringham hospital, which has a high reputation, will retain that reputation and will continue to operate in the future, unlike the Mordialloc hospital, which was closed by the opposition when in government. Former government members cannot understand that Victoria finally has a government that puts resources — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Richardson) — Order! The minister has probably made his point. He still must deal with an issue raised by the honourable member for Gippsland West, and the house would be pleased if he started on that.

Mr THWAITES — I will do so, Mr Acting Speaker. I conclude by saying that the honourable member for Bentleigh should have looked after the interests of her constituents by putting in a submission.

Mrs Peulich interjected.

Mr THWAITES — The honourable member for Bentleigh interjects about a 20 per cent increase she claims will occur in the waiting list of the Monash Medical Centre. Firstly, she has given no proof of that, and secondly, she should examine the waiting list statistics under the former government. She will find they increased by more than 200 per cent. For the honourable member to complain about an increase of 20 per cent is hypocritical in the extreme. No evidence of that exists.

An aggregation of the Alfred and Sandringham hospitals may well lead to a decrease in waiting lists because of the good arrangement that community hospital now has and the good arrangement the Monash Medical Centre will be able to make with the Moorabbin hospital. I should have thought the honourable member for Bentleigh would show some interest in the Moorabbin hospital, but she shows no interest in that hospital at all.

By contrast, the honourable member for Gippsland West, who raises serious issues and stands up for her community in this place, raised an issue concerning the Warley Hospital, a bush nursing hospital in her electorate. The government is committed to a viable bush nursing hospital sector. That is why the Bracks government stood up for the Walwa, Chiltern and Yackandandah hospitals, which was never done by the former government.

In the federal Parliament the coalition has been marked by its failure to do anything for those hospitals. Warley performs an excellent service for the local community.

Honourable members interjecting.

Ms Davies — On a point of order, Mr Acting Speaker, I seek your guidance. I am interested in the response of the Minister for Health to my question. However, I am having difficulty hearing it because of the gabble. Is there a way to keep honourable members a little quieter?

The ACTING SPEAKER (Mr Richardson) — Order! There is no point of order.

Mr THWAITES — The Warley Hospital provides an excellent service to the local community and to the broader population that visits the island during the motorbike races and for its other attractions. I am pleased the government is providing some \$49 000 to Warley to assist it with its emergency stabilisation services. In addition to \$68 000 in capital assistance grants to help with improved occupational health and safety and airconditioning, funds have also been provided for the hospital's accreditation.

There are concerns about the hospital's ability to maintain its accident emergency service. As in many country areas this is a complex issue, because it involves not only resources for the hospital but also the roles in the community generally of the doctors. I am awaiting receipt of advice in relation to bush nursing hospitals more generally, with a view to a planned way forward for them, to assist in the examination of what is occurring at Warley. I will also look into the honourable member's query in relation to medical staff on-call arrangements and pass that information on to her once it is to hand.

Ms PIKE (Minister for Housing) — The honourable member for Knox raised a very distressing issue concerning a 69-year-old woman who is suffering from cancer and is applying for public housing. I understand the woman is too sick to go through the normal application process and is therefore seeking a priority listing. She is having to visit real estate agent after real estate agent to pass the private rental test.

I remind the honourable member for Knox that the private rental test is part of the test procedure for access into public housing that was instituted by the previous government when it segmented the waiting list. It is a very dehumanising process. Private rental applicants have to be rejected by five real estate agents. I remind the house that the previous shadow Minister for Housing did some investigation on the process and found that many unscrupulous real estate agents were charging for a letter of rejection. Not only were vulnerable members of the community being forced to undergo a dehumanising test where they had to be rejected by people time and again, they were having to pay for the privilege. That is the system the Bracks government has inherited and that is why it is reviewing the segmented waiting list.

I assure the honourable member for Knox that in future that kind of process will not be followed, because it is not appropriate. Some of the most vulnerable members of the community are at risk of becoming homeless. Not only is the government reviewing the process, but I will personally follow up the case. I will speak to the honourable member for Knox and get advice on the application at hand.

Mr Lupton — On a point of order, Mr Acting Speaker, what I was really concerned about and was trying to get through to the minister was that previously members of Parliament were able to go to the department and seek assistance. In this particular case — —

The ACTING SPEAKER (Mr Richardson) — Order! The honourable member for Knox is not raising a point of order. He is providing a further explanation. That is not a point of order.

Ms PIKE — The honourable member for Frankston East raised the issue of the future of the Pines estate. He is a dedicated advocate of public housing and has worked in the area over many years. I have appreciated his assistance. He knows, as do other honourable members, that good housing policy has a profound impact on the life of the community, and a good policy on the Pines estate will enhance the social and economic aspirations of its residents.

Because the government believes strongly in public housing it is injecting new money into it. For the first time since the late 1980s new money has gone into public housing over and above the funds from the Commonwealth–State Housing Agreement. That is how committed the government is. It is not just talking about it; it is putting in the dollars and expanding public housing.

In expanding public housing — the expansion will touch all areas throughout Victoria — the government is not just putting in new public housing but is also providing new employment. The government estimates that about 1800 new jobs will flow directly and 3000 will flow indirectly from the provision of new public housing, which is on top of the normal Commonwealth–State Housing Agreement.

At the Pines public housing estate in Frankston North, 55 new public housing properties will be built. Demolition is currently under way, and a whole new mix of people on the waiting list in that area will be catered for, including families and older people. There will be single accommodation and even some special purpose-built facilities for people with disabilities. It is an on-the-ground commitment to improving the quality of public housing in the Pines estate, to ensuring there is a good social mix in that area and to meeting people's social needs. As time goes on I look forward to advising the honourable member of further progress.

Ms CAMPBELL (Minister for Community Services) — I thank the honourable member for Narracan for raising the important issue of the development of children through the preschool experience. I agree with him that children's development is enhanced by the care and education provided by preschools.

I place on record the excellent work of the Mary Beck Preschool in Neerim South. The honourable member

has taken me to that preschool and I was impressed with the enthusiasm of the committee, the strong community support and the dedicated staff. I congratulate them on trying to increase the participation rate among the children of Neerim South and surrounds. It is encouraging to know that the hard work of the members of the preschool is showing dividends and they are enrolling children who previously were not accessing preschool.

I inform the honourable member for Narracan and other honourable members who have conscientious preschools in their electorates which are increasing their participation rate beyond the census date for preschools that they will be eligible for the per capita funding and the health care card fee subsidy, which the Bracks government is very proud to have increased this year. The extra funds are necessary because any preschools that are conscientious and recruit extra children and put in place a new program for term 2 need to be financially viable. They must receive the per capita funding plus the health care card component for those enrolled at the beginning of term 2.

I congratulate the Mary Beck Preschool and those involved in the wonderful work that is going on in Neerim South. I intend to work with members such as the honourable member for Narracan who are keen to increase the participation rate. I am delighted to inform the house that this year the Bracks government, preschool committees of management, preschool staff and local government have combined to increase the participation rate by 3.8 per cent, and honourable members who are keen to see the preschool participation rate increased will have my full support.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Preston raised for my attention the condition of the Preston police station, in particular the abysmal condition of the cells. Having visited quite a few police stations over the years as both the shadow minister and now the Minister for Police and Emergency Services, I can say without fear of contradiction that the Preston police station is without doubt the worst police station I have visited. I hasten to add that that is a reflection not on the excellent officers who work there but on the building and facilities they are expected to endure. The officers are expected to work in an area with no more than a foot between desks — and that is no exaggeration — and they have to go to one end of the room to put a floppy disk into a computer and then to the other end to get a print-out from a dot matrix printer.

Last week the Attorney-General visited the police station, which I think he described as Dickensian. I would go further than that and say it is antediluvian — I will not be outdone by the Attorney-General. It is appalling that in this day and age policemen and women, who are highly professional people, are expected to work in such conditions.

The honourable member for Preston is correct: in 1992 a contract was entered into that would have replaced the Preston police station, among a number of others. One of the first acts of the former Kennett government was to pour a large amount of public money into buying out those contracts. Year after year it issued a priority list — each year a new priority list came out — of capital works for the Victoria Police. Preston was always at the top or second from the top of the list, but nothing was ever done. Police stations were built here and there, without police officers to put in them. The occasional station the former government built was either not on the priority list or at the bottom of it. Did it deal with the ones at the top? Absolutely not!

The honourable member for Preston has been concerned about the issue for some time, and I commend him for his perseverance. The government came to office with a commitment to build a new police station at Preston, and it regards that as a high priority. It will be dealt with on the basis of merit and need — and I regard the need for a new station in the area as great.

I will certainly take on board the concerns expressed by the honourable member and try to ensure that Preston is afforded the appropriate priority as part of the government's commitment to building police stations. Preston will certainly be given a new police station over the term of the government, and I would like to see that happen sooner rather than later.

I also assure the honourable member that, unlike the previous government, the current government will provide adequate numbers of police officers to put in the new police station. The government is not inclined to construct buildings with signs out the front saying 'police station' but without the police officers to staff them. Preston will have a new police station, which will be adequately staffed.

Mr BRUMBY (Minister for State and Regional Development) — The honourable member for Monbulk raised for the attention of the Minister for Environment and Conservation a matter about rural water supplies and sewerage. He also referred to the policies of the current government and the former

government. I will refer the matter he raised to her for her response.

The honourable member for Murray Valley raised for my attention a matter regarding the Wangaratta showgrounds. He made the point that on 12 August the Olympic torch relay will pass through Wangaratta in the run-up to the Olympics. The city has applied to upgrade the lighting, surrounds and general facilities of the Wangaratta showgrounds, including the grandstand. The honourable member has made it clear that he and the council — —

Mr Steggall interjected.

Mr BRUMBY — I am deeply disturbed about the precedent it might set! The honourable member for Murray Valley has made the point that the council and the local community want the showgrounds to look a picture when the torch relay goes through there on the Saturday night. They want it to be the best facility possible and to reflect well on the Rural City of Wangaratta.

The honourable member said the application has been lodged under the Rural Development Scheme, which I administer, seeking a grant of \$50 000 from the state government towards the total cost of \$115 000. The honourable member for Murray Valley was kind enough to mention my recent visit, when I opened the Rotary park and announced funding for the upgrading of the tennis courts at Whitfield.

I understand the application has been lodged and is being considered by my department. I will expedite the application. He has certainly made a strong case, and if the funds are available I will look very favourably on the application.

The ACTING SPEAKER (Mr Richardson) — Order! The house stands adjourned until next day.

House adjourned 11.08 p.m.