

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

13 June 2001

(extract from Book 8)

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By authority of the Victorian Government Printer

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JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

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Standing Orders Committee — Mr Speaker, Mr Jasper, Mr Langdon, Mr Lenders, Mr McArthur, Mrs Maddigan and Mr Perton.

Joint Committees

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Environment and Natural Resources Committee — (*Council*): The Honourables R. F. Smith and E. G. Stoney. (*Assembly*): Mr Delahunty, Ms Duncan, Mr Ingram, Ms Lindell, Mr Mulder and Mr Seitz.

Family and Community Development Committee — (*Council*): The Honourables E. J. Powell and G. D. Romanes. (*Assembly*): Mr Hardman, Mr Lim, Mr Nardella, Mrs Peulich and Mr Wilson.

House Committee — (*Council*): The Honourables the President (*ex officio*), G. B. Ashman, R. A. Best, J. M. McQuilten, Jenny Mikakos and R. F. Smith. (*Assembly*): Mr Speaker (*ex officio*), Ms Beattie, Mr Kilgour, Ms McCall, Mr Rowe, Mr Savage and Mr Stensholt.

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Road Safety Committee — (*Council*): The Honourables Andrew Brideson and E. C. Carbines. (*Assembly*): Mr Kilgour, Mr Langdon, Mr Plowman, Mr Spry and Mr Trezise.

Scrutiny of Acts and Regulations Committee — (*Council*): The Honourables M. A. Birrell, M. T. Luckins, Jenny Mikakos and C. A. Strong. (*Assembly*): Ms Beattie, Mr Carli, Mr Dixon, Ms Gillett and Mr Robinson.

Heads of Parliamentary Departments

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

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

Hansard — Chief Reporter: Ms C. J. Williams

Library — Librarian: Mr B. J. Davidson

Parliamentary Services — Manager: Mr M. L. Bromley

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. ALEX ANDRIANOPOULOS

Deputy Speaker and Chairman of Committees: Mrs J. M. MADDIGAN

Temporary Chairmen of Committees: Ms Barker, Ms Davies, Mr Jasper, Mr Kilgour, Mr Loney, Mr Lupton, Mr Nardella,
Mrs Peulich, Mr Phillips, Mr Plowman, Mr Richardson, Mr Savage, Mr Seitz

Leader of the Parliamentary Labor Party and Premier:

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

Leader of the Parliamentary National Party:

Mr P. J. RYAN

Deputy Leader of the Parliamentary National Party:

Mr B. E. H. STEGGALL

Member	District	Party	Member	District	Party
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Allen, Ms Denise Margret ⁴	Benalla	ALP	Lenders, Mr John Johannes Joseph	Dandenong North	ALP
Andrianopoulos, Mr Alex	Mill Park	ALP	Lim, Mr Hong Muy	Clayton	ALP
Asher, Ms Louise	Brighton	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Ashley, Mr Gordon Wetzel	Bayswater	LP	Loney, Mr Peter James	Geelong North	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lupton, Mr Hurtle Reginald, OAM, JP	Knox	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	McArthur, Mr Stephen James	Monbulk	LP
Batchelor, Mr Peter	Thomastown	ALP	McCall, Ms Andrea Lea	Frankston	LP
Beattie, Ms Elizabeth Jean	Tullamarine	ALP	McIntosh, Mr Andrew John	Kew	LP
Bracks, Mr Stephen Phillip	Williamstown	ALP	Maclellan, Mr Robert Roy Cameron	Pakenham	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	McNamara, Mr Patrick John ³	Benalla	NP
Burke, Ms Leonie Therese	Prahran	LP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Maughan, Mr Noel John	Rodney	NP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maxfield, Mr Ian John	Narracan	ALP
Carli, Mr Carlo	Coburg	ALP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Clark, Mr Robert William	Box Hill	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Napthine, Dr Denis Vincent	Portland	LP
Davies, Ms Susan Margaret	Gippsland West	Ind	Nardella, Mr Donato Antonio	Melton	ALP
Dean, Dr Robert Logan	Berwick	LP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Wimmera	NP	Pandazopoulos, Mr John	Dandenong	ALP
Delahunty, Ms Mary Elizabeth	Northcote	ALP	Paterson, Mr Alister Irvine	South Barwon	LP
Dixon, Mr Martin Francis	Dromana	LP	Perton, Mr Victor John	Doncaster	LP
Doyle, Robert Keith Bennett	Malvern	LP	Peulich, Mrs Inga	Bentleigh	LP
Duncan, Ms Joanne Therese	Gisborne	ALP	Phillips, Mr Wayne	Eltham	LP
Elliott, Mrs Lorraine Clare	Mooroolbark	LP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Plowman, Mr Antony Fulton	Benambra	LP
Garbutt, Ms Sherryl Maree	Bundoora	ALP	Richardson, Mr John Ingles	Forest Hill	LP
Gillett, Ms Mary Jane	Werribee	ALP	Robinson, Mr Anthony Gerard Peter	Mitcham	ALP
Haermeyer, Mr André	Yan Yean	ALP	Rowe, Mr Gary James	Cranbourne	LP
Hamilton, Mr Keith Graeme	Morwell	ALP	Ryan, Mr Peter Julian	Gippsland South	NP
Hardman, Mr Benedict Paul	Seymour	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Helper, Mr Jochen	Ripon	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Springvale	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Ernest Ross	Glen Waverley	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Spry, Mr Garry Howard	Bellarine	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Steggall, Mr Barry Edward Hector	Swan Hill	NP
Ingram, Mr Craig	Gippsland East	Ind	Stensholt, Mr Robert Einar ²	Burwood	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	NP	Thompson, Mr Murray Hamilton	Sandringham	LP
Kennett, Mr Jeffrey Gibb ¹	Burwood	LP	Thwaites, Mr Johnstone William	Albert Park	ALP
Kilgour, Mr Donald	Shepparton	NP	Treize, Mr Ian Douglas	Geelong	ALP
Kosky, Ms Lynne Janice	Altona	ALP	Viney, Mr Matthew Shaw	Frankston East	ALP
Kotsiras, Mr Nicholas	Bulleen	LP	Vogels, Mr John Adrian	Warrnambool	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Wantima	LP
Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Wednesday, 13 June 2001

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.37 a.m. and read the prayer.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Police: Mount Waverley

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that members believe that a greater police presence is required to maintain the safety and security of Mount Waverley residents.

Your petitioners therefore pray that the Victorian government allocates additional resources to increase policing in the Mount Waverley area.

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

By Mr WILSON (Bennettswood) (1091 signatures)

Baden Powell Preschool

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria is made up of parents and teachers associated with the Baden Powell Preschool. We have come together to support our preschool teachers in their endeavours to rectify the problems and inadequacies presently affecting preschools throughout Victoria.

We believe that preschools are important centres of learning and not merely child-minding centres. As such, they should be removed from under the auspice of the department of community services, and become the responsibility of the department of education.

The Minister for Community Services has been presented with the Kirby report, which recommends various changes to improve the preschool system. To date, she has been reluctant to table this report in the house, hence denying our parliamentary representatives the opportunity to fully consider and debate the findings and recommendations of the report.

Your petitioners therefore pray that the Minister for Community Services immediately table this report in the house so as to begin the process of improving this vital service to our children.

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

By Ms McCALL (Frankston) (92 signatures)

Marine parks: establishment

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria in response to the ECC report into marine parks and related issues do hereby call on Parliament to declare the coastline (including all bays and inlets within) of the state of Victoria a marine park, we further call on Parliament to appoint a statutory body comprising all user group stakeholders within the marine sector to oversee the proper and impartial management of the resource.

In declaring the marine park, Parliament should not discriminatorily impose no-take zones on vital stakeholders, such as recreational anglers, whilst allowing other users unrestricted access to the resource, or declare vast areas of the coast and seabed, aquaculture reserves or areas in locations that are reasonably situated within or adjacent to safe access points for anglers.

We believe that by merely adopting the recommendations of the report and declaring marine parks no-take zones and aquaculture reserves (areas), Parliament will have discriminated against the recreational angler.

We vehemently disagree with the response to the ECC report submitted by VRFish. Your petitioners therefore pray that the Victorian Parliament take the necessary steps to ensure that the rights of the recreational angler are upheld.

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

By Mr INGRAM (Gippsland East) (2419 signatures)

Ararat bypass

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth we have serious concerns about the Western Highway (truck route) going through the city/residential area of Ararat. In the interest of community safety and environmental pollution — i.e., noise and fumes — due to the high volume of heavy traffic; cartage of dangerous goods and parking/crossing problems at Gum San Museum, RSL and YMCA.

Your petitioners therefore pray that action will be taken to bypass or relocate the Western Highway truck route around the city/residential area, as these situations will only get worse not better in time.

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

By Mr HELPER (Ripon) (1224 signatures)

Laid on table.

Ordered that petition presented by honourable member for Frankston be considered next day on motion of Ms McCALL (Frankston).

Ordered that petition presented by honourable member for Bennettswood be considered next day on motion of Mr WILSON (Bennettswood).

DRUGS AND CRIME PREVENTION COMMITTEE

Public drunkenness

Mr MILDENHALL (Footscray) presented report, together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

SUPREME COURT JUDGES

Annual report

Mr HULLS (Attorney-General) presented, by command of the Governor, report for 1999.

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General — Performance Audit Report — Managing Victoria's growing salinity problem — Ordered to be printed

La Trobe University — Report for the year 2000 (in lieu of Report previously tabled on Tuesday 1 May 2001)

Monash University — Report for the year 2000

Natural Resources and Environment, Department — Report for the year 1999–2000 (in lieu of Report previously tabled on Thursday 2 November 2000)

Subordinate Legislation Act 1994 — Minister's exemption certificate in relation to Statutory Rule No 48.

VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL BILL

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered next day.

BUSINESS OF THE HOUSE

Standing and sessional orders

Mr BATCHELOR (Minister for Transport) — I move:

That so much of standing and sessional orders be suspended today so as to allow:

- (a) in substitution of a matter of public importance pursuant to sessional order 9, consideration of general business, order of the day 27, and government business after statements by members; and
- (b) in the event of general business, order of the day 27, not being disposed of at the conclusion of the time provided for under sessional order 9(7), such item shall be set down on the notice paper for the next sitting and any member speaking at that time may, upon the resumption of the debate thereon, continue such speech.

Mr RYAN (Leader of the National Party) — While the National Party supports the motion as put, I record that there is an agreement between the parties that the debate will in fact conclude today with a vote.

Motion agreed to.

MEMBERS STATEMENTS

Member for Sunshine: witness testimony

Mr LEIGH (Mordialloc) — I request that the Premier calls in and disciplines one of his members. For a government that is allegedly involved in doing all it can to deal with drugs and stop drug dealers I was somewhat surprised to learn that during the court case of Mr Walter Foletti and his nephew Pablo Foletti, who were accused of selling 6 kilograms, or 28 000 pills, of ecstasy and were involved in gun deals and a number of other — —

Honourable members interjecting.

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

Mr LEIGH — They were refused bail, and the honourable member for Sunshine appeared in court to testify that these two people were wonderful human beings and should be released.

Mr Hulls — On a point of order, Mr Speaker — —

The SPEAKER — Order! Stop the clock.

Mr Hulls — On a point of order, Mr Speaker, I think the honourable member needs to be clear in his understanding of the rules of sub judice and whether

this matter is currently on appeal and waiting to be heard in the High Court.

Mr LEIGH — On the point of order, Mr Speaker, I am making no accusations against these people. I was making the point that although these men were not granted bail the honourable member for Sunshine appeared in court supporting their request for it. I was seeking simply for the Premier to discipline the honourable member who was standing up for people involved in a drug case.

Mr Batchelor — On the point of order, Honourable Speaker, this is potentially a most serious travesty of the sub judice requirements. This matter may be before the court or could be under appeal, and under the requirements and rules of this house those matters should not be raised. It is not a question of whether or not you make a comment; they cannot be raised. The honourable member for Mordialloc knows that and should not have attempted to bring the standing of this house into disrepute. Clearly the honourable member for Mordialloc has little regard for the sub judice conventions, which is of little surprise to me or other members of this chamber, but this is a most serious matter and individuals have the right not to be stood over by Parliament while matters are before the court or potentially the subject of appeal.

Honourable members interjecting.

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

On the point of order raised by the Attorney-General, which concerns the rule of sub judice, the house imposes upon itself the discipline of not commenting on cases that are currently listed before Victoria's, or indeed Australia's, courts. It is an imposition that we take most seriously so as not to jeopardise the outcome or deliberations of such bodies. I ask the honourable member for Mordialloc to refrain from going down the track of infringing the sub judice convention.

Mr LEIGH — Sir, I was quoting from a public article in the *Herald Sun* and I was seeking to have the Premier discipline one of his own members for wanting to go and protect someone.

Honourable members interjecting.

Mr Thwaites — On a point of order, Mr Speaker, the honourable member for Mordialloc is deliberately breaching your ruling. It is not a question of simply quoting from an article in the paper; the honourable member for Mordialloc is in fact requesting that a member of this house be disciplined for his actions in

relation to a court case. There is only one imputation from that — that is, that there is some improper conduct in giving evidence in that case. That is a clear breach of the sub judice rule. The honourable member for Mordialloc has gone well beyond simply stating what is on the public record to draw an inference and make an imputation about the conduct of that case.

If this honourable member and the opposition allow this to go on, the house will bring the court system into disrepute. It would prevent honourable members on the other side from giving character evidence — like the honourable member for Kew, who gave character evidence in the case of former Judge Kent. I do not recall anyone on this side raising that as an issue and calling upon the Leader of the Opposition to step in and somehow discipline the honourable member for Kew, despite the points raised by the shadow Attorney-General.

Mr Speaker, I request that the honourable member for Mordialloc be no longer heard, given his deliberate breach of your orders.

Mr Cooper — On the point of order, Mr Speaker, I draw your attention to a ruling by Speaker Michaelis in 1952, where he said that merely because some particular matter in a very broad sense is before a court does not say any reference to it in the chamber should be barred, but aspects likely to affect the course of justice must not be debated.

My understanding — above all the shouting that was going on — is that the honourable member for Mordialloc was raising a matter concerning another member of the house, not the people who are on charges before the court. Therefore I suggest to you, Sir, that the 1952 ruling of Speaker Michaelis applies in this case. The honourable member for Mordialloc was not commenting upon the charges against two individuals — —

Honourable members interjecting.

The SPEAKER — Order! I will rule on the point of order raised by the Deputy Premier, which was that if the honourable member for Mordialloc were allowed to continue his remarks he would somehow impinge on the handling of a case before the courts because the honourable member for Sunshine could appear as a witness at the hearing. The Chair is not in a position to know how this case could or would be conducted. However, it is the responsibility of the Chair to again caution the honourable member for Mordialloc that he should refrain in his remarks so as not to allow any

comments to influence either the conduct or hearing of the case.

Mr LEIGH — I support the courts and the arrangements of the courts, and I believe members of Parliament in this system should keep out of them. It is a serious case and it does none of us any good to be involved. I request that the Premier encourage the honourable member for Sunshine to desist from participating in the case.

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

Daylesford–Hepburn community bus

Mr HOWARD (Ballarat East) — Last Monday I had the opportunity to launch a new community bus for the Daylesford–Hepburn community. For a long time the community in that area has identified the need for a community bus service to assist with getting young people to training and job opportunities as well as to transport aged people and community groups. The purchase of a community bus at the cost of \$55 000 has been achieved by a great community effort. I especially commend the Daylesford Murray-to-Moyne cycle relay team, which raised \$24 000, and the Rotary Club of Daylesford, which raised \$9000. The Daylesford Lions Club, Child and Family Services Daylesford, Hepburn Shire Council and the Department of Human Services also made significant contributions. The bus will be managed by the Hepburn Health Service.

On the same day I was pleased to unveil a commemorative plaque that recognises the great efforts of the Murray-to-Moyne cycle group from Daylesford. It has been operating for over 10 years and has provided opportunities to raise further funds for the Daylesford and Hepburn communities. The plaque was developed by graphics students from Daylesford Secondary College — and they did a great job of it. Hepburn is doing well. It has community groups which are prepared to work together to —

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

Bridges: Echuca–Moama

Mr MAUGHAN (Rodney) — The Echuca–Moama bridge across the Murray River was built in 1878. For 110 years it served as a combined road and rail bridge until a new rail bridge was opened in 1988 and it reverted to road use only. Because of tremendous growth in the Echuca–Moama area the traffic volume has increased significantly and there is a need for a second Murray River crossing. There are some

30 crossings of the river between the Snowy Mountains and the South Australian border, and Echuca–Moama is one of the top three of these.

In 1999 the commonwealth committed \$15 million under the centenary of Federation program on the understanding that if the cost of the bridge exceeded \$15 million the balance would be shared equitably by New South Wales and Victoria, with each state funding works on its respective side of the river. The estimated cost for each state was in the order of \$10 to \$15 million. A Vicroads-Road Traffic Authority of New South Wales study group has been working for over 12 months and has come up with its preferred option, which is called the C1 or central option, which is to bypass Meninya Street, Moama, and to upgrade Sturt Street, Echuca.

I call on the Minister for Transport to, firstly, commit the Victorian government unequivocally to funding the necessary roadworks on the Victorian side of the river, and secondly, to give a public undertaking that these works will be carried out.

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

Burmese support group

Mr LIM (Clayton) — Last night a group of 12 members of Parliament, including the honourable member for Prahran from the opposition, met with a group of representatives from the Burmese community and listened to their request for members of both houses of this Parliament to form a group of support modelled on the one set up in Canberra by our federal parliamentary colleagues, which is called the Australian Parliamentary Friends of Burma.

We heard the harrowing story of continued horrendous cases of human rights violations and repression perpetrated by the so-called state law and order restoration council military junta, now called the State Peace and Development Council, since 1988 on the people of Burma. More than 3000 unarmed protesters for democracy were gunned down like animals, not unlike what happened in East Timor. Hundreds of members of Parliament from the National League for Democracy, who won a landslide 82 per cent of the seats in the election in 1990, were not allowed to take their seats, and many are still imprisoned.

Their leader, the Nobel Peace Prize Laureate, Aung Sang Suu Kyi, has been in virtual house arrest ever since. The regime's ethnic cleansing campaign has resulted in the dislocation of more than a million refugees into Thailand and Bangladesh, while its

connivance with the drug baron Khun Sa is a disgrace to humanity.

There is agreement from the attending MPs that such a support group should be formed and that to be effective it must be bipartisan. I congratulate all those who attended the meeting and urge other honourable members to take up the challenge of supporting this most compelling and deserving cause.

Volunteers: Forest Hill

Mr RICHARDSON (Forest Hill) — I wish to pay tribute to the many sporting organisations in the cities of Whitehorse and Monash that provide the facilities and opportunities for so many young people to engage in sporting activities. It is a region where sport is very important, and the volunteers in these organisations are single minded and very unselfish in the way they devote a lot of their time to providing opportunities for children to be involved in sports such as cricket, football, netball, basketball, swimming and equestrian events. In fact, basketball in this region is very important, and many professional and Olympic basketball players have come from the city of Whitehorse, in particular.

I admire enormously the people who give of their time to provide these opportunities for young people in our communities. I applaud them, and I think they are doing an absolutely wonderful job.

Paul Azzopardi

Mr SEITZ (Keilor) — I place on record my respect and admiration for one volunteer, Paul Azzopardi, who has been a volunteer worker at the Green Gully Soccer Club for the past 30 years. Mr Azzopardi has worked tirelessly using his company's equipment and machinery in developing the oval, putting in mounds for spectators and building the clubhouse, dressing rooms and VIP boxes on weekends. Mr Azzopardi is a true volunteer in our community and has given the club facilities of a high standard.

The SPEAKER — Order! The honourable member's time has expired. The time set down for members statements has also expired.

BARLEY MARKETING (AMENDMENT) BILL

Second reading

**Debate resumed from 12 June; motion of
Mr STEGGALL (Swan Hill).**

Mr BRUMBY (Treasurer) — It is my pleasure to speak in this debate concerning the barley industry, and I can advise the Leader of the National Party that, after a long and exhaustive process of deliberation, the government will not be supporting the National Party's motion or the private member's bill, and that from 1 July we can look forward to a new era for the barley industry in Victoria. We can look forward to an era in which there will be more choice and more deregulation of the industry and in which over time Victoria can be positioned as the hub of the barley industry in Australia. With full deregulation of the Victorian barley industry from 1 July, the government certainly sees growers as having a choice of selling to a number of reputable traders and processors, including Barrett Burston, Joe White, International Malting, Maltco, AWB, Graincorp, Grainco, WA Grainpool, Louis Dreyfus, Toepfer, Glencore, Xcan, Souffle and probably also Ray Brooks.

No-one is suggesting that ABB will not be able to export barley from Victoria. Deregulation will simply make it possible for growers to sell to a number of buyers, not just one. The reality is that after 40 years as the monopoly exporter, ABB essentially has no processing facilities, no cleaning or grading facilities, no container-filling facilities and very limited barley segregation. It simply takes the barley off the farm, tips it onto a ship and sells it to the first buyer who comes along.

This issue has a long history in this place. I can remember debates right through the 1990s when I was in another position on the other side of this house. I remember debates about the barley industry in 1997, 1998 and 1999. I make it clear that the Labor Party has always supported more competition and more choice and deregulation of the industry. Members of the Labor Party come to this debate today with clean hands, unlike members of the Liberal Party opposition, who two years ago moved a motion to deregulate the industry. They went to an election in 1999 — not a whimper, not a sound, not a change in policy — and two years later they come back here in an extraordinary display of weakness backing the National Party. It is a total abrogation of their responsibilities and a total sell-out of the interests of the Victorian people.

In 1997 in this place — I remember the debate — I spoke on behalf of the Labor Party, with the support of the honourable member for Mildura, about more choice and more competition for growers in this state. That is what we did. We moved an amendment. I moved the amendment because my office had been flooded with hundreds and hundreds of letters and faxes from hundreds and hundreds — check the *Hansard* — of

growers who want a basic, fundamental choice. They grow the barley, but the opposition parties want to tell them who they can sell their barley to. That is what they did in the early 1990s.

It is only a decade ago that the police had to be called in if a grower sold barley to their next-door neighbour; that is how regulated the industry was. And it was not until we got some sensible agreement — —

Mr McArthur interjected.

Mr BRUMBY — No, this is about a plan put in place in the 1990s, agreed to by all the political parties, agreed to by the growers, agreed to by the Victorian Farmers Federation (VFF), which did not raise the issue during the last state election, and endorsed by legislation put through in this Parliament in 1999 to sunset the regulation of the industry from 30 June this year.

Are opposition members really saying, because they know the bill will not get up, that if it did get up they would want to expose the state to the hundreds of millions of dollars of compensation payments that would be payable to all the businesses, growers and traders who made investment decisions on the basis of laws passed by Parliament? That is what we are talking about. We sat here through the speeches in 1998 and 1999. I heard members of the National Party, including the honourable member for Swan Hill, and the Liberal Party make speeches about the sunsetting of the clause on 30 June 2001. That is what we are heading towards.

Unlike our predecessors, who never allowed debate on a private member's bill in the seven years in which they were in government, we have enabled the debate to take place today, which at least the National Party acknowledges — —

Mr McArthur interjected.

Mr BRUMBY — You've got no credibility and no integrity at all!

The ACTING SPEAKER (Mr Lupton) — Order! Gentlemen, please direct remarks through the Chair. I would like to be involved in the debate as well.

Mr BRUMBY — The matter has a long history. A decade ago in this industry it was a criminal offence to grow barley and sell it to your next-door neighbour. Governments — —

Mr Plowman interjected.

Mr BRUMBY — Yes it was. It was a criminal offence and police had to investigate it. In the 1990s governments put in place a series of measures to deregulate the industry. It started with domestic deregulation and continued with the deregulation of small containers and the cooperatives — measures the honourable member for Mildura and I moved some years ago. And on 30 June we move to a fully deregulated system where growers will be able to choose to whom they sell their product.

We are talking about a fundamental right. As I have pointed out in this house before, if you look to the future of the industry instead of the past, as the National Party and the Liberal Party are doing, you see that the world is changing. Victoria produces predominantly malting barley for export. The markets in China and Japan want specialist products, specialist sellers. The last thing they want is a single buyer who buys up from all the growers, tips it into a ship and sends it over. China has the fastest growing economy in the world — a billion people — and malting companies and brewing companies are setting up all over the place. There are a thousand quangos in China, a thousand government authorities that will be privatised in the next few years.

The rest of the world is changing; the rest of the world wants choice; the rest of the world wants competition. What are the National Party and the Liberal Party in Victoria saying? They want to wind the clock back 30 years and prescribe to whom you can sell a product that you grow.

Mr McArthur interjected.

Mr BRUMBY — That is what the Liberal Party is saying. It is so hopeless, so without policies, so without a vision and so without a plan for our state. I can understand the National Party, which has always been a party of agrarian socialists who have always sought to capitalise profits and socialise losses. I expected something different from the Liberal Party — the party that got up here three years ago and brought in the legislation to deregulate export marketing of barley. The government is simply ensuring that the best interests of the industry are served in the future.

I would like to make a few other points about the industry. I mentioned the marketing opportunities overseas, and it is clear from the National Party's second-reading speech that it still does not understand the nature of the industry in Victoria. We are not a feed barley exporter; we are a malting barley exporter. The world is looking for quality malting barley sourced from a number of buyers. That is what the world will look for in the future. It does not matter how many

reports you look at, that is where the market is going in China, and that is where the market will go in Japan as well.

Let me give some statistics on that: 60 per cent of all barley grown in Victoria is malt barley. The overwhelming majority of feed barley produced in Victoria is sold on the domestic market, particularly to the dairy industry. Forty per cent of Victorian barley is exported, compared with South Australia, which exports more than 90 per cent of its barley. It is important to point out that Victoria is a small barley exporter compared to the other states. In fact Victorian exports represent about 8 per cent of the market. Since domestic deregulation in 1993 more than 80 per cent of the Victorian barley that is exported is malt barley. This compares with South Australia, where more than 80 per cent of the barley exported is feed barley.

That goes to the nub of the fundamental question that is misunderstood by the National Party. Victoria is not a bulk producer of feed barley for export. Like South Australia, it exports malting barley, so if you want to serve the industry well you have to look at the international markets, how they are placed, what they are looking for and how we can meet that demand. The best way we can do that is to give the growers choice about to whom they sell their product. That is what the government is doing.

There are a huge number of reasons for the government's opposition to this private member's bill and for the introduction from 1 July this year of a choice for barley growers in Victoria. Firstly, the government's position is consistent. It has been taken by the Labor Party right through the 1990s. It has been discussed by cabinet. The Premier has met with various groups including the Victorian Farmers Federation grains group. I have met with that group, and I have met with ABB Grain Export Ltd. The government has consulted widely and supports the deregulation of the industry.

Secondly, the position of the government has been supported by Parliament. It was supported in 1998 and 1999, and I reiterate for the benefit of the house that at that time all three political parties voted in this place to support the sunset clause for this industry. There has been no change of policy or circumstances. We are putting effect to legislation passed by this house the best part of two years ago and supported by all political parties.

Thirdly, I point out that the decision to deregulate the export of barley from Victoria was an agreed position and strategy. It was agreed to throughout the 1990s by

all the political parties, by the Parliament, and until recently, by the others states. It is the agreed position that started with domestic deregulation moving through to containers, cooperatives and so on, to full deregulation from 30 June. It is a government position, it is a parliamentary position, and it is a strategy that was agreed to by all the players throughout the 1990s.

Fourthly, the position is supported by numerous groups and organisations that have made decisions and investments on the basis of the legislation set out in Parliament in 1998. Supporters of choice for barley growers include grower cooperatives such as the Peagrowers Cooperative; Rupnorth, a prominent supporter of which is Frank Drum, who is the former vice-president of the Victorian Farmers Federation; and Clinton Condon, who is a former chairman of the Australian Wheat Board. A number of resolutions opposing the extension have been passed by VFF branches in Tempy, Patchewollock, Woomelong, Hopetoun, and the St James branch in the electorate of the honourable member for Murray Valley. A whole range of other industry players support the sunsetting of the private barley export monopoly of ABB Grain Export Ltd. There is huge support in this industry.

Opponents of choice for barley growers include ABB Grain Ltd, the VFF and the maltsters. You have to ask the question: why would the big buyers of ABB Grain Ltd support an extension to their export monopoly in Victoria? Have you asked that question? Do you know why? They support it because they know they can buy barley cheaper from ABB Grain Ltd. That is why they want it to continue. What does that mean for the growers? It means the price they are getting is lower. You know I am right on this. You are sinking in the polls. You are desperate because you are running at about 3 per cent. You know I am right. You do not like doing this, because you do not believe in it.

The ACTING SPEAKER (Mr Lupton) — Order! The minister has been asked already to refer his remarks through the Chair. I ask him to do so.

Mr BRUMBY — There is a fifth reason: the decision made by the government and the Parliament just over two years ago is fully consistent with national competition policy. It has been recently agreed to and endorsed by all Australian governments, including the federal Liberal Party's coalition partner, the federal National Party.

The sixth reason for the government's believing it is good policy is that it is about choice. For goodness' sake, it is about choice! What an extraordinary debate this is. This is about the right to choose to whom you

sell a product to or buy a product from. I would have thought that is a fundamental and basic right. People will look back on this debate and the National Party, if it still exists in 10 years — I suspect it will not — and say that it was trying to prescribe to whom a grower of barley could sell their crop. The National Party is saying that if a person grows barley they are not able to make a decision about to whom they can sell it. Does the Leader of the National Party believe it? I know he does not believe it.

The seventh point I wish to make is that increased competition and the removal of anticompetitive regulations have been major drivers of growth in the Australian economy. As a member of Parliament, with experience in both federal and state parliaments, it is my view — it always has been and always will be — that increased choice and competition has provided benefits for the economy. Let us look at aviation and the old two-airline agreements. Do we want to go back to that? That is what the National Party is saying. It says it wants to go back to the days when people who wanted to fly to Sydney had to pay a \$700 fare because there was no choice and no competition. That was the position before the Hawke federal government of the 1980s provided competition and deregulation in that industry.

What about tradeable water entitlements? I know the honourable member for Swan Hill has always supported tradeable water entitlements. Is he now saying that he does not support them or competition? That is what he is saying. The fact is that those things have produced benefits.

I turn to grain freight deregulation. Is the National Party saying it wants to go back to the days in the mid-1980s when you had to sell? That is what it is saying. The Leader of the National Party wants to go back to the 1980s when people had no choice about how they could get their product to market.

What about telecommunications? In the good old days in the 1980s there was no competition, no choice and no reduction in subscriber trunk dialling charges. If people living in Bendigo or Ballarat wanted to get a phone on they would have to wait three weeks for Telecom to come to connect it. That is the fact of the matter, yet the Leader of the National Party wants to go back to the good old days of two-airline agreements and grain freight regulation. What about the One.Tel communications company? Is that what the National Party is saying — that we will be selling into corrupted markets? What has changed since 1998 and 1999 when the now Leader of the National Party got up in this house and voted for full deregulation of the barley

industry, which he now says corrupted international markets? Has that just happened in the past two years? What a joke! What a fraud! It has happened just in the past two years!

Deregulation also means new markets and new opportunities, in particular in China but also in Japan, for malting barley producers. Deregulation from 1 July will make Victoria a hub for the barley industry. It will position us as the lead barley state in innovation and market opportunities and provide stronger links to international markets. That is a fact.

Some people have said deregulation of the industry will mean that there will be more trucks on the road. There probably will be, but what will that mean? They will be the trucks coming from New South Wales and South Australia moving product into Victoria where they will get better prices and better opportunities and where there is better investment and more people to sell to. Mark my words!

The National Party knows that is true, but it is out in the electoral abyss standing for nothing; it then comes into Parliament with this desperate bid. Deregulation of this industry has been on the books of this Parliament since 1998–99. Was the issue raised at the last state election? Did the National Party go out and say, ‘We do not support deregulation of the barley industry. We are going to make this a threshold issue’? Did Barry Steggall mention it in any speech in Swan Hill?

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member will refer to other members of the house by their correct titles.

Mr BRUMBY — No, he did not. Did any members of the Liberal Party? No, they did not. Did the Victorian Farmers Federation raise it? I was the shadow minister for agriculture, and the VFF sent me 10 documents on which they sought my party’s response before the last state election; they included weeds, water, and things like that. But was barley among them? It was not.

Three years ago the Leader of the National Party, the shadow Minister for Agriculture and the Deputy Leader of the National Party, who were then sitting on this side of the house, all voted in favour of deregulation. The only reason they now give for no longer supporting it is that world markets are corrupted. As if world markets — —

Mr Ryan interjected.

Mr BRUMBY — I do not accept that view. Nothing has changed. When the Premier and I met with

the VFF, the Premier asked what circumstances have changed.

Mr Ryan — Seattle.

Mr BRUMBY — There was Seattle, and the VFF said, ‘We had a secret deal with the former government’.

Opposition members interjecting.

Mr BRUMBY — I do not know about that secret deal; I was not part of the former government.

Mr Steggall interjected.

Mr BRUMBY — The Deputy Leader of the National Party says, ‘Nor do I’, which begs the question why the former ministers stood here in the Parliament and said there would be deregulation from 30 June 2001. Either they were lying to the Parliament or misleading the Parliament — —

An opposition member interjected.

Mr BRUMBY — It is a serious matter. Either they were lying to the Parliament or misleading the Parliament or the VFF is misleading or lying to the Premier, to me and to the Minister for Agriculture.

Mr Ryan interjected.

Mr BRUMBY — I have just said it here. I am happy to say it. Who is right?

Mr Ryan interjected.

Mr BRUMBY — The Leader of the National Party is hopeless. Who is right? Either the former government moved legislation in here having done a secret deal with the VFF, thereby knowingly misleading the Parliament by introducing legislation and making second-reading speeches while having no intention of ever implementing it, or it went outside and told the VFF it would introduce something it never ever intended to implement. They are the only two alternatives.

The Leader of the National Party is in an electoral abyss. It is extraordinary that the National and Liberal parties take that view. Throughout the 1990s they wanted to privatise the Auditor-General; they sold off electricity and gas and wanted to sell off water; and they closed schools and introduced compulsory competitive tendering. They were the parties at the vanguard of competition, but when it comes to good old barley — something grown on a farm — and farmers wanting to have a choice about to whom they sell it,

they come in here today and say no. What a pathetic effort! What have Victorians heard over the past two years on this issue from the Liberal and National parties? The answer is: absolutely nothing!

The government has facilitated this debate today to ensure that honourable members have an opportunity to have a say on what is an important issue. The government understands many people will have strongly held views on this issue and that many growers will support a single desk and others will support deregulation. However, the government has had a clear and consistent position on this issue. It has consulted widely and Parliament has voted on the issue, but above all else the government is firmly of the view that the world has changed, marketing structures have changed, demand for our product has changed and that the best interests of Victorian growers, in particular the malting barley producers, are served by having more choice after 1 July.

There will be a vote on the bill today. It is not for me to predict how that vote will go, but from 1 July we will see new opportunities, new investment and new export arrangements entered into by Victorian growers. It will be an important date in terms of the future of this industry and it will be a positive step forward. When we have had this debate — when we have all had our say and got it out of our systems — I hope once these new arrangements are in place the Victorian Farmers Federation, the grains group, the National Party and the Liberal Party will accept the government’s offer to work with them to ensure the transition to the new arrangements is as smooth as possible so that Victorian growers can maximise the benefits the government believes can be achieved through this change.

Mr McARTHUR (Monbulk) — While I welcome the fact that the government has agreed to allow this debate under the very tight sessional orders the Parliament labours under, given that it is not normally possible to have a private member’s bill debated without the government’s allowing it to happen, I will take up initially one of the main themes of the Treasurer’s speech.

The Treasurer kept asking what has changed that should lead the government and, in particular, the Treasurer — because after all it is his decision and he is driving the issue on the government’s behalf — to change the position they have held for some years. It is clear to all honourable members, and it will become rapidly clear to people right across rural and regional Victoria, that one thing in particular has changed and done a 180-degree turn — and that is, John Brumby.

John Brumby, as the Leader of the Opposition and then as the shadow Treasurer and the shadow minister — —

The SPEAKER — Order! The honourable member for Monbulk will refer to other honourable members by their correct titles.

Mr McARTHUR — The honourable member for Broadmeadows, as the Leader of the Opposition at one stage and then as shadow minister for rural development, spent days, weeks and months travelling the length and breadth of country Victoria preaching the message that Kennett did not listen, but that the Labor Party would listen to the views of country Victoria, that the Labor Party would take into account the views held by people in country Victoria, and that it would bring those views into this Parliament and reflect them in legislation and administrative action.

What do we see now? We see the very same honourable member for Broadmeadows saying on ABC regional radio yesterday that an 84.5 per cent result in a poll of barley growers was unrepresentative and did not count! We see the honourable member for Broadmeadows saying widely across country Victoria when the Victorian Farmers Federation (VFF) first proposed this poll that a poll was unwarranted and a total waste of time and money and doing his very best to discourage barley growers from taking part in the poll. We see the honourable member for Broadmeadows coming in here and preaching that the Labor Party listens and then in practice spitting in the face of country Victorians and telling them their views do not count! We hear him saying voting was a waste of time and money and that the poll is unrepresentative. We hear him saying, ‘I do not care what you think, I will do what I like’. We hear him mimicking the man he so admired and followed when he was a member of the federal Parliament — Paul Keating.

The honourable member for Broadmeadows has the Keating approach at the moment: if somebody disagrees with him, then that somebody is wrong and that somebody will get kicked. The VFF has had its kick in the head here today, because we have just heard it from his mouth. Then he finished up with a little plea, ‘But please, if you lose this vote, Mr VFF representative, I will work with you’.

Sure he will work with them! I can imagine the terms under which he will work with them! I would not like to be in the same room, although I do not imagine I will be in that room when the honourable member for Broadmeadows meets with the VFF and the barley growers of Victoria.

Let us look at who else has changed. The federal government has changed its timetable on the deregulation of the Australian Wheat Board. Federal Labor has also changed its views, and up until a few days ago the office of Kim Beazley, the federal Leader of the Opposition, was lobbying the Treasurer, saying, ‘Change your mind. It is important in the run-up to the federal election. Change your mind!’. An article in the *Weekly Times* of 23 May this year states:

The federal ALP is putting pressure on its Victorian government colleagues to reconsider deregulating the single desk on ... barley exports.

Last week, the Victorian Farmers Federation grains group met opposition leader Kim Beazley’s economics adviser, John Angley, to discuss the single desk on barley.

Grains group president Ron Hards said Mr Angley could not understand why the Victorian industry should lose benefits provided by the single desk.

There is somebody who has changed his mind, Treasurer! Federal Labor has changed, and New South Wales Labor has changed. The New South Wales agriculture minister, Dick Amery, has changed his mind, because he has extended the single-desk arrangements in New South Wales. Western Australia Labor has changed, and Queensland Labor has changed. The only person who has not changed is John Brumby. The South Australian government, which has — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Monbulk will refer to members by their correct titles.

Mr McARTHUR — The Treasurer, who is known in the wider community as John Brumby, is the only person who has not changed. The South Australian government, which has worked cooperatively with Victoria in establishing and maintaining the Australian Barley Board for more than 60 years and which has also, in cooperation with Victoria, enacted deregulation legislation — it commenced in 1993 and was amended in 1998 to set up a staged deregulation program — has now shifted away from that position.

Let us deal with what the Treasurer said about the supposed change in the Liberal Party. In his second-reading speech on the deregulation legislation on 13 November 1998, the former Minister for Transport, the honourable member for Mornington, said among other things:

It is the intention of the Victorian government that statutory marketing arrangements will end on 30 June 2001. However —

and it is an important ‘however’ —

prior to that date the Minister for Agriculture and Resources —

that would now be the current Minister for Agriculture —

will consult with the South Australian minister and the barley industry generally in managing the transition to a fully competitive market.

A promise was specifically and clearly made that the minister of the day would consult with both his South Australian counterpart and the industry on the timetabling and management of deregulation. Earlier in his speech the minister said the following about the establishment of ABB Grain Ltd and the ABB Grain Export Ltd:

A fully commercial entity able to compete effectively and grow as world trading arrangements are progressively liberalised was considered essential.

World trading arrangements have not been progressively liberalised since 1998. If anything they have gone in the opposite direction — but I will leave that for later.

As the Treasurer at one stage honestly pointed out, there are divided opinions on the issue. There are growers who are seeking full deregulation on 1 July, just as there are growers who are seeking to extend the single desk. There are grain traders and grain cooperatives who are almost universally seeking deregulation on 1 July. There is no doubt about the wide division in the industry on the issue of when to deregulate. What is no longer in question is the relative weight of people who are seeking the extension or the abolition of the single desk on 1 July.

It is interesting to note the Labor Party's reaction to the poll that was conducted by the VFF. Firstly the VFF approached the Premier and requested a poll. It highlighted as an example the Labor government's determination to have a referendum of dairy farmers on dairy deregulation, which the Minister for Agriculture will remember well, because it was something he fought hard for. The Labor Party argued that it was necessary to have a referendum of dairy farmers on deregulation, despite the fact that the peak industry body, the United Dairyfarmers of Victoria, was strongly pro deregulation, despite the fact that a majority of dairy farmers supported it, and despite the unquestioned evidence that the Victorian dairy industry would benefit economically from deregulation — although that was not universally true of dairy farmers in other states. No-one questioned that Victorian dairying stood to benefit substantially from deregulation.

Compare that to the barley industry. The economic benefits of maintaining or abolishing the single desk for export barley are so small — they are a drop in the bucket — that the experts cannot agree. It comes to a few million dollars per annum one way versus a few million dollars per annum the other, spread across 8000 Victorian barley growers. They really do not sway the argument one way or the other. Econotech says it would involve a small benefit; CIE says it would involve a small cost. We do not know what the secret Tasman report that the government commissioned says, because the minister will not release it.

Then the VFF wrote to the Premier, saying, 'Premier, will you please have a poll?'. The Premier ignored the call, and the Treasurer scoffed at the need for it. That forced the VFF into conducting a poll at its own expense. The farmers federation wanted the poll to be credible and therefore unquestionably objective and fair, so it commissioned the Victorian Electoral Commission (VEC) to conduct it. Prior to conducting the poll the VEC had to get the approval of the Governor in Council. So there is no question that the poll was objective, fair and credible.

What were the results? Firstly, the house should bear in mind that participation in the poll was voluntary, so growers were not compelled to vote. Barley growers faced a barrage of comment from the Treasurer and the government saying that participating in the poll would be a waste of time and money because they would not take any notice of the results. So there were two things mitigating against a high turnout — first, the poll was voluntary, and voluntary polls have a history of low voter turnout; and second, the government was saying, 'Don't waste your breath, baby, because we ain't going to listen!'. What happened? It saw the highest turnout of any voluntary poll conducted by the Victorian Electoral Commission in its history. Of the eligible growers, 64.3 per cent turned out to vote. Compare that with the voluntary polls on superannuation boards, where there is generally a 10 or 12 per cent turnout. Compare that with council elections where, prior to compulsory voting, there was generally a 15 per cent turnout. Almost two-thirds of eligible Victorian barley growers turned out to vote because they thought it was important to their future and their community's future.

The result showed a small overall majority in the affirmative. Of the growers who turned out, 84.5 per cent voted yes. The absolute numbers are as follows. Some 4310 ballot papers were mailed to growers. Of those, 2769 were returned and deemed eligible by the electoral commission. Of the 2769 who returned their ballot papers, 2332 voted yes, saying they wanted the single desk to continue; 430 voted no, saying they

would like to see it end on 1 July; and there were 7 informal votes. I cannot for the life of me work out how somebody could manage to vote informally, because it was a simple 'yes' or 'no' question, but seven did.

That removes any doubt about the wishes of both the industry and country Victoria. The Treasurer, who has campaigned long and hard on his willingness and preparedness to listen on those issues, flies in the face of the views of country Victoria when he comes into this place and says that the government will not change its mind! He spits in the face of country Victorians when he says that the poll was unrepresentative and a waste of both time and money. He does so at his peril and in a pale imitation of his hero, former Labor Prime Minister, Paul Keating.

It is important to consider who else is supporting this program of extension of the single-desk powers. Let us examine what the South Australian government has said. Honourable members will recall that the minister who introduced the legislation in 1998 said that prior to 30 June 2001 the Victorian minister would consult with both his South Australian counterpart and with the industry. That has not happened. Late last year the South Australian minister issued a press release calling on the Victorian government to extend the single desk for barley.

In a press release of 17 May the South Australian minister and Deputy Premier, Rob Kerin, again called on the Victorian government to take action. He states:

South Australia is calling on Victoria's Bracks Labor government to extend the single desk for the Victorian barley industry to ensure the industry continues to work together to export barley to overseas markets.

As I said earlier, South Australia has been Victoria's partner in this enterprise for more than 60 years. It wishes to continue to cooperate jointly with Victoria in this enterprise in the future. It is sad that the Treasurer finds that that call holds no weight. It is sad that he is unilaterally prepared to tear up 60 years of cooperation and 60 years of history.

The question is not if, but when. The Treasurer has criticised the Liberal Party for doing backflips on the issue. He should check the record, study the behaviour of other people and look at the broader issues before accusing the party of backflips.

Legislation to begin the deregulation of the barley industry was introduced into the Parliament in 1993. The initiative was not a John Brumby or an honourable member for Broadmeadows initiative, but an initiative

of the then Minister for Agriculture, the Honourable Bill McGrath. A staged deregulation program was set up. Since then staged deregulation has been twice modified — both times in 1998. The first modification took place in April 1998 and the second in November 1998.

Initially, the plan was for a five-year deregulation program. It was extended for two years in 1998 with a clear statement for further consultation by the minister who introduced the legislation on that day. While on 13 November 1998 it was the government's undoubted intent that the sunset clause would come into action on 30 June 2001, that intent was based on negotiations and agreement with industry, discussions with the South Australian government, agreement with the South Australian government as to the timetable, and informal discussions about the timing of the deregulation of the Australian Wheat Board.

Since then, all those things have changed. The industry has changed its view; South Australia has changed its position; and the federal government has changed its timing on the deregulation of the Australian Wheat Board. If Victoria is to continue a national and interstate cooperative arrangement in a sensible and staged approach to a deregulated system, it should continue to cooperate with its interstate colleagues in South Australia, continue to take account of the federal government's timetable regarding the Australian Wheat Board, and continue to listen to and take heed of the views of the industry.

If honourable members do not do that we are in contempt of the industry in particular, but also in contempt of the historical arrangements that have applied and been upheld by this Parliament and by governments of all persuasions for more than 60 years. That would be a sad thing.

Three members in this place have made a career of saying that they listen to the voices of their constituents and that they deliver in the Parliament through government outcomes based on the wishes of their constituency. They are the three Independent members — the ones who will have the balance of power in relation to this decision today. If they continue to do what they have been doing for in some cases four or five years — in the case of the honourable member for Gippsland East slightly less than two years — of listening to the voices of rural Victorians and bringing those views into this place, representing them and turning them into administrative or legislative action, then they must and should vote to support the National Party's private member's bill. The views of the electorate — the barley growers — are clear on this

issue. There is no question about the support in country Victoria for the extension of the single desk.

The only question that remains to be resolved is whether they and the government will listen to and heed those voices. When the results of the poll were first announced the Liberal Party had some hope that the government would heed the voices of the growers, but it has refused to do that. There is still a hope that the three Independent members who were elected on the votes of country Victorians will listen to their voices, heed the message given to them by the community and vote to support the private member's bill introduced into this house by the honourable member for Swan Hill.

The bill is worthy of support; it is not the end of deregulation but a sensible, staged extension of the timetable in cooperation with other states, cooperation with the federal timetable and heeding the wishes of the industry. I wish the bill a speedy passage. I hope the three Independent members will support the private member's bill.

Mr SAVAGE (Mildura) — I am pleased to make a contribution to the debate on the Barley Marketing (Amendment) Bill. I congratulate the government on allowing this debate, which would not have occurred during the seven years of the previous coalition government.

Mr Steggall interjected.

Mr SAVAGE — In those seven years no private member's bill was allowed in this place. We have an achievement. This is the second private member's bill in the term of this Parliament.

What is puzzling about this debate is the fact that the deregulation issue was addressed back in 1998 and 1999. Deregulation was a strong coalition policy. I refer to *Hansard* of 9 April 1998, which records the then Minister for Agriculture, the Honourable Pat McNamara, when speaking about the Barley Marketing Act as saying:

The consultants recommended that the domestic barley marketing arrangements be deregulated and that the so-called single export desk powers be retained for the shortest practicable period of transition.

That was pretty clear cut. There was no argument about that. For some reason we have a flip back in decision making on the issue that brings us to this place.

There are two significant myths about barley. The first is that Victoria has a single desk. ABB has a marketing monopoly; it is not a single desk. Every state except

South Australia and Victoria has its own desk. How can there be a single desk if every state has a desk? It is an oxymoron. There is no doubt the marketing authorities work closely against each other as well as with each other. They are in competition in world markets. It is a myth to suggest that one of them has an advantage over another. They are all out there competing. If they are not, they should not be marketing authorities.

The second myth is surrounded by the propaganda suggesting that deregulation will cause the demise of the ABB. Why should it? There is nothing in the legislation that says the ABB will cease to trade as of 1 July. It will be out there competing with other people in a free market that has freedom of choice. I think the deregulation is on track, and I see no reason to change my view on that.

I have been the object of some disappointing and malicious character assassinations because of the stand I have taken on this issue. The Honourable Ron Best in another place even went so far as to make malicious allegations about the fact that my wife is a practising medical practitioner in Mildura. I now know why certain media commentators asked me why I was on a police pension. It is incorrect. I am not. If that is the level you have to drop to in this debate — to assassinate someone's character because you take an opposing view — it is a disappointing outcome.

I have to say also that I have never received any financial gain, promises or offers from anybody associated with the grains industry. For some time some National Party members have suggested that because I have taken a position that represents farmers who are in favour of a free market I have taken a bribe from Ray Brooks. Well let them say that outside this place and be prepared for the writ they will get as a consequence.

Only yesterday I received a letter from Patrick and Joan Burns of Tempy that clearly expresses how farmers feel and the difficulties they have in coping with a monopoly marketing arrangement:

We believe that the barley board has failed barley growers across the state by failing to provide competitive market prices. In fact in our area we know that if it were not for the prices paid by the private buyers many of the local growers in your electorate would be gone to the wall ...

We believe the VFF is becoming merely a pawn in a political game, and not representing the farmers of your electorate.

They are strong words. I am sure the Burnses are not unique in that view.

Mr Ray Brooks advised me that he has a forward contract for 3000 tonnes of feed barley that was signed up in May. A similar contract was signed by Pivot and Ausbuck for delivery at the port of Adelaide for \$18 a tonne less than the Victorian price. Surely there is a good indication that the proposed deregulation of the export market is going to produce good returns for Victorian growers. I would suspect that come deregulation people from other states will move into Victoria because the prices are relatively low.

We should look at the number of polls that have been conducted by the Victorian Farmers Federation (VFF). The first was the McGregor Tan poll, which came up with a similar percentage of people in support of the single desk. However, you have to look at the way the poll was conducted. Data was provided by the ABB, and people were telephoned. If you ring people who are supplying barley to the ABB you are going to get a predictable result.

Also, the study shows that there was significant discontent among people who were asked what they thought about the price being gained by the ABB. In the Mallee only some 37 per cent of growers were confident of the ABB achieving the best price, which means the significant majority of people were unhappy. I put this to Michael Iwaniw, the managing director of ABB Grains, and he said of the farmers, 'If you work for somebody you'll always ask for more money. They're whingers'. That is a pretty unfair comment from the head of the ABB.

In June last year it was claimed that 80 per cent of the poll would be in favour of the monopoly being retained. I think it was on the basis that most farmers thought that if the ABB lost its monopoly the wheat board would fall over at the same time. That is a myth, because the ABB is a separate marketing body with a different strategy, and I cannot see how there is any connection. The future of the wheat board is a matter for the federal government to determine.

The VFF appears to have had another difficulty in trying to get a positive result in favour of keeping the ABB monopoly. As part of a letter campaign it conducted last year it allegedly wrote a thousand letters to farmers who grew barley in my area. Of those letters, 500 were replied to. When I did a sample, however, I found that nearly half the replies came from areas such as Charlton, Heathcote, Bears Lagoon, Wycheproof and Inglewood, while only a small proportion came from my area. According to the chairman of the grains council, Mr Ron Hards, there are 780 barley growers in the Mildura electorate — and yet just over a third of that number replied to those letters. That is not

compelling evidence that the majority of barley growers want the ABB monopoly to continue.

Indeed, the contrary is indicated. The VFF has a vested interest in maintaining the current arrangements because it gets a significant amount of money from the ABB based on the pool of grain that goes through — probably in the region of \$100 000 a year. In other words, the ABB has a vested interest in the single desk, contrary to the interests of many farmers.

Another interesting outcome is that a number of the great proponents of the single desk have been trading with private grain traders for some time, so there is an element of hypocrisy in their words. They keep telling me that by selling to private traders people are somehow jeopardising overseas markets and causing shiploads of barley not suitable for malting to lie idle on the wharves in China. Why then, if you believed in that philosophy, would you sell to grain traders?

The chairman of the grains council, for instance, sells grain through his private company, Clover Tree. The grains council chairman sells grain to private traders! Jim O'Brien, a grains council member, sold quite a — —

Mr Steggall interjected.

Mr SAVAGE — How is that known? That has been the great criticism: when you sell the grain you do not know where it is going to. Jim O'Brien has been a regular seller to Ray Brooks at the Tempy silo. Allan Malcolm, who is not only an ABB director but also on the state council of the National Party, has been selling grain to Ray Brooks — and I have a receipt here dated 26 November 1998. Another hypocrite! It is a bit rich being an ABB director who sells grain outside the barley board. He is the same man who said, 'I took a bribe from Ray Brooks to support the case for deregulation'. What a hypocrite! What a grub!

According to the recent poll conducted by the VFF and paid for by the ABB, only the people who had delivered barley in the past three years were entitled to vote. Barley, along with wheat, canola, lentils and many others, is often grown as a rotational crop over a four or five-year cycle, so growers could have missed that window of opportunity. On the other hand, many barley growers have barley as their main crop — yet they have the same vote. Again, there is no distinction between those who produce 3000 tonnes and those who produce 50 tonnes. Surely a 3000-tonne barley grower is entitled to consideration, because the difference in financial return between the two is quite significant.

For many years people have been selling outside the barley monopoly and getting very good returns. Indeed, as I have said, some farmers would have gone to the wall had there not been free enterprise in the domestic market, plus the chance to sell for export through the New South Wales grains board.

We have to question the way the poll was conducted. As touched on by the honourable member for Monbulk, a total of 4310 ballot papers were issued, of which 2769 came back as noes. That means there are 1541 votes missing. How were they cast? Of the returns collected 2332 returned a yes vote and only 437 of them were noes. That is only 54 per cent.

Mr Steggall — It is a majority.

Mr SAVAGE — Let us have a look at that majority. I know of one family trust in the Wimmera that had 14 votes, and a number of New South Wales farmers, because they deliver to ABB, also got ballot papers. Then there are the South Australians. Are we talking about a Victorian poll or not? The result is not conclusive. It is the same stunt that has been performed on successive occasions, and it has failed every time.

What about the people who did not vote? There must be a couple of thousand barley growers in Victoria who are not members of the VFF and who do not deliver barley to ABB. How can you possibly say it was a conclusive poll?

An honourable member interjected.

Mr SAVAGE — Absolute rubbish! Along with the deregulation of the market and the fact that people have invested a lot in the industry, it is significant that two weeks away from deregulation the Parliament is being asked to say, 'Let's go back in history'. That is the comment by the Pol Pot of the agriculture industry: 'Go back to Year Zero!'. People have invested a lot of money in this change, and it will be very good for Victoria.

Honourable members interjecting.

Mr SAVAGE — I will explain the way we market our barley to China. Prior to 1996 the China National Cereal Oils and Foodstuffs Corporation (COFCO) received its barley from a company in Sydney called Top Glory, which takes a certain percentage from the ABB's contracts through to COFCO. Before 1996 COFCO was the sole importer into China. That arrangement was deregulated, which now allows some competition, but the ABB has continued to sell through COFCO and also to the China Resources Group. It has sold very little to the independent traders and breweries,

which are becoming importers in their own right. To maintain its position, COFCO negotiated a 35 per cent tariff protection on imported process malt, enabling it to make huge profits.

However, the Chinese brewers are determined to have this duty removed, and that is likely to happen before 2004. When it happens, malt barley sales to China will collapse. The world trade in processed malt amounts to over 5 million tonnes, and most of the surplus processing capacity is in Europe and the USA.

ABB Grain Export Ltd should be value adding. Like the Victorian Farmers Federation, it should be preparing to do its own malt processing. When this happens China will go to Western Europe and North America to buy its malt, because they have the capacity to supply and Australia does not.

What has ABB done for 40 years? It has minimal segregation capacity and, as the Treasurer said, all it does is dump barley into ships and sell it overseas. That in itself is a disadvantage to many buyers who want to have a consistent product and may want a niche product. I predict that unless we change the way barley is marketed — and I think ABB has left it too late — we will not be a trader in the real world. We need to make sure we are protected from the day the 35 per cent tariff is removed. There is some peril to our barley growers if we do not act.

One of the reasons for the minimal advocacy of their case by people who are opposed to the monopoly continuing is the fact that within the VFF people are treated like prisoners or pariahs if they have the temerity or audacity to raise the issue. Yesterday I received a fax from a VFF member at Hopetoun who said he had been bullied and refused a proper say on the issue. He said he was treated like a prisoner at a district council meeting. He sat alone, was given a very short hearing and was treated with disdain by the hierarchy. This is not an isolated incident. The branches of Hopetoun, Woomelang and Patchewollock voted for deregulation but at district council the people are treated like prisoners. That is an indication of how poorly democracy works in some VFF branches. The St James branch also voted for deregulation, so it is not a universal — —

An honourable member interjected.

Mr SAVAGE — I think it is in the honourable member for Murray Valley's electorate.

Mr Steggall — It is quite a big electorate.

Mr SAVAGE — Thank you, I do know where it is. I do not know how much barley they grow, though!

During the last harvest a number of incidents were reported to me where people had difficulty getting their grain into the silos because they had been selling barley to traders, including Ray Brooks Pty Ltd, outside the barley board. They were told the board was not going to accept their barley. As a monopoly authority the barley board is bound to take the barley. Only individuals would take it on themselves to disadvantage locals with a bit of payback. I am not suggesting that is a policy of the ABB, but it should ensure that its operators are not out there exacting vengeance on farmers who are trying to get their grain into silos.

One of the disadvantages of the current export monopoly is that if you are a pea-growing cooperative you cannot market barley overseas, but the ABB can sell peas. The ABB has a distinct advantage over some of our cooperatives. That aspect will change with deregulation. As the Treasurer said, in 1998 the then opposition tried to put up an amendment to allow the cooperatives to sell outside the barley board, but it was treated badly by the previous government.

I can understand why farmers are concerned about the change. The ABB is a very comfortable arrangement because it guarantees to take your grain. You do not have to worry about it or store it, but at the same time you pay a price for that. Over many years the ABB has failed to deliver the premium price and has done deals in China and elsewhere which, at the very least, have been suspect. From looking at the evidence I can only contemplate whether some secret commissions may have been involved.

The VFF and the ABB have obviously engaged in a sophisticated propaganda campaign and paid a lot of money to consultants to bring up all sorts of issues with the media and put pressure on members of Parliament on all sides of the house. It is a pity that they have wasted their money instead of making that expertise available for the transition — because it is inevitable. The majority of barley growers want freedom of choice, and in a democracy they want to buy and sell barley as they see fit and as is their right. If they do not want to sell their barley to traders, they can sell it to the ABB, because that body will still be there.

The whole process has been difficult, and I worry about what the outcomes will be. I do not stand here thinking that I know all the answers. I know precious little about a lot of issues, and this is one of them. But I have received advice —

Mr Steggall interjected.

Mr SAVAGE — I am prepared to admit — —

Mr Steggall interjected.

Mr SAVAGE — The honourable member for Swan Hill might know it all, but I certainly do not, and I do not profess to. But I do know what is right, and it is right that we give freedom of choice to farmers who have been telling us for many years that they are the ones who want to make the decisions. I do not feel that I should say no to them, and I am happy to support the government in opposing the amendment to the Barley Marketing Act proposed by the bill.

Mr PLOWMAN (Benambra) — Initially I would like to respond to some of the points made by the honourable member for Mildura, because it would be wrong not to pick him up on some of them. His first point was a criticism of some of the more prominent members of the Victorian Farmers Federation (VFF) grain boards and other prominent growers for selling grain to private traders. As the honourable member for Mildura said, he certainly is not the font of all wisdom on grain growing. I do not know a grain grower who has not sold grain to a private trader. Having been in the business for a fair bit of my life, I know that as a grower you look at the options available to you and take whichever option you believe is in your best interests and the interests of the industry. It is extraordinary to suggest that any prominent member of any association, be it the VFF or any of the boards, should be criticised for trading privately.

The second point made by the honourable member for Mildura was in respect of the poll. He said it was not a conclusive result. The fact that the voter turnout in a voluntary poll was as great as it was is extraordinary. Nearly two-thirds of eligible voters voted. When only 10 per cent of the total number of voters who had the opportunity to vote against this chose to do so, it is conclusive. Only 10 per cent of eligible voters voted against it. If that is not conclusive I would be most surprised.

Other points that the honourable member for Mildura made were interesting, particularly in respect of the way barley is marketed to China and his point about the 35 per cent tariff which will be removed. It brings into question what will happen with China, which is a major world purchaser of malting barley. The honourable member for Mildura suggested that malting barley sales to China will collapse when that occurs. That is a conjecture that he has put to the house based on the information he has. I suggest that scenario is a long way

off and that the malting barley industry will prepare for that circumstance if it occurs. I do not believe the market will collapse. There will be an adjustment in prices, but not a collapse of the industry. To suggest that the Australian Barley Board should now be taking a role in value adding in Australia, which is not its core business, is a strange way to speculate on what might happen in China.

The honourable member for Mildura talked about the St James branch of the Victorian Farmers Federation. Having been a member of that branch for some time many years ago, I accept the fact that that branch has always been outspoken on all sorts of issues. I admire its members for doing that, but because one branch takes a certain position it should not necessarily be interpreted as an indication that it is a widespread view of all of the branches. Nor would I agree with the criticism that some VFF branches are restrictive on the views of their members. Contentious debate always will be found on issues like this and there will be animosity in that debate between the two sides, but that is natural. However, to suggest that VFF branches are undemocratic in the way they approach these issues is strong criticism of a body that has done an enormous amount for the farming community in Victoria during my lifetime. I am proud to have joined the VFF when it was first incorporated; I am still a member and proud of my involvement in the organisation.

I was a little concerned about what the honourable member for Mildura said when he talked about the ABB not receiving barley from growers who trade privately. If that criticism can be substantiated it should be reported; it is something that I would not condone and should not be condoned. I do not know of that practice, but if it has occurred I would suggest that rather than just reporting it to this house it should be reported to the police because that action is contrary to the charter of the ABB. I am sure that if that occurred in the area where I was growing grain the attack on the ABB would have been immediate, and I am surprised to hear that that is happening in some areas of the state.

I am also concerned by criticism that the VFF and the ABB have got together to oppose this legislation. Certainly both organisations have opinions that should be listened to and certainly both organisations should put their opinions forcibly given that this debate does affect, in the case of the VFF, their growers and, in the case of the ABB, their business. I support both organisations for taking a positive role, but to suggest that there is collusion between them and that it is leading to a distorted position in respect of the debate on this issue is stretching a very long bow.

Getting away from the remarks of the honourable member for Mildura and back to the debate, I ask why this debate was led by the Treasurer and not by the Minister for Agriculture, who is sitting at the table. It surprises me that that is the case and I can only guess that there is a good reason for it. Perhaps it is because there is some degree of conflict within the ranks of the government. I would almost bet — particularly by the grin on the face of the Minister for Agriculture — that I am right. My guess is that the minister has actually stood up for the fact that the growers of Victoria should be listened to. The Treasurer has taken a strong position. I refer to his speech in which he said that there will be hundreds of millions of dollars in compensation if the sunset clause does not go through.

I suggest that the Treasurer is looking after the coffers of the Treasury in face of the opposition of the Minister for Agriculture who has represented the interests of the industry and who has been rolled in cabinet. I cannot see another good reason why the Treasurer would lead this debate and not the Minister for Agriculture. In that respect I have sympathy for the minister because I know he would want to represent the interests of grain growers. I suggest that it is a difficult situation he finds himself in where he has the interest of the growers at heart, but has to agree to the cabinet position on this issue which has been led by the Treasurer in this debate.

Given this set of circumstances, why is it that the government is not prepared to listen to the industry? With a poll that came out indicating that only 430 growers voted against this recommendation that the sunset clause be dropped, why is that the government is not prepared to listen to the industry? I am surprised by that. I refer honourable members to several speeches made in debates on the barley industry going back to 1993.

In a second-reading speech the Honourable Bill McGrath, who was then Minister for Agriculture, states:

The bill continues the joint barley marketing scheme for another five years and requires the two states to consult formally before continuing these arrangements beyond that term.

The interesting phrase is to 'consult formally before continuing these arrangements beyond that term'.

The role of the Australian Barley Board in future Australia-wide grain marketing will clearly be a major issue for consultation.

It is interesting that the then minister clearly indicated there was that opportunity for this to continue. The

sunset clause is not determinate on the bill that was introduced in 1993, but rather the opportunity there was to say that at the end of the five years negotiations should go ahead.

I now refer to the then opposition's response in that debate by the honourable member for Morwell, who is now the Minister for Agriculture. *Hansard* of 6 April 1993 records him as having said:

The Barley Marketing Bill is an important bill that the opposition does not oppose.

...

The legislation is described as a deregulation of the barley industry. It is not deregulation in toto; it is a move to deregulate in part. There are some complications in practice as there are in principle in a completely deregulated barley industry.

He goes on to say:

The bill has a sunset clause of five years, so it may be five years before the marketing of barley is reviewed in Victoria and in South Australia.

Again the point that it would be a review not a sunset.

He continues:

That brings me to deregulation. The bill does not provide for deregulation of export market because that will be controlled by the Australian Barley Board.

...

I shall be interested to hear members of the government speak on the bill. I shall be particularly interested to learn whether they support eventual total deregulation of the barley industry, because there will be some teething problems with that aspect, just as there were with the so-called deregulation of the dairy industry.

...

There is no such thing as complete deregulation. When we talk about deregulation we are talking about one mob getting out of regulation and another mob taking over ... I believe in government regulation because government has a responsibility and a charter to control important industries, especially agriculture.

I agree with most of the comments of the current minister. As time is short I will soon conclude, but I am enjoying this. The minister went on to say:

I am not opposing it. There is a distinct difference between supporting and not opposing. The opposition will certainly not oppose the change to the way in which the industry is regulated.

In deference to honourable members who wish to contribute to the debate, I conclude my remarks.

Mr HAMILTON (Minister for Agriculture) —

While the honourable member for Benambra was quoting earlier speeches of honourable members I was thinking that at times we have strange bedfellows. At one stage I thought he was getting to the stage where he wanted to nationalise the whole of the barley industry as well as the rest of agriculture, which would be a complete turnaround.

This debate is interesting in terms of what has happened over the past 20 months or so that I have been Minister for Agriculture. As the Treasurer said in responding to debate on this bill on behalf of the government, and given that it is fundamentally a national competition policy bill, there is no doubt that it was appropriate for the Treasurer to respond. That is not to say that the issue has not been argued.

Mr Steggall interjected.

Mr HAMILTON — We shall see. The whole of this debate has caused a great deal of discussion, consideration and lobbying. I must say in the time that I have been a minister, members from ABB Export Ltd, the Victorian Farmers Federation and the Grains Council of Australia have spent a great deal of time speaking with me about this proposed sunset clause which was in the 1999 bill — I believe it was April 1999 that the bill was passed.

In terms of the interpretations that we put on legislation, it is no wonder lawyers have a picnic, because it says quite clearly in the minister's second-reading speech on that bill:

It is the intention of the Victorian government that statutory marketing arrangements will end on 30 June 2001. However, prior to that date the Minister for Agriculture and Resources will consult with the South Australian minister and the barley industry generally in managing the transition to a competitive market.

I wonder how the then Premier interpreted the meaning of that clause in the bill. There is no doubt in my mind — and I would suspect there is no doubt in anyone's mind on that side who was here in April 1999 — of what Mr Kennett thought that bill meant. He said, 'You've got two years to get your act together and that is when it sunsets'. And members of the National Party sat there meekly, as they did for seven years, while country Victoria was destroyed. They were going around looking for a peg to hang their hats on, and now they cannot even find their hats! So why did the National Party have this sudden about-face? Of course, the greatest deregulators of all — the members of the Liberal Party — have now got into bed with them. For what reason I do not know, because there has been a complete about-face from the Kennett years when they

deregulated everything. For heaven's sake, they sold the schools, the trains and the hospitals.

The honourable member for Swan Hill stood up in this place, as a former parliamentary secretary, and said, 'Don't blame it on Mr Kennett. Blame it on us. I am in the National Party. We all were for deregulation'. That has been said in this house on a number of occasions. I can recall on electricity bills in particular when the exact opposite view was being expressed from that side of the house. So we come to the — —

Mr Ryan — You have only been going 4 minutes and you have run out.

Mr HAMILTON — Don't tempt me.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The minister, without assistance from the honourable member for Monbulk or the Leader of the National Party.

Mr HAMILTON — So there was a great deal of consultation, as can be attested to, and some hundreds, if not thousands, of letters and emails have come into my office from barley growers, from members of the VFF and from the Grains Council of Australia. Each one of those has been responded to, and all of that information was collected into a databank. As has been said clearly in this debate on a number of occasions, there was no single view.

I agree that the majority of barley growers wanted to extend the sunset period. Even the Liberal Party was hedging its bets because the never-ever sunseting of the single desk amendment that was introduced into the upper house by the Honourable Barry Bishop was amended, and the Liberal Party said, 'We really are deregulators. We will hedge our bets and we will extend it through an amendment', which was included in the bill now before the house. The Liberals still do not know where they are coming from or where they have been. So that has been the problem.

Honourable members interjecting.

Mr McArthur interjected.

Mr HAMILTON — We have plenty of time.

I assure the house that the options for the government to consider were taken before the cabinet and considered thoroughly.

Opposition members interjecting.

Mr HAMILTON — Honourable members opposite talk about getting rolled. As the honourable member for Swan Hill and certainly the honourable member for Gippsland South know, cabinet decisions are collective decisions. That happened for seven years during the Kennett period. I do not know what went on in the Kennett cabinet, but I can assure honourable members that this government considered all of the points of view that were raised. As has been stated here today and in the upper house debate last week, there was no clear evidence from the best economic experts that deregulation or the sunseting of the single desk for ABB Grain Export Ltd would be an economic advantage or disadvantage. There is no evidence at all. No-one — certainly not representatives of the Australian Barley Board, the Grains Council of Australia or the Victorian Farmers Federation — has ever said that if it sunsets the barley industry will fall over. No-one has suggested that and it will not. No-one has suggested that the ABB will go out of existence if the clause sunsets on 30 June as the legislation says.

I have a great deal of respect for the ABB and the way it has operated as a professional organisation. It has presented its arguments with a great deal of sincerity and a great deal of research. I respect the position it has put. However, it has never claimed that if the bill sunsets ABB Grain Export Ltd will go out of existence. It will not because in a relatively short time the organisation has demonstrated that for any new business venture it is capable of operating efficiently. Because the organisation is structured as a growers cooperative it will have loyal growers who will support it. So the government is looking at an opportunity for other exporters to become involved. There is a great deal of argument that this will not only improve the prices paid to growers but that it will improve the operation of ABB itself. That is a good thing not only for ABB as an organisation but for the grains industry.

The grains industry is one of the most important primary industries in Victoria, second only to dairy. The resources the government has put into the grains industry, in particular through the Victorian Institute for Dryland Agriculture but also through a number of other programs, demonstrates that the government has a lot of confidence in the grains industry and its long-term future.

The debate is about the future of the grains industry, of which barley is one part. The developing and in some ways more exciting aspect of the industry has been the growth of the pulse and oilseed industry. As has been said to me a number of times, you win some and you lose some, and the decision will not be the end of the industry. On the contrary, in many ways it will help the

industry to grow in strength and indeed provide a sound future for all the people involved in it.

The final point is that the bill has been brought on for debate in this house some 17 days before the clause sunsets. It has certainly been common knowledge throughout the industry that the sunset clause would take effect on 30 June and a lot of people have made decisions on the basis of that fact. It would not be in the interests of anybody in the industry for the government to change its mind on the position it has stated clearly and has held consistently ever since I have been minister. I make the point that at no stage was deregulation of the barley industry raised when the government was implementing its policy.

The other items mentioned in regard to what the government has done in agriculture were part of our policy commitments. The government has delivered and will continue to deliver and to work cooperatively and proactively with the whole of the grains industry as well as the rest of agriculture. I am confident there is a bright future for the whole of the industry.

Mr VOGELS (Warrnambool) — It disappoints me to listen to the Minister for Agriculture and the Treasurer who have turned deaf ears to the barley growers and travelled a full circle since being elected. Most of their time in debate they criticised the change of heart of members of the Liberal and National parties. It is possible to change your mind. As a dairy farmer I believe national competition policy has created many problems for rural Victorians. I am pleased that most governments in Australia, including the federal government, are now looking at aspects of the national competition policy because especially in rural Victoria more people have been hurt by it than have benefited from it.

People can change their minds. Often it is a credit to people to say, 'Look, we made a mistake. We now know better', and get on with the job. The Labor government has consistently campaigned in rural Victoria promising to listen to country people and to restore democracy. What more democracy can you have than to go out and ask a commodity group for its opinion, to ask for its input and to see what comes up. It was done in the dairy industry and the backflip that has been witnessed there is interesting. The previous government supported dairy deregulation, while the then opposition did not. The Labor Party said it did not believe the majority of Victorian dairy farmers wanted to deregulate, so if it won government it would have a poll and whatever the outcome it would agree with. To the credit of the Labor Party it did that; it listened to the dairy farmers and took up the issue. This is the same

issue. Barley growers have had a say and the vast majority want to retain the single desk.

I refer the house to what happens on a typical farm. At this time of the year barley growers have to start planting their crops.

They know that will be expensive: they have to buy fuel, implements, equipment and seed. After planting the seed they then have to hope the weather is right so they will get a good crop — and if they get a good crop, they then have to hope that any changes in the world commodity price will not have a great impact on the price they get.

They are already competing against the world, but at least under the single desk option the smaller growers can work together in setting prices rather than being picked off one by one by the bigger exporters and the companies that sell grain out of Australia. I cannot believe the Labor Party is saying there is something wrong with that. The union movement does that all the time, but apparently there is something wrong with people in agriculture doing it.

I fully support the bill. I am astounded that the Labor Party and the honourable member for Mildura do not support rural communities. It is sad, because this is a great bill. For God's sake, let the small farmers work together so they do not get picked off by the bigger companies and large monopolies.

Mr HELPER (Ripon) — It gives me a great deal of pleasure to speak on the Barley Marketing (Amendment) Bill, not because I am an avid supporter of the proposal but because it is in stark contrast to the position of the previous government, in that this government has allowed debate on a private member's bill. Not once during the term of the previous government did we see a private member's bill debated in this chamber.

I am happy to explain to the house that, all things being equal, I do not favour measures broadly described as deregulatory. Like all regional members of Parliament, I have had considerable feedback on the barley single-desk issue. I have come to this issue with an open mind. Firstly, supporters of the single desk put their arguments to me, and I thank them for coming to me to do so. However, as the debate in the community continued, other points of view were put to me by those who believe the single desk should be allowed to flow along its normal course and be sunsetted later this month.

As I came to understand the single-desk issues more clearly — I must stress that as a relatively new member

I do not have the broad experience of the barley industry that many hours of discussion in this Parliament has bestowed on others, although as I said, I approached the issue with an open mind — my position evolved. I asked myself the question: do we have a single export barley desk? My conclusion was no, we do not. Instead we have a New South Wales–Queensland single desk, a Western Australian single desk and a South Australian–Victorian single desk. That makes it either a very large desk with two returns or a triple desk! The existence of niche marketers further erodes the argument that we currently have a single desk.

Some marketers have established and exploited their own niche markets and in doing so have built what I sincerely hope is a lucrative trade. The ability for people to exploit niche markets resulted from amendments made to the Barley Marketing Act by the previous government, presumably supported by the National Party. Apparently that type of deregulation is approved by the National Party, despite the incredible inefficiency of trading in bulk commodities such as barley in containers. I have heard estimates that the container niche market deals with 60 000 to 80 000 tonnes of a total of about 350 000 tonnes of available Victorian export malting barley. I presume the National Party agrees with 23 per cent deregulation. However, I suggest to National Party members that you cannot be 23 per cent pregnant! You either deregulate a particular industry or you do not.

You have only to turn to the words of the former Minister for Agriculture and Leader of the National Party, Pat McNamara, who in 1998 described the large desk with two returns as a ‘so-called single export desk power’. He used the term ‘so-called’. He agreed with the analysis I am putting forward, that we do not really have a single desk. The proposition in the bill that the single desk needs to be maintained is based on rather thin logic. It is damning that the then Leader of the National Party described it as the ‘so-called single export desk’. It suggests that the single desk is a romantic fantasy of the National Party that it has destroyed with its own hands.

Another issue with which I have a fundamental difficulty concerns matters of principle, which the National Party should pay some attention to. It is widely believed that ABB is a classic statutory marketing authority set up purely for the protection and benefit of its grower base. To my way of thinking there is nothing wrong with that notion. However, that is not the case, because the single biggest shareholder in ABB is the Mitsui corporation.

Mitsui is not the controlling shareholder, and I am not arguing that it is. I am not arguing that it does not have grower interests; somewhere along its corporate chain there may well be grower interests, so it is perfectly entitled to be a shareholder in ABB Grain Export Ltd. That is not a problem. However, I know that Mitsui has interests in purchasing barley and in being a grain buyer in Japan. What is romantically described by the National Party as a statutory marketing authority has on its shareholder register a significant vertically integrated component of the industry.

That leads me to a question: how can the National Party and how can the Liberal Party — belatedly in its opposition coalition with the National Party that seems to have been entered into on this bill and in general — ask this Parliament to bestow a statutory monopoly on a private statutory marketing group that is vertically integrated? How can they in good conscience ask Parliament to accept that principle? At the end of the day that would be akin to General Motors Holden having the sole export monopoly for automotive components. It is a ludicrous proposition that has no basis in principle whatsoever.

Mr Richardson — Why don't you say what you think!

Mr HELPER — I will get to say what I really think in a moment.

The other side of the argument put forward by the government is that growers ought to have a choice in selecting their markets to maximise their returns. That is the principle pitched against the principle of bestowing a statutory monopoly upon a private company.

It is argued by those who support the single desk that it is necessary to protect growers against corrupt world markets. If the Nationals are convinced of that argument now, why were they not convinced of it two years ago? The world markets have been corrupt for far longer than two years, so the Nationals should have been able to ascertain back then that their support for a single desk was wanted at that time for protection against corrupt world markets.

The ABB has said that if the Victorian single desk is to sunset it will source export barley exclusively from South Australia. Given that Victorian export barley is predominantly malting barley and that South Australian export barley is mainly feed grain, I would like to see how the ABB would carry out that nasty threat, made in a debate which in my experience has been constructive

and positive but which obviously has in other quarters been conducted in less savoury ways.

I was shocked to hear the honourable member for Mildura say he was exposed to thuggery and bullying during the debate. That is totally inappropriate behaviour, and it lowers the character of the participants in the debate.

In summing up my contribution I will touch briefly on the contribution made by the honourable member for Monbulk. He said the New South Wales government had changed its mind about not maintaining its single desk. I suggest that that extension had more to do with the banks wanting to get their money back out of the bankrupted market and industry than with maintaining the single desk. Knowing that other honourable members want to speak, I will finish my contribution at this point.

Mr RYAN (Leader of the National Party) — It is my pleasure to join the debate on this bill. I commend the government for having the debate — I do not commend it for anything else, but I commend it for that — and I congratulate the grains industry and the grains group of the Victorian Farmers Federation (VFF) on persisting with this issue, even in the face of the flogging they respectively copped today from the Treasurer. It is to their great credit that they have persisted with this issue. I also congratulate the honourable member for Swan Hill and a member for North Western Province in another place, the Honourable Barry Bishop, on persisting with this important issue.

This debate should be on the merits of the single desk, but it is not. It has become a debate based around a Treasurer's ego, because that is essentially what we are talking about — this great deregulator!

It is interesting to reflect on what happened back in the age of proposals to deregulate the dairy industry, because at that time the Treasurer campaigned actively against dairy deregulation. He was out in the marketplace saying, 'Do not do this. Don't do it — it is not for the good of the industry', and he was running the line that the suppliers in the dairy industry did not want it to happen. As time passed and he saw he was trapped down a back alley, he fell upon the notion of a poll, which was his mechanism for wriggling out of the fact that the industry wanted to deregulate. So it was that the current Treasurer, in concert with his colleague the Minister for Agriculture, decided upon the poll on deregulation of the dairy industry, and we all know the history of that.

The poll was held, there was substantial participation, and very importantly there was a strong vote in that industry in favour of deregulation. What did we get as a result of that poll? We got yet another conversion on the road to Damascus, because the Treasurer said, 'That's good, because if the industry says, "This is what we want to do", that is what we should comply with and that is what we should do'. The fact was that deregulation was good for that industry.

What has happened here? The VFF and the grains industry have said to the government, 'If it is good for the goose, it is good for the gander. If you can use that criterion for deregulating the dairy industry, why wouldn't you apply precisely the same criterion to the grains industry?', so the poll was conducted. Even though the government wants to knock spots off it, the fact is that in a voluntary poll, in the lead-up to which the government actively campaigned for people to either not vote at all or to vote no, 64 per cent of people in the industry voted and 84 per cent of those people said yes.

I ask rhetorically: how can the Treasurer ever justify any distinction between the two circumstances I have just illustrated? He cannot. The problem is the Treasurer's ego. He has been backed into a corner over this issue, and he knows that if he were to do what he did prior to the deregulation of the dairying industry he would support the bill.

On their merits the arguments for retention of a single desk are overwhelming. The government — minus the Minister for Agriculture, whose heart is not in this, and I will come back to that in a minute — and the honourable member for Mildura are running the argument for deregulation of the barley industry. It will be interesting to see where the other two so-called Independents go when the vote is called.

This issue is being driven by the government of the day, aided and abetted by the honourable member for Mildura. What are the merits? The growers want the single desk retained; that is the overwhelming point of view. The maltsters want the single desk retained. Every other jurisdiction in Australia wants the single desk retained. Not only do they want it, they have taken appropriate action, where necessary, to ensure that it happens. That has happened in South Australia, and Western Australia, New South Wales and Queensland all have single desks because they know that, on the merits, single desks should be retained.

The federal government wants to see a single desk retained, and it is important in the context of this debate that the federal opposition wants to see it retained. That

is why it has been down here over the past few days belting up the Victorian Treasurer. It knows that a single desk is in the interests of the industry and that on the merits it should be retained. That is the position of the federal Labor Party.

The Commonwealth Bank wants it retained. Indeed, in the course of his excellent second-reading speech the honourable member for Swan Hill tabled a letter dated 8 November last year written by the Commonwealth Bank to the Minister for Agriculture. In conclusion the letter says this about funding arrangements for the single desk:

The absence of the single desk would have a severe impact on both access to funds, terms of credit and the cost of borrowings which would necessarily be passed to growers by means of reduced returns.

Single desk provides least cost funding and retains the benefits of centralised export marketing for the domestic economy.

As bankers we regard the single desk as a serious issue. Should it be of assistance we would be quite willing to discuss this with you or any of your staff.

Did you talk to them about it, Minister?

Mr Hamilton interjected.

Mr RYAN — Did you talk to them?

The DEPUTY SPEAKER — Order! The Leader of the National Party will address his comments through the Chair.

Mr RYAN — The fact is that the banking industry wants it and international customers want it, which is critically important because they rely on supply, quality, forward contracts and the brand of product which can be provided to them with the single desk operation. All the garbage about the domestic market is a complete furphy in the context of this debate. We are talking here about the export market.

I will put another furphy to bed. There is no change of view insofar as the National Party is concerned. In fairness to the Minister for Agriculture, as was shown by his commentary today, the second-reading speech to the bill that was introduced in March or April 1999 reflected the fact that there would be further consultation. That has not happened on the part of this government — at least in a meaningful sense. The idea at that time was that there would be further consultation.

What has happened? A sequence of events has unfolded which has rendered change necessary. The

change has occurred, in as much as people interpret it that way. That debate took place in March or April 1999. The election occurred in September 1999. The Seattle trade talks collapsed in December 1999. Of course this was not an issue at the last election because at the last election everybody confidently thought that this would get over the line at Seattle, that the problem would be addressed and that therefore no change would be needed because the consultation that was spoken of would take place. As it turned out, a sequence of events transpired that no-one had anticipated — not the least of which was Labor winning government!

Everybody else has changed and taken a different view about the situation. The industry has changed. The industry had been supportive of deregulation, and it altered its point of view because of the problems with Seattle. South Australia has changed. Just as it said it would in its legislation, the South Australian government reviewed it and made a change, just as this government should have meaningfully done. This government should have reviewed the matter properly and made the change, but it has not. Why not? Because it has a Treasurer who has an ego problem. You only had to see and hear him in the way he conducted himself in this important debate to see that he has an ego problem. He does not want to be seen to be making the change.

I come back to the Minister for Agriculture. Is his heart in this or is it not? We have heard more today about cabinet discussions than we have heard during the 20 months of this government. What they tell you is, 'Again, he got rolled'.

The DEPUTY SPEAKER — Order! The honourable member knows better than to refer to the Minister for Agriculture in that manner. I ask him to address him correctly.

An Honourable Member — Should he call him 'her'?

The DEPUTY SPEAKER — Order! He should call him the honourable member for Morwell, the honourable member, but not 'he'.

Mr RYAN — I cannot use the expression 'he', Madam Deputy Speaker, in terms of him being the Minister for Agriculture?

The DEPUTY SPEAKER — Order! The Leader of the National Party is referring to and pointing at the Minister for Agriculture. The honourable member is required to address him as the Minister for Agriculture.

Mr RYAN — The Minister for Agriculture absolutely got rolled. You only had to listen to the contribution here today to know that. The net result of all that is that the de facto agriculture minister is running the debate today. This is not the first time it has happened. The Minister for Agriculture has on previous occasions been rolled over various issues to do with agriculture — and we will see it happen again and again. It is a tragedy for the industry at large and for this industry in particular.

What should happen is that Labor and the honourable member for Mildura should support this bill. Instead, they will sacrifice this institution of the industry on the alter of national competition policy. There is no need to do that, and there is strong argument for why they should not. For this Minister for Agriculture to be embracing the notions of national competition policy and running the argument about not supporting this bill is absolutely ridiculous. He laughs even as I say it; but he spent the proverbial seven-odd years berating anybody who talked about embracing national competition policy and he still moans and groans because the power stations have not been brought back in Victoria, for God's sake!

National competition policy should be taken on a case-by-case basis. It has done great things for Victoria and for Australia. But it must be viewed on a case-by-case basis. In this instance the government will destroy the single desk on the basis of national competition policy, and it should not do it.

Apart from anything else, the fact is that we are selling into a corrupt market worldwide. We know that to be the case. The retention of the single desk gives us best industry outcomes in Victoria.

I will finish with these two points: the National Party has driven this issue and has taken it from the start and said, 'We can get this bill into the house and can try to do something to address this'. In the face of all of those who said, 'You will not; it cannot happen', we had it introduced in the Legislative Council. We were able to win the support of the Liberal Party, in the face of all those who said, 'The National Party will never do it'. Then it was said, 'The National Party will never have this debate in the Legislative Assembly of Victoria'. Now we are.

I simply say to all of those out there who are about to witness the vote that will destroy the single desk in Victoria that if it had its way the National Party would see that single desk retained. The reason it will be lost is that this caring, sharing, governing-for-all-Victorians

Labor Party, supported by at least one of the Independents, will sell out country Victoria.

My final point is this: I remember the story of the battalion going down to the wharf and heading off to war. There was mum to see off her favourite son. As he marched past she said, 'Isn't he a wonder, my Johnny? He is the only one in step'.

Ms ALLAN (Bendigo East) — I am pleased to join the debate on this bill. In speaking in opposition to it I remind the house why we are having this debate today. It is all to do with the National Party's own road-to-Damascus experience. The Leader of the National Party used the analogy of the road to Damascus. We are having this debate because the National Party, when it was in government, was happy to sit back and be a part of a government that privatised the former State Electricity Commission; that privatised hospitals, even in the area of the Leader of the National Party; that attempted to privatise our public schools; that privatised our roads with the City Link contract; and that privatised part of our rail system, including the Bendigo railway workshops which ultimately led to their demise and closure early this year. The Liberal-National government constantly supported privatisation policies.

With this bill the National Party has decided to perform a very ill-formed and clumsy political U-turn in an attempt, as feeble as it is, to tell its supposed constituency in country Victoria that it is different from the Liberal Party and to forget about the seven years in which it was in coalition with that Party. It is making this distinction only after being confined to the opposition benches. This debate is not about policy; it is about the National Party thrashing around and trying to find some relevance on an issue. It is not about good or bad policy.

Let us look back to the debate that has taken place on barley deregulation. The industry has known since March 1999 that the barley board would be deregulated on 30 June this year, because a bill was passed through this Parliament, with the support of the Liberal Party, the National Party, the Labor Party and the Independents. I believe this debate has served only to increase uncertainty for growers in the industry, particularly with the clumsy amendment that has been forced upon the National Party by the Liberal Party.

Look back at what the National Party said during the debate on this issue. In 1998 during debate on the Agriculture Acts (Amendment) Bill the then Leader of the National Party and Minister for Agriculture said:

The first objective of reform is to achieve a fully commercial approach to marketing through the establishment of a grower-owned entity to take over the marketing responsibilities of the ABB.

He went on to say:

The growers have accepted the need for change and have taken up this challenge.

I move on to what the honourable member for Swan Hill — now the spokesperson for the National Party on barley — said during the debate in 1998:

The most important, and to me the — —

Mr Steggall interjected.

Ms ALLAN — The honourable member for Swan Hill is interjecting. I will start again so he can hear what he said in 1998:

The most important, and to me the best, thing is that the grain industry has now agreed to a privatised structure of deregulation.

Back in 1998 the National Party was singing a very different tune to the one it sings today. On 25 March 1999 during debate on the Barley Marketing (Amendment) Bill the honourable member for Shepparton — he was the only member of the National Party who spoke on the bill — was fulsome in his praise of the deregulation of the barley industry when he said:

I support the bill. The government has worked extremely closely with the Victorian Farmers Federation to ensure that it has come about in an orderly way, and I look forward to barley growers in my electorate and throughout Victoria enjoying a successful time in the barley industry in the next century.

That was the position of the National Party in government.

I turn now to the 1999 comments of the honourable member for Benambra — your comments, Mr Acting Speaker — in support of the bill passed by the former government. He said:

The end result will clearly be that all sections of the industry will benefit from deregulation. Undoubtedly deregulation gives those in the marketing field the opportunity of selling in the market of their choice, which is essential for the rural industry and one of the real benefits of deregulation.

That was what members of the coalition said in government. How those leopards have changed their spots! They were crazy in their support for the privatisation agenda of the former government, yet they are willing to change their spots when it suits them.

The bill was brought before this chamber after the Liberal and National parties put it through the upper house. All honourable members know what an unrepresentative place that is. Many members of those parties are sitting on a stale mandate: they were elected in 1996 and are still there only because of their unrepresentative eight-year terms. They did not go to the electorate at the last election yet they continue to block and frustrate the government's agenda.

They proved to be anti-country when they blocked the Regional Infrastructure Development Fund bill, which was a key plank of the government's election commitment. When it suits them they are happy to debate a bill such as the Barley Marketing (Amendment) Bill. However, the bill was put through the upper house only after the Liberal Party forced its supremacy on the National Party. I am sure the National Party felt as if it were back in government with the Liberal Party exerting its will. National Party members were forced to accept an amendment that will result in greater uncertainty in the industry by delaying its deregulation for three years.

If you look at the contributions by members of the Liberal and National parties in the upper house you find they are all about self-justification. Confusion also reigned in the debate. A member for Gippsland Province in the other place, the Honourable Philip Davis, said that the house was dealing with a decision by the Bracks government to deregulate barley marketing arrangements in Victoria. That is not correct: the former government made the decision to move towards deregulation along the time line outlined in the debates during March 1999.

Honourable members have heard a lot about the Honourable Barry Bishop in another place, but if you look at the comments of the other member for North Western Province, the Honourable Ron Best, you see that he is also confused about the issue. Perhaps he is more worried about the polls in Bendigo that show that the National Party is attracting only 1.8 per cent of the vote.

During the debate he said that the current market had worked quite well and had led to lower barley prices domestically, which demonstrated the way competition works. I thought the National Party's opposition was based on the fact that a deregulated market would lead to lower prices! Is that now what the opposition is all about? National Party members in this place may wish to speak with the Honourable Ron Best in another place to clear up the confusion. Clearly there is confusion between the two parties, and there is also confusion in the industry, given that the amendment forced on the

National Party by the Liberal Party will lead to greater uncertainty for the industry.

As I said, the Liberal Party has reluctantly come to the table on this issue. I was listening when on 16 February the honourable member for Monbulk popped up on ABC Country Radio. It is interesting that members opposite think they can get away with whatever they like when they speak on country radio because they think no-one is listening. However, on country radio the honourable member for Monbulk said that he supported in principle the deregulation of the barley board. He is now supporting the National Party, albeit forcing on it his party's way.

This legislation was not an issue raised during the election campaign. I attended the Bendigo forum organised by the Victorian Farmers Federation — one of the many held around the country. They were great forums but the barley industry was not one of the issues raised.

Why is this bill being debated today? In an article about this debate in the *Age* of 29 January, the journalist Phillip Hopkins wrote:

... leading the charge against abolishing the single desk is the VFF and the National Party, which freed from the shackles of coalition, has done a policy U-turn.

In the same article the honourable member for Swan Hill is quoted as saying that when the National Party was in coalition, 'We did not win all we wanted'. The bill is about an acknowledgment by National Party members that they could have been stronger. Ultimately, they were part of the coalition that introduced the legislation.

The National Party will attempt to portray the government as not caring about country Victoria. It is a convenient argument, but is misleading and ultimately will not be believed. The Bracks government is sticking to a timetable put through this Parliament by the former Liberal-National Party government. The government is providing certainty to the industry by sticking to this timetable. To turn that timetable around and to extend the so-called single desk for three years would simply throw the plans of hundreds of farmers into confusion and jeopardise potential future sales.

The Liberal and National parties have exposed themselves during this debate as having no fundamental policy basis. That has been borne out by their subsequent actions in this place and the comments of the honourable member for Monbulk.

Mr DELAHUNTY (Wimmera) — The honourable member for Bendigo East has just shown why the stance taken by the Labor Party on barley deregulation is hypocritical.

A strong community is one that looks after its weak. I thought the honourable member's tongue was getting whiter by the minute. The Labor Party strongly supports the deregulation of the barley industry, although it was against the deregulation of the dairy industry — I will go back to that later.

The second-reading speech contains strong reasons for supporting the continuation of the single desk for barley exports. I compliment the honourable member for Swan Hill and the Honourable Barry Bishop, member for North Western Province in the other place, on the excellent bill they have brought into this Parliament for debate. It is a pity that more Labor members have not read the second-reading speech given that they did not listen to it and therefore do not understand the reasons why we are debating this bill. Barley deregulation is having a profound effect on country Victorians, and I will talk about it in my capacity as a strong representative of the Wimmera electorate.

Victoria produces between 550 000 tonnes and 700 000 tonnes of barley per annum. The Wimmera produces 315 000 tonnes, or 45 per cent, of Victoria's malting barley, so it is a major player in the area.

I will use a football analogy to explain my argument. Often when you are viewing a football match you think a side is playing well, but when you look at the scoreboard you see that the score shows a totally different situation. The first score I want to talk about is the complete collapse of the 1999 world trade talks in Seattle, which confirmed that protection for agricultural industries will not be dismantled as was proposed. In fact, it is expected that protection levels for agriculture throughout the world will soon be back to where they were 15 years ago. That is the reason why the National Party and the industry support the continuation of the single desk to market bulk grain in a distorted world market.

As we know from the second-reading speech, the United States can legitimately subsidise its course grain industry to the tune of A\$88 million per year. The European Union can pour in the equivalent of A\$1.6 billion, and Canada can also prop it up to the tune of A\$93 million. These subsidies show the extent to which governments can corrupt the world market. I am not sure that the Labor Party is listening to this.

The second score is the Minister for Agriculture, who is at the table. At the Victorian Farmers Federation (VFF) grains conference in Yarrawonga last year he gave the people who attended the impression that he supported the continuation of the single desk. As a member of the Crown, he led them to believe that he would support the industry. Did he do that?

Mr Ryan interjected.

Mr DELAHUNTY — As my leader says, the minister has been rolled by the acting minister for agriculture — that is, the Minister for State and Regional Development, John Brumby.

I highlight again the government's promise to carry out a poll on the deregulation of the dairy industry. The poll showed 89 per cent of dairy farmers supported deregulation — but why is the government not listening on this issue?

The third score is about consultation, which we hear a lot about. All honourable members have received plenty of letters, and I will highlight a few. As the Labor government has talked about the Rupanyup North cooperative, I refer to a letter from Russell Dunlop, of Rupanyup:

As a committed member of the Rupnorth Co-op I am disturbed to see directors of Rupnorth taking part in this debate. At no time has this issue been formally handled by the Co-op. Nobody knows what the Co-op stance is on the single desk because members have not been asked to debate the issue and there certainly has been no vote.

I am in favour of cooperative marketing because as individual farmers we lack the expertise and size to market our grain to its full potential.

He explains why the cooperative wants the single desk in the industry to continue.

Another letter from Lloyd McLachlan of Minyip states in part:

The single desk counters a corrupt and distorted world market and strengthens the position of our farmers. All our major competitors have some form of government assistance.

A letter from Bill Lehmann of Beulah, which was published in the *Buloke Times* of 25 May, further highlights the hypocritical stance of some honourable members. He says:

I have been growing barley over 65 years and can remember what went on when there was no control in the period before the board was formed. I am not against changes, but let the real people involved in growing barley decide what is best for the industry.

He goes on to say:

Being an Independent —

he is talking about Russell Savage —

he is not in line for a minister's job, so what is in it for him to turn down the people who helped to get him in Parliament ...

As I said, the letter highlights the hypocritical stance not only of the government but also of the honourable member for Mildura. I have often heard him say that he does surveys and polls of his constituents so he can understand how they want him to vote on issues.

The McGregor Tan poll showed there is 84 per cent support for the single desk. There was a great deal of talk about this issue being debated at the VFF grains conference in Horsham at the start of the year. Ample time was given for people to attend and get hold of the information, and 90-odd per cent of those who took part supported the single desk.

I turn to the results of the third and major poll — the Victorian Electoral Commission poll, the results of which were released yesterday. It showed that 84 per cent of people who voted supported the single desk. I quote from a front page article that appeared in the *Weekly Times*:

Victoria's barley growers have voted overwhelmingly to retain the single desk for export barley.

...

Almost ... 64 per cent of eligible voters — voted on the issue, a turnout unprecedented in the grains industry.

The huge vote will increase pressure on Treasurer John Brumby —

the acting minister for agriculture! —

and Independent Russell Savage, who are both key supporters of deregulation.

...

The Victorian Electoral Commission ... told the federation anything above 10–15 per cent of voters taking part in a voluntary ballot was regarded as a high amount.

...

Mr Hards said he was pleased with the result of the barley ballot.

'... it would be a brave Independent that would ignore that message', he said.

The article goes on to say that Mr Hards was hopeful the government would change its mind on deregulation as it did on dairy and support the Premier.

This issue affects the Wimmera and many barley growers in other parts of the state. As I said at the beginning of my contribution, the scoreboard is there:

84 per cent support the single desk. We must look after those more disadvantaged than ourselves. That is why I strongly support it and why it has the support of the National Party.

Mr STEGGALL (Swan Hill) — Firstly, I thank the government for bringing on the debate today. The issue commenced in March of last year when the National Party tried to get the government to change its position on the matter. I thank all those who have contributed to the debate: the Treasurer, the Minister for Agriculture, the Leader of the National Party, and the honourable members for Monbulk, Mildura, Benambra, Warrnambool, Ripon, Bendigo East and Wimmera. The house does not often get the chance of a 2½-hour debate on a country issue. The interest expressed today in the legislation shows that the government should consider allowing country issues to be debated more often.

The issue of the single desk is important in country Victoria. While a few flippant and misguided remarks have been made today, for the people in the country it is an important issue. It concerns how best to move our commodity products on a world market. It is the most difficult thing we have to do, and the single desk gives us that opportunity. The deregulation that has occurred in domestic areas provides competition and choice. I do not agree with the Treasurer's often-made remark about more competition and more choice. Many of those in country areas will rue the decision to be made today because they will not be able to handle some of the challenges it will bring.

The Minister for Agriculture has done absolutely nothing since he became the minister to help farmers make the transition. If we were to continue with a single desk, a lot of things, mostly to do with contract production line and the introduction of quality assurance, would have to be done. We have only just started on those areas and our people will not be ready in a number of ways for the deregulated barley export market.

The single desk is the only real power we have in the marketplace, the only thing we have been able to utilise in a very difficult international market. Australia is a very small world trader, and we have to tread carefully when we deal in commodities among the giants of the world or we will get knocked around vigorously. The Labor Party in Victoria is out of step with every other Labor Party in Australia, whether state or federal. They have until now all decided to maintain and support the single-desk operation.

The debate is about marketing of a bulk commodity in a difficult export market. The Treasurer, who is sitting in

the house, needs to do just one thing in the next few minutes: not call a division! I am a bit surprised we have got as far as we have. As the Leader of the National Party said, when it started to question the minister in the autumn sitting of last year to discover what was on and where he was going, the National Party got a negative response or, at best, a mixed response from him. The National Party then moved towards the idea of drafting a private member's bill. I am delighted the party has reached the step of initiating debate on the issue, and I congratulate the government for allowing it.

It is an important country issue and contains a lot of principles. It has generated a lot of debate. I was involved recently in a similar discussion to this one in the tomato industry. In that industry there are problems in bringing a large number of producers towards agreement on one operation. It does not matter which industry we are talking about, commodity grains or not, a single desk has served us well and is the best way I know of to handle our commodities on the international market. I commend the bill to the house and trust the vote will be carried on the voices, not on a division.

House divided on motion:

Ayes, 41

Asher, Ms	Maclellan, Mr
Ashley, Mr	Maughan, Mr (<i>Teller</i>)
Baillieu, Mr	Mulder, Mr
Burke, Ms	Naphine, Dr
Clark, Mr	Paterson, Mr
Cooper, Mr	Perton, Mr
Dean, Dr	Peulich, Mrs
Delahunty, Mr	Phillips, Mr
Dixon, Mr	Plowman, Mr
Doyle, Mr	Richardson, Mr
Elliott, Mrs	Rowe, Mr
Fyffe, Mrs	Ryan, Mr
Honeywood, Mr	Shardey, Mrs
Jasper, Mr	Smith, Mr (<i>Teller</i>)
Kilgour, Mr	Spry, Mr
Kotsiras, Mr	Steggall, Mr
Leigh, Mr	Thompson, Mr
Lupton, Mr	Vogels, Mr
McArthur, Mr	Wells, Mr
McCall, Ms	Wilson, Mr
McIntosh, Mr	

Noes, 46

Allan, Ms	Kosky, Ms
Allen, Ms	Langdon, Mr (<i>Teller</i>)
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beattie, Ms	Lenders, Mr
Bracks, Mr	Lim, Mr
Brumby, Mr	Lindell, Ms
Cameron, Mr	Loney, Mr
Campbell, Ms	Maddigan, Mrs
Carli, Mr	Maxfield, Mr

Davies, Ms	Mildenhall, Mr
Delahunty, Ms	Nardella, Mr
Duncan, Ms	Overington, Ms
Garbutt, Ms	Pandazopoulos, Mr
Gillett, Ms	Pike, Ms
Haermeyer, Mr	Robinson, Mr
Hamilton, Mr	Savage, Mr
Hardman, Mr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Holding, Mr (<i>Teller</i>)	Thwaites, Mr
Howard, Mr	Treize, Mr
Hulls, Mr	Viney, Mr
Ingram, Mr	Wynne, Mr

Motion negatived.

Applause from public gallery.

The SPEAKER — Order! It is disorderly for occupants of the public gallery to applaud!

NATIONAL PARKS (MARINE NATIONAL PARKS AND MARINE SANCTUARIES) BILL

Withdrawal

Ms GARBUTT (Minister for Environment and Conservation) — I desire to move the motion standing in my name in an amended form to accord with the language of the relevant order of the day on today's notice paper. Accordingly, I move:

That the following order of the day, government business, be read and discharged:

National Parks (Marine National Parks and Marine Sanctuaries) Bill — Resumption of debate on the question — That this bill be now read a second time — and on the amendment — That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this bill be withdrawn and redrafted so as to — (a) provide for a state-funded scheme to compensate any person who suffers loss or damage as a result of the provisions of the bill in relation to — (i) any alteration to the force of effect of, or to any rights conferred or arising, under the Fisheries Act 1995 or regulations made under it, or any authority or instrument under such act or regulations; or (ii) the creation or existence of a marine national park or a marine sanctuary under the National Parks Act 1975; and (b) ensure that the Supreme Court's powers are retained in relation to such scheme'

and that the bill be withdrawn.

This is a very sad day for the environment and a black day for the Liberal Party. This bill is being withdrawn and the Liberal Party wants it to fail, despite its farcical claims to the contrary.

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order.

Ms GARBUTT — Liberal Party hypocrisy, intransigence, division and lack of vision have led us to this position. This could have been a world first for Victoria. We could have had a world-class system of marine national parks which took into account the concerns of recreational fishermen and presented a package which assisted the fishing industry and delivered jobs and growth to coastal communities. Instead, because of Liberal Party hypocrisy —

Honourable members interjecting.

Mr Perton interjected.

The SPEAKER — Order! I ask the honourable member for Doncaster to cease interjecting forthwith.

Honourable members interjecting.

Mr Batchelor interjected.

The SPEAKER — Order! The Leader of the House shall refrain.

Ms GARBUTT — From the beginning of this process members of the Liberal Party have been spoilers and blockers. They have been captured by a small vocal minority in the industry. The industry has been telling the government that it wants the package, particularly the \$14 million of enforcement to crack down on poaching. The majority of members of the industry say they are not opposed to marine national parks or to the government's package. The opposition has been badly led by its leader, who has run his own marginal-seat campaign with no idea of the bigger picture. None of his colleagues has an understanding of the support of this package. Instead of the opposition having a broader vision and an understanding of what is really on offer, it has had a narrow-minded, short-term view. That view is bringing the bill undone.

The Bracks government is committed to the protection of the environment and to the establishment of marine national parks. The government has put a great package on the table and come up with a proposal for a world-class system of marine national parks. Unfortunately, the opposition has had no commitment to the environment, to the idea of marine national parks, to having a look at what was on offer in the government's package, or to talking to people about the whole package. Instead it has been a leaderless, divided party that has not been able to have a look at what was on offer.

Opposition members interjecting.

Ms GARBUTT — The arguments from the opposition have been a sham and a farce from the beginning and simply cannot be believed. Some of the arguments are absolutely farcical. What they tell us is that this is simply an excuse to oppose the whole package. None of the arguments stand up.

Mr Perton interjected.

The SPEAKER — Order! The honourable member for Doncaster will get the call shortly.

Ms GARBUTT — I want to examine some of the arguments that have been put by the opposition over the last month or so and which simply do not stand up to scrutiny. They are a sham and a farce.

An Honourable Member — Sit down!

The SPEAKER — Order!

Mr McArthur — On a point of order, Mr Speaker, I seek your clarification in relation to the scope of this debate. The minister has brought into the house today a procedural motion which seeks to withdraw her bill and the reasoned amendment put by the Leader of the National Party. I seek your advice on whether, in arguing for her procedural motion, she is entitled to canvas all of the views and issues surrounding the legislation and the reasoned amendment and all of the history that has led up to them, or whether she should confine herself to the reasons for the procedural motion.

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable member for Bellarine to cease interjecting.

Mr Viney interjected.

The SPEAKER — Order! The honourable member for Frankston East will not be warned again if he interjects while the Speaker is on his feet.

Mr Mulder interjected.

The SPEAKER — Order! That applies equally to the honourable member for Polwarth.

In response to the point of order raised by the honourable member for Monbulk, I indicate that the debate is indeed narrow, in that it is a procedural motion withdrawing the National Parks (Marine National Parks and Marine Sanctuaries) Bill. However, within the scope of the debate I will allow the minister to express her views on why she has taken that action.

Further, I will allow the honourable member for Doncaster and the Leader of the National Party to express their views on why the motion withdrawing the bill should not proceed. However, I expect honourable members to refrain from discussing the detail of the bill that is the subject of this motion.

Ms GARBUTT — None of the arguments used by the opposition stands up as the real reason for opposing the bill. What honourable members have seen is a charade — a whole series of arguments that are just an excuse to oppose the bill.

Let's have a look at the argument that the opposition does not like the section 85 clause. Members of the government can hardly stop laughing whenever we hear that one!

Honourable members interjecting.

Ms GARBUTT — The opposition says it does not like the use of section 85, but in government the opposition loved it. It used it 250 times!

Mr Ryan — On a point of clarification, Mr Speaker, is the minister referring to the section 85 that she intended to have or the one that was inserted by accident?

Honourable members interjecting.

The SPEAKER — Order! There is no point of order.

Ms GARBUTT — It is breathtaking hypocrisy that the opposition should be talking about its problems with the use of section 85 of the Constitution Act. Honourable members know that when the opposition was in government there were 250 occasions when it used section 85. I have here only a partial list that is still enormous, so I will spare the house from reading every one of them. But starting from the beginning, in 1992 there was the Accident Compensation (Workcover) Act — with a section 85 statement — and the Victoria Park Land Act — with a section 85 statement. In 1993 — —

Honourable members interjecting.

Ms GARBUTT — You don't like it!

Mr Perton — On a point of order, Mr Speaker — —

Honourable members interjecting.

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

Mr Perton — Mr Speaker, you have indicated that this is a narrow debate and that you will allow the minister only to canvass her reasons as to why she is moving that the bill be withdrawn when the Liberal Party has said it supports marine parks and is prepared to hold talks with the government. For her to now — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

Mr Perton — It is obvious that the government is embarrassed by its breathtaking hypocrisy.

The SPEAKER — Order! I will not continue to hear the honourable member for Doncaster. I do not uphold his point of order. If he wants to canvass issues that he has raised, he will get the call immediately after the minister concludes her remarks.

Ms GARBUTT — As I was saying, it is breathtaking hypocrisy for the opposition to be now claiming it has a problem with the use of section 85. Look again at the list for 1993: on top of it is the Marine (Amendment) Bill — with a section 85 clause in it!

Honourable members interjecting.

Ms GARBUTT — The opposition had no problem with that when it was in government. What about 1996? What about the Fisheries (Amendment) Bill, which had a section 85 in it as well!

Honourable members interjecting.

The SPEAKER — Order! I ask members on the government benches to desist.

Ms GARBUTT — What about the Shop Trading Reform Bill? And the Victims of Crime Assistance (Amendment) Bill? They all had section 85 statements in them!

There were instances when, for good public policy reasons, the government when in opposition supported the use of section 85. One was the Fisheries (Amendment) Bill — the scallop dredging legislation — when the then Labor opposition accepted the previous government's use of section 85.

Honourable members interjecting.

Ms GARBUTT — Yesterday this house passed bills that — guess what? — had section 85 clauses in them. I saw the shadow minister sitting in exactly the same seat he is in now. He did not raise an eyebrow, let

alone oppose those bills. The inclusion of a section 85 clause is not a convincing reason for the opposition's opposing the bill.

Honourable members interjecting.

Ms GARBUTT — In this case the government considers the use of section 85 to be necessary. That is simply because one vexatious litigant could take us to court for years. It would end up as a lawyers' picnic and be a drain on taxpayers' dollars, and that is not an option that the government will contemplate.

The second reason the opposition has put forward is the inclusion in the bill of a no-compensation clause. The opposition is saying that we need a fair and reasonable process to provide financial assistance to those affected — but that is in the packages on the table. There is a \$1.2 million financial assistance package on the table!

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mornington shall desist.

Ms GARBUTT — That is backed up by a fair and reasonable process. It is at arm's length from the government and will be run by the Rural Finance Corporation. The assessment panel will have representatives of industry on it, and in addition it will have an appeals process. So there is a fair and reasonable package on the table.

As well as that, the government has taken into account the needs of industry by including a major enforcement package of \$14 million to crack down on poaching. The scientific studies undertaken by the marine and — —

Mr Perton — On a point of order, Mr Speaker, the minister is now canvassing reasons why the bill should be debated and not be withdrawn. I ask you to bring her back to order. What are her reasons for withdrawing the bill, when both the Labor Party and the Liberal Party have declared their support for marine national parks? We are prepared to — —

Honourable members interjecting.

The SPEAKER — Order! I ask the minister not to canvass the issues in the bill in the detail she was beginning to and to come back to what is essentially a procedural motion.

Ms GARBUTT — With regard to the claims by the opposition that there is no compensation, the bill rules out compensation only at the Supreme Court level.

People still have their common-law right to go to the County Court for claims of up to \$200 000.

Mr Perton interjected.

The SPEAKER — Order! I ask the honourable member for Doncaster to desist and to make his remarks when he gets the call, not by way of interjection.

Ms GARBUTT — Above all, the government is confident that its package will minimise the impact on the fishing industry and that fishermen will be able to get their total allowable catches as they do now. That is because of the assistance the government has put in, because of the extra enforcement, because of the phasing out of fishing in four of the areas and because the bill applies to only about 5 per cent of the coastline.

The two arguments put by the opposition are absolutely ridiculous. They are a sham and a farce and only provide an excuse for the real reason that it is opposing the bill. Both those reasons, the section 85 and no-compensation clauses, are the subject of amendments proposed by the opposition, which the government can defeat in this house but which the opposition will impose in the upper house. That is not a situation the government will tolerate.

I turn to another argument that is constantly put by the shadow minister, the honourable member for Doncaster. He has constantly claimed that the government must accept the Land Conservation Council (LCC) or the Environment Conservation Council (ECC) recommendations as a whole. What nonsense! That is another piece of opposition hypocrisy. The facts are that the Liberal Party has often refused to accept the recommendations of the LCC and, now, the ECC.

Let's look at some previous examples. In 1992, when the opposition controlled the upper house while the Labor Party was in government, it knocked back amendments and refused to accept LCC recommendations even though the lower house had passed them. If honourable members cast their minds back a little way to when the previous government was in opposition, it removed 200 — —

Mr Perton — Mr Speaker — —

Ms GARBUTT — The truth hurts!

Mr Perton — On a point of order, Mr Speaker, you have asked the minister to speak to the procedural motion. She is yet again canvassing the history of environment legislation in the state. Those are not

matters that go to whether or not the bill should proceed. She has been asked to bat this through to 1 o'clock, but she has nothing left to say. I ask you to bring her back to order.

The SPEAKER — Order! That is a similar point to that previously raised by the honourable member. I have asked the minister to ensure that the remarks she is making relate to the motion before the house.

Ms GARBUTT — That argument is another piece of hypocrisy by the opposition. It is absolutely unbelievable. In the past, either in government or in opposition, the Liberal Party has amended LCC recommendations, so that argument is obviously not the real reason that it is opposing the bill.

I suppose the real evidence is, as well, that while the shadow minister has been saying that the government has amended the ECC recommendations and taken out Cape Howe and Ricketts Point, his amendments do not put them back in. You are not committed to that. Which of your amendments would put those back in and says you will support everything in the ECC report? They are not there.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Monbulk!

Ms GARBUTT — Let's have a look at the so-called negotiations the honourable member for Doncaster says we have not been engaging in. The facts are that we have been seeking to negotiate. I have sought to negotiate with the honourable member for Doncaster. I would have to say it is one of life's most unpleasant experiences. We met confidentially twice last week — private conversations, not to be repeated anywhere. The next day I heard him repeating them on radio. Why would you go back and negotiate under those conditions!

Honourable members interjecting.

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

Ms GARBUTT — The honourable member for Doncaster has absolutely no intention of seeking a resolution of any of the issues he has raised, because they are not the real reasons he is opposing the bill.

Honourable members interjecting.

Mr Perton — On a point of order, Mr Speaker, these are all matters that could be canvassed in the

debate on the bill. This has nothing to do with the minister's reasons for withdrawing the bill. I ask the Chair to bring her back to order.

The SPEAKER — Order! I am not prepared to uphold the point of order raised by the honourable member for Doncaster. However, I once again remind the minister that it is a narrow debate. It is a procedural motion withdrawing the bill. She can canvass why she believes that should be done.

Ms GARBUTT — Thank you, Honourable Speaker. I have been canvassing a number of the reasons, but really they are excuses for the opposition to oppose the bill. The amendments the opposition parties have actually foreshadowed propose to delete the section 85 provisions — that is absolutely unbelievable coming from an opposition with its history — and the no-compensation provisions, and that is also unbelievable because financial assistance packages are on the table.

The government is not prepared to go forward and allow the opposition in the upper house to take those provisions out of the bill. The latest claim by the honourable member for Doncaster is that he has had a gun put to his head by the government threatening to withdraw this bill. What nonsense! The government response has been on the table for a month. It has been out there. We have been talking about it and arguing about it for a month, and still he says we need to negotiate. He has not focused his mind at all until now.

The ECC report has been out there since last October, so that has been publicly canvassed. There have been consultations over 10 years leading up to the ECC report. That is another excuse, another example of a sham reason put by the opposition for opposing the bill.

An honourable member interjected.

Ms GARBUTT — I wore black yesterday and you criticised that, too!

Honourable members interjecting.

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

Ms GARBUTT — We have had a look at several of the arguments put forward by the opposition. They are absolute nonsense. We cannot believe what they have said. I have to say about the negotiations that at 5 minutes to midnight, just a few minutes ago, the honourable member for Doncaster emailed a letter to me. This is how serious he is: 'You need to sit down and talk with the industry and environmental groups as

well as with other political parties to develop a fair package'.

Mr Perton — On a point of order — —

Honourable members interjecting.

The SPEAKER — Order! The honourable members for Springvale and Geelong North!

Mr Perton — I invite the minister to incorporate the whole of that email in *Hansard*.

The SPEAKER — Order! There is no point of order.

Ms GARBUTT — We have got a fair package on the table now, and the opposition is arguing about it. Members of the opposition parties are not acknowledging it and are opposing the bill. They are using compensation as an excuse because they really do not want this bill to pass. The reality is that the opposition has no real commitment to marine national parks or to the environment. It has never had any intention of allowing the bill to pass. There have been no serious efforts at negotiation by the honourable member for Doncaster. He has never been serious about resolving the issues. The opposition has always opposed it. It is a disgrace to the Liberal Party that it should come to this. The Leader of the Opposition went to water in front of a small but rowdy crowd out there in front of Parliament House, and he decided then to put his own seat first.

Honourable members interjecting.

Ms GARBUTT — He was looking after his own skin.

Debate interrupted pursuant to sessional orders.

Sitting suspended 1.00 p.m. until 2.04 p.m.

QUESTIONS WITHOUT NOTICE

Member for Ivanhoe: comments

Dr NAPHTHINE (Leader of the Opposition) — I refer the Premier to comments made by the Government Whip, the honourable member for Ivanhoe, to the Warringal Conservation Society on 7 June this year, when he said that the Labor government is opposed to the Scoresby freeway. Does the Premier support the comment of the Government Whip that the Labor government — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

Dr NAPHTHINE — He is very red and embarrassed.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Narracan!

Dr NAPHTHINE — He is fairly glowing red.

The SPEAKER — Order! The Leader of the Opposition, asking his question.

Dr NAPHTHINE — Does the Premier support the comment of the Government Whip that the Labor government is opposed to the Scoresby freeway?

Mr BRACKS (Premier) — The first point I make is that I do not accept the assertion of the Leader of the Opposition on the matter. If there is a choice between the Government Whip and the Leader of the Opposition who do you pick? You pick the honourable member for Ivanhoe!

Government members interjecting.

The SPEAKER — Order! The government benches will come to order!

Mr BRACKS — The Leader of the Opposition is about as straightforward on this matter as he is on marine national parks. Today he has been running around telling conservationists that if the section 85 amendment goes down, he will vote for the bill with the section 85 provisions. That is what he has been saying!

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

Mr BRACKS — How can you trust him?

Dr Naphtine interjected.

Mr BRACKS — You have been saying it. You have. He knows!

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order, particularly the honourable member for Mordialloc. I ask the Premier to come back to answering the question.

Mr BRACKS — I indicate again that the honourable member for Ivanhoe is an excellent member

of Parliament and a great Government Whip, and all government members remain committed to the funding of the Scoresby freeway. There is only one problem with the funding of the Scoresby freeway, and that is that on a road of national importance the federal government has not given a full funding commitment. It has capped its commitment at \$220 million for a \$1 billion project. We want the federal government to provide half. We do not want part of a highway; we want the whole highway.

Questions interrupted.

DISTINGUISHED VISITORS

The SPEAKER — Order! Before calling the next speaker, it gives me great pleasure to welcome to our gallery Mr Carlos Quintanilla Schmidt, Vice-President of the Republic of El Salvador. Welcome, Sir. He is accompanied by the Honorary Consul of El Salvador to Australia, Roberto Calderon Fratti. Welcome, Sir.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Rail: country lines

Mr MAXFIELD (Narracan) — Will the Premier inform the house of the progress of the government's plan to reopen country rail lines?

Mr BRACKS (Premier) — As you and most members of the house know, Mr Speaker, the recent budget allocated funding for the reopening of four country passenger rail lines closed by the previous Kennett government — the Liberal and National parties together. They closed the Ararat line, the Bairnsdale line, the South Gippsland line and the passenger line to Mildura. Today I am pleased to announce that the tender process has begun for reopening these four passenger rail lines.

The first part of the tender will be for a package that includes private sector interests in Mildura and South Gippsland along with the existing tender, which is up for renegotiation, for Shepparton and Warrnambool. Those four will be packaged together for the private sector to bid for the two lines to be reopened and the tender for the other two. That allows private bidders to take advantage of the synergies of these areas and means the government is on track to reopen the four passenger rail lines in country Victoria. Mildura and South Gippsland will reopen in 2004 following extensive track work.

Mr Leigh interjected.

Mr BRACKS — The honourable member for Mordialloc has interjected, the shadow Minister for Transport who hates public transport. He is opposed to the fast rail links between the provincial centres and Melbourne. He is critical of the reopening of the four country rail lines. He is opposed to a fast rail link from the airport to the city. He is opposed to the standardisation of country rail lines. This is the biggest ever capital works investment in rail in Victoria's history, and the shadow Minister for Transport simply opposes every project. It is great for Victorians that these four rail lines will reopen, and I am proud to say that the tender process for their reopening has begun today.

Marine parks: establishment

Mr RYAN (Leader of the National Party) — I refer the Minister for Environment and Conservation to the government's decision today to withdraw its marine parks bill and its so-called mistake in including provisions to eliminate compensation for fishers arising from future changes to fishing licences. Given these moves, will the minister explain how the government now plans to decimate fishing communities across Victoria?

Honourable members interjecting.

The SPEAKER — Order! The Chair had difficulty in hearing the latter part of the question. I ask the honourable member to repeat it.

Mr RYAN — Given these moves, will the Minister for Environment and Conservation explain how the government now plans to decimate fishing communities across Victoria?

Opposition members interjecting.

Mr Batchelor — On a point of order, Mr Speaker, I put to you that the question anticipates debate on a bill that is currently before Parliament. There is a bill on the notice paper, the debate has commenced and the question should not be allowed.

The SPEAKER — Order! I do not uphold the point of order. The question sought an answer from the minister on general government policy.

Ms GARBUTT (Minister for Environment and Conservation) — The question is typical of the nonsense coming from the National Party. There is no plan and nothing on the table to do anything like he has claimed. He is absolutely scaremongering, as he has

been doing consistently — we have seen it before — around coastal Victoria. He is scaremongering about the impact of the government's marine national parks package.

The whole package that is on the table — it is a \$40 million package — will deliver jobs and opportunities throughout regional Victoria. It will deliver a whole range of jobs, starting with around 40 jobs in park management and enforcement. There will be extra opportunities in tourism, education and research, not to mention the anticipated 500 jobs in aquaculture. It is all part of the government's proposed package.

This nonsense the National Party is spreading around Victoria is absolute rubbish. It is scaremongering of the worst sort. I suggest the Leader of the National Party should simply accept the responsibility and carefully analyse the government's package. The government has put in place a \$14 million enforcement package, which will crack down on poaching. The analysis by the Marine and Freshwater Research Institute shows that the package will cut out poaching and more than make up for any impact on marine national parks.

The government is absolutely confident that at the end of the day following the introduction of marine national parks all fishermen will be able to achieve their total allowable catch. There will not be a significant impact on the fishing industry. The sooner the Leader of the National Party has a look at the package, analyses it responsibly and tells the truth, the better off we will all be.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition!

Road safety: alcohol ignition interlock system

Mr LANGDON (Ivanhoe) — Will the Minister for Transport inform the house of the latest action the government has taken to crack down on repeat drink-drivers?

Mr BATCHELOR (Minister for Transport) — I have just returned from the Royal Australasian College of Surgeons where I launched the government's discussion paper on alcohol interlock devices for drink-drivers.

Together with the community the government is horrified by the carnage on our roads, particularly over the recent long weekend which recorded the worst Queen's Birthday holiday road toll in 10 years — twice

as many fatalities as on the same weekend last year. The government is concerned that many of the deaths that occurred at that time were alcohol related. Over recent years we have seen a reduction in the incidence of drink-driving, but the recent history and the long weekend fatalities highlight that alcohol still remains a major road safety problem.

The issue particularly concerns repeat offenders. The reality is that repeat offenders and the problems and crashes they cause are becoming too frequent. Repeat drink-drivers are now responsible for 5 per cent of the annual road toll — an average of 22 fatalities a year. It is clear that new approaches need to be undertaken on behalf of the community to respond to the growing problem created by recidivists, repeat drink-drivers.

The government proposes introducing alcohol interlock devices, a measure that the government believes will have widespread community support. The government released its discussion paper today, and it will be sending copies of it to all members of Parliament so they can look at the issues contained in it, raise them with their communities and respond within the time lines set out in the document. Responses to the government should be made by 6 July.

For honourable members who are unfamiliar with an interlock device, I indicate that it physically prevents a drunk driver from getting into their car and driving. In effect, it functions as a hand-held breath tester with a preset pass or fail threshold to prevent the car from starting if the driver has been drinking.

In releasing its discussion paper for community comment the government recognises that this initiative will not be a panacea for all drink-driving problems on our roads. It is one of a suite of initiatives that the government would like to introduce over time to make our roads safer for everyone. As I said, the government will provide copies of the discussion paper to all members of Parliament, and from tomorrow it will be available on the Vicroads web site. The government encourages and welcomes comment from the wider community.

Williamstown High School

Mr HONEYWOOD (Warrandyte) — I refer the Premier to two recent special bulletins to parents from the principal of Williamstown High School. These bulletins express clear concern about the Williamstown High School not being able to fill vital maths and science teaching positions since the start of the current school year. Is it a fact that the principal of Williamstown High School has sheeted home the

blame for this absurd situation to the Bracks government's new centralised method of filling teacher vacancies?

Opposition members interjecting.

The SPEAKER — Order! I ask opposition benches to come to order. The honourable member for South Barwon!

Mr BRACKS (Premier) — I know Williamstown High School fairly well. As the honourable member would appreciate, I know it particularly well.

Opposition members interjecting.

Mr BRACKS — Yes; big shock! My electorate office has had communication with the principal, Graeme Smith. There has been a shortage of qualified maths and science teachers. However, the problem is not funding; the problem is seeking the qualified person for the job.

Mr Honeywood interjected.

Mr BRACKS — The honourable member asked the question. My understanding is that a qualified teacher has been appointed and is awaiting transfer to Williamstown High School, but the backfilling of that position is still to occur, and that will happen in the next term. I appreciate that.

Our office has had discussions with Graeme Smith, who has the matter in hand. I reject the assertions of the shadow Minister for Education. It is a very good school and it has had more funding under this government than the previous government. This government has put more teachers into schools than the previous government did. In fact, this government has put several hundred more teachers into the secondary system. The previous government closed schools and got rid of teachers. In addition, this government has also developed a much more progressive and constructive career package for teachers to the extent that the number of people choosing teaching as a career has increased some 25 per cent since it came to office.

This is not a funding matter; it is a matter of filling the position and getting the qualified personnel in place, and the government will get those personnel in place. It is an absolutely pathetic question by the shadow Minister for Education. If this is the best he can do, he is not doing very well!

Tobacco: under-age sales

Mr ROBINSON (Mitcham) — Is the Minister for Health aware of deliberate attempts to intimidate officers from the Department of Human Services by industry groups opposing the government's campaign to crack down on retailers selling cigarettes to young people, and will the minister advise the house of the government's response to such activity?

Mr THWAITES (Minister for Health) — Smoking kills 13 Victorians every day, and one of the most important things the government can do to stop that is to reduce point-of-sale advertising. This Parliament has passed legislation to prevent point-of-sale advertising and the government has undertaken extensive consultation with responsible retailers, small business and industry bodies. The Australian Retailers Association, Coles Myer, 7-Eleven and the Master Grocers Association have all been involved in that extensive consultation.

As a result of that consultation, the government has agreed to extend the time for introduction of the legislation until 1 January next year. It has also agreed to expand the display area for tobacco products from 2 metres to 4 metres. I also advise the house that as a result of this consultation a question-and-answer booklet in eight languages has been produced and will be distributed next week to 12 000 tobacco retailers. That booklet clearly explains what they need to do.

Given all that, I am gravely concerned about the despicable tactics of a board member of one industry group opposing the tobacco legislation, whose cause I might say is being championed by a member for Templestowe Province in another place, Mr Forwood. I have in my possession an email from Mr Forwood's mate, a Mr Daly, who is chairman of the IGA Everyday committee. This email was distributed to a number of tobacco retailers. It refers to the sensational speech of Mr Forwood, which Mr Forwood had kindly sent to Mr Daly. The email goes on to say that the Liberals and Nationals believe the fight is not yet over. So they are telling the retailers that the fight is not yet over while they are telling Parliament something different. It is reminiscent of the marine parks legislation!

Of most concern is the fact that it is quite clear from this email that Mr Daly intends to ambush a public servant from my department who had offered to attend an IGA meeting to help explain the reforms. The email states:

At our next state board meeting in June we have Nicola Quin attending from the tobacco policy unit to do a powerpoint

presentation and to answer questions from the retailers, business managers and IGA staff.

The email later states:

I'd like to think she leaves our meeting a little upset and intimidated at our aggressive and united approach.

It is quite clear that the member for Templestowe Province in another place and the person writing this email are doing everything they can to undermine the tobacco reforms.

I inform the house that the public servant concerned will not be attending a meeting where she will be put in a position of being intimidated or abused by those who seek to undermine this very important tobacco reform.

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh shall desist.

Williamstown High School

Mr HONEYWOOD (Warrandyte) — I refer the Premier to another letter of despair, this time from a parent at Williamstown High School, which, in referring to the Premier, states that it is obvious that if he cannot get it right in his own electorate's high school, he is never going to get it right in public education.

Ms Delahunty interjected.

Mr HONEYWOOD — You can laugh, Mary. You stuffed the system up!

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Warrandyte shall refrain from referring to members by their Christian names and continue to ask his question.

Mr HONEYWOOD — I ask: how can the Premier expect Victorian children to meet his target of Victoria becoming the clever state if students in his own backyard cannot even have full-time science and maths teachers halfway into the current school year?

Mr Robinson interjected.

The SPEAKER — Order! The honourable member for Mitcham!

Mr BRACKS (Premier) — The honourable member raises the same issue but this time in the form of a written communication from a parent. I have just

signed off a letter to that parent. Williamstown High School is a very good school. My son goes to that school and he receives very good quality teaching. There have been casual teachers brought in for maths and science. It is one of the best schools in the state and it will continue to be one of the best. It is an absolutely grubby question from a grubby shadow minister!

Honourable members interjecting.

The SPEAKER — Order! The honourable member for South Barwon! The honourable member for Footscray!

Community legal centres: funding

Ms GILLETT (Werribee) — It is my pleasure and privilege to ask the Attorney-General to inform the house about the government's response to the commonwealth-state review of community legal centres and about the details of the additional funding from this year's budget to community legal centres and to legal aid.

Mr HULLS (Attorney-General) — It is a privilege to answer this question. Community legal centres (CLCs) in Victoria had a helluva time under the previous government. In 1997 the federal government and the previous state Liberal government embarked upon a joint review of CLCs with an ultimate goal of closing or amalgamating community legal centres.

When the Bracks Labor government came to office it continued with the review on advice and after consultation with CLCs, but only after an amendment was made to the terms of reference of that review and a change was made in the review panel. Our commitment to community legal centres was made crystal clear in the review process.

The final report of the implementation advisory group was recently submitted to both governments. No doubt much to the annoyance of the Howard government, the report makes no recommendations about closing or amalgamating CLCs but provides a number of options for their future funding. It now appears that the federal Attorney-General has backed away from his attempts to close or amalgamate CLCs and sees the sense in the preservation of CLCs in their current locations in Victoria.

However, as we are all aware, CLCs have for many years operated on a shoestring budget. They rely heavily on volunteers, interpreters and administrative staff. I am pleased to inform the house that the Bracks government will provide a package of \$1.05 million to Victorian community legal centres. I am advised that

this is the biggest overall funding boost to CLCs in this state in 15 years. The package is a combination of \$546 000, made available in last month's state budget, and an additional one-off injection of \$500 000.

The funds will provide a \$500 000 upgrade of capital equipment and infrastructure, including computers, telephone systems, and other IT furniture and fittings; a 12.5 per cent increase in funds to all state-funded CLCs; targeted funding increases to nine CLCs, including Brimbank, Central Highlands, Coburg-Brunswick, Warrnambool, Essendon, Flemington-Kensington, St Kilda, West Heidelberg and Werribee; an additional \$37 000 for the Mental Health Legal Service for the provision of advice and representation for mentally ill members of the community; and an additional \$25 000 to assist with organisational change within the Federation of Community Legal Centres.

Consistent with this government's strong commitment to access to justice, Victoria Legal Aid will also receive additional funding, taking the funding from \$28.047 million in 2000-01 to \$29.147 million this financial year — an increase of \$1.1 million this year. It will receive an increase of \$454 000 from budget funding, together with an increase of \$400 000 from the Legal Practice Board and \$246 000 under the road safety package. The allocation of this funding will be a matter for the board of Victoria Legal Aid, whose priorities include: establishing a Shepparton regional office, expanding duty lawyer services to rural areas and to the Victorian Civil and Administrative Tribunal, and providing additional grants of aid.

It is a pleasure to be able to repair the damage done to CLCs and Victoria Legal Aid by the neglect of the former government. These organisations provide the best advice and assistance to the most disadvantaged members of our community. The former government set about to destroy them. The Bracks government supports and encourages them, and today's announcement secures their future.

Ms Gillett interjected.

The SPEAKER — Order! The honourable member for Werribee!

Attorney-General: former Chief Magistrate

Dr DEAN (Berwick) — I refer to comments made by the Attorney-General when he said that at the request of Michael Adams any terms and conditions of the amount Mr Adams was paid out — which I believe was twice the amount the Attorney-General has just given to legal aid — would be kept confidential, and I

ask: will the Attorney-General confirm that he will release the details of the payout should Michael Adams agree to their public release?

Mr HULLS (Attorney-General) — It is my understanding that the normal confidentiality arrangements that are entered into for these types of settlements were entered into in relation to this matter. As a result the terms and conditions of the settlement are confidential.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mordialloc, once again!

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition and the honourable member for Mornington!

Housing: funding

Ms LINDELL (Carrum) — Will the Minister for Housing inform the house of the latest action taken by the government to boost funding for services assisting homeless Victorians?

The SPEAKER — Order! The honourable member for Werribee, once again!

Ms PIKE (Minister for Housing) — Since coming to office the Bracks government has increased funding for the supported accommodation assistance program (SAAP) and other homelessness services by \$32 million over four years. That represents an increase of 30 per cent in these very important services.

In providing new funds for housing and support services to homeless Victorians and in developing its Victorian homelessness strategy, the Bracks government has underlined its commitment to this very disadvantaged group of Victorians — and it has a very solid and strong commitment to addressing the needs of homeless people in Victoria. In addition to expanding services in all regions of the state, the government has also sought to address the issues of service quality and morale among those who work in the service, through a \$4.68 million funding boost.

Why has this government had to put in this additional money? The previous government, in a very mean-spirited way, left unfunded a 6 per cent minimum award increase to SAAP workers. This was very mean-spirited partly because SAAP workers are some of the lowest-paid workers in the human services system. It

also left the service providers unable to meet their legal obligations, and of course left yet another financial black hole for the Bracks government to address. In addition, the Howard government has consistently ignored repeated requests by this government to meet its share of the funding shortfall.

The Bracks government's \$4.68 million funding boost has ensured that SAAP-funded agencies, which employ over 830 staff, can now pay their workers award wages and meet their superannuation and long service leave entitlements. Importantly, this addresses an inequity that those opposite were allowing to continue. One of the problems was the emerging disadvantage that was felt by rural and regional SAAP services. The additional dollars will put rural SAAP workers on an equal footing with their metropolitan counterparts.

These directions are strongly supported by the Victorian Homelessness Strategy Ministerial Advisory Committee, which has been chaired by Netty Horton from the Council to Homeless Persons. Ms Horton will depart for overseas to undertake a Churchill Fellowship. I thank her for her contribution to this very important piece of work and am pleased to announce to the house that the Reverend Canon Ray Cleary, the chief executive officer of Anglicare, will assume the role of the chair of the ministerial advisory committee on homelessness. I certainly look forward to working with the Reverend Cleary and the council as they move to develop the action plan to improve the Victorian homelessness service system.

NATIONAL PARKS (MARINE NATIONAL PARKS AND MARINE SANCTUARIES) BILL

Withdrawal

Debate resumed.

Ms GARBUTT (Minister for Environment and Conservation) — It is with a great deal of regret that the government is withdrawing the bill today because of Liberal Party amendments to key provisions that are not accepted by the government.

I have been analysing the Liberal Party's nonsensical and unconvincing arguments, which are so unbelievable they are laughable. First, it objects to the use of section 85 provisions. What a laugh that is, coming from honourable members who were part of the former government, which used those provisions some 250 times.

Second, it objects to the no-compensation provisions. I have explained in some detail that financial assistance is available. A fair and reasonable assessment process has been set in place, which is at arm's length from government and which includes representatives of industry and a review and appeal process. The government is confident that marine national parks will have an insignificant impact on the fishing industry. I refer to research carried out by the Marine and Freshwater Research Institute, which shows that cutting the illegal take of abalone will ensure marine national parks have no impact on the industry's total available catch. The research indicates — —

The SPEAKER — Order! The Minister for Environment and Conservation may make passing reference to such matters. However, I again remind her that the matter before the Chair is procedural and she should confine her remarks to that matter.

Ms GARBUTT — Thank you, Honourable Speaker. I indicate to the house that that research is there. I will now move on. A further argument the government has heard much about over the past month is that it has failed to fully implement the recommendations of the Environment Conservation Council. Once again, that is nonsense. The report contained 106 recommendations, of which the government has tried to implement around 100.

The house has heard the ridiculous argument that the government has not negotiated. It has negotiated and is still negotiating. However, it is not convinced that the opposition is intent on resolving the issues. It has argued that there is not enough science backing up the ECC report. Yesterday in this house I outlined some of the scientific and other evidence used by the ECC to back up its report.

I turn now to the opposition's real reasons for opposing the bill. The public excuses trotted out by the Liberal Party have been disposed of and the hypocrisy and intransigence are exposed. The real reason is that it has no commitment to national parks or to the environment, which is consistent with the position it took when it was in government. It is continuing along absolutely as it was.

The Liberal Party has no intention of allowing the bill as presented by the government to pass. The amendments it proposes would take out its key provisions. No serious negotiations seeking resolution of the issues have taken place. The Liberal Party has always opposed the bill. The government should have known that would happen when the Leader of the Opposition stood in front of a small rowdy rally and

opposed marine national parks. He decided to put his own seat and interests first. He is looking after his own skin.

Mr Perton — On a point of order, Mr Speaker, you have now directed the Minister for Environment and Conservation six times as to the way she should approach her contribution. Her speech should be confined to the reasons why she is withdrawing the bill when the Liberal Party has declared its support. I ask that you bring her back to order, Sir.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Housing will find herself on the receiving end of sessional order 10!

On the point of order raised by the honourable member for Doncaster, on a number of occasions the Chair has indicated that the scope of the debate is narrow. Once again I ask the minister to return to the matter before the Chair.

Ms GARBUTT — I started by outlining why the government was withdrawing the bill. The reasons relate to the key amendments put forward by the opposition, which are not accepted by the government. I am examining those amendments, the reasons given for them and the real reasons underlying them — not the excuses but the real reasons. It comes back to division within the Liberal Party: a leader who has decided to put his own seat first and look after his own skin and a shadow minister for conservation and environment who is irrelevant and searching for excuses.

Mr Smith interjected.

The SPEAKER — Order! The honourable member for Glen Waverley!

Ms GARBUTT — While the government has been talking to the central zone abalone cooperative the shadow minister has been out there white-anting it and trying to bring the bill down. His contribution is outrageous. The shadow minister is desperate to ensure that this bill does not pass.

Equally, the Liberal Party is not serious about supporting Victoria's rural and regional communities. It has not bargained seriously or put proposals on the table. The delays are not in the interests of the industry, which is constantly telling the government that it wants the package and wants the matter finalised. I have today outlined to Victorian coastal communities the jobs and

opportunities that are part of the marine national parks package being undermined by the opposition.

I outlined the jobs that will come with aquaculture, tourism, research and education. The opposition has put all of that at risk. It is talking down country Victoria, once again, as it usually does.

The government has proposed a fair and balanced package, which it has put on the table along with the bill. The bill meets the demands of the opposition: it offers financial assistance and a fair and open process to assess the claims, using the Rural Finance Corporation. The government has negotiated with the opposition, which clearly does not want it to proceed. So now the bill is sinking.

We will revisit the issue when the opposition has a clear commitment to the environment and to the creation of a world-class system of marine national parks, but until then we will all have to wait.

To remind honourable members that this bill is a world first that we should all have endorsed, I will quote from an email from Professor David Bellamy that is addressed to the Premier:

I have just heard the fantastic views re your government's visionary plans for 12 fully protected marine national parks and 10 fully protected smaller marine sanctuaries covering 5 per cent of Victoria's coastal waters.

Full protection is marvellous, as is the fact that the proposal covers a representative sample of nearly all marine areas in Victoria's coastal waters. This is a really fantastic initiative — a world first.

My email is red hot spreading this great news around the world for you and the Victorian government deserve international recognition of your vision.

If I can be of any help getting the importance of your decisions over to the wider public please do not hesitate to ask. Thank you for caring.

David Bellamy

It is now up to the opposition to show that same commitment.

Mr PERTON (Doncaster) — Opposition members oppose the minister's motion because they support marine national parks for Victoria as well as a fair system of compensation for those who are detrimentally affected by their establishment.

I am pleased to tell the house that just minutes ago a letter arrived from Professor David Bellamy, which reads:

Dear Dr Napthine,

The marine national parks bill is far too important for the world of conservation to allow it to fail at this moment. Issues like this have been resolved in the past by an independent process to assess eligibility for assistance.

The eminent conservationist, whom the minister was just quoting, is urging us to get on with passing this piece of legislation. The conservation movement is asking why the government is not proceeding with it, as is the Liberal Party. I am sure the public is also asking, 'Why won't the government proceed with this piece of legislation?'

It is incomprehensible that a government with a majority on the floor of the lower house would not proceed with its own piece of legislation, with an amendment moved by the opposition — unless it believed it might not have the numbers! Is it possible that the real reason the government is not proceeding with the bill is that it knows its Independent charter allies cannot commit themselves to this outrageous pair of no-compensation clauses — that is, clauses 19 and 26?

What is the government doing instead? Faced with its charter obligations and with a community that wants marine national parks while believing in fair compensation for the affected fishermen and their fishing communities, this government is pulling the bill!

I will read a couple of the emails that have come in just today. Ian Edwards of the Jan Juc Coast Action Group says:

To those who will determine the fate of the MNP proposal. We are on the verge of becoming the world leaders in marine conservation. Most Victorians want marine national parks. Everyone wants a fair outcome for disadvantaged fishermen.

If there are good reasons to retain section 85, then truly independent avenues of appeal must be available to agreed fishermen. Grace and favour arrangements at the discretion of a minister do not inspire confidence.

Obviously Mr Edwards does not know the minister as well as we do, or he would have no confidence in her at all. He continues:

It may ease concerns if the sum of \$1.2 million for assistance were given an element of flexibility, even if only to be subject to review at subsequent budgets. Intransigence will win no political points.

Intransigence will not win the minister any political points. She should withdraw this motion and let the bill proceed! The community is asking, 'Why won't the minister give fishing communities and fishers adequate or any compensation?'

This morning I received a letter from one of the leading conservationists in the Geelong area, whom the honourable member for Geelong would know well. He says:

As the main focus of my spare time has been on the Otways issues I have not been able to keep up with the details. However, the aspect that seems strange to me is the massive differences between how the loggers and the fishers are being treated by Bracks and Garbutt. The loggers are given massive concessions to cause massive destruction, while the fishers are dismissed.

My wife and I were at the United Nations World Environment Day dinner last Tuesday, at which Sherryl spoke quite dismissively of the fisher folks' feelings.

You certainly have my support and that of all my contacts for pushing strongly for this state of the art environmental legislation to go through intact and with appropriate compensation. It is just the sort of thing that Kofi Annan asked us to do last Tuesday.

We now have the answer — that this minister and her government views fishers and coastal communities with utter contempt!

When I first sat down with the minister, as I have now done on three occasions, I thought something might have been wrong with my negotiating technique.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Narracan!

Mr PERTON — I thought an intelligent, reasonable person would be able to have a discussion and a debate. What happened in all three negotiating sessions was that the minister demanded from me absolute acquiescence to the bill — a bill that has been condemned by the Scrutiny of Acts and Regulations Committee (SARC). The Scrutiny of Acts and Regulations Committee is chaired by the honourable member for Werribee. She is a courageous chairman — but where is she now? The honourable members for Tullamarine and Coburg seem to be absent, too. The Honourable Jenny Mikakos is an upper house member of the committee; but the honourable member for Mitcham also seems to be missing from the chamber. That brave bunch of Labor parliamentarians found that the government's compensation provisions were unacceptable. The committee says:

The committee accepts that a fishing licence, permit or other authority constitutes a proprietary interest —

and cites the case of Penington and McGovern (1987), 45 SASR 27 —

and is a right within the meaning of section 4D(a)(i) of the Parliamentary Committees Act 1968.

The committee goes on to cite Victorian Supreme Court decisions that also indicate that in respect of a commercial fishing licence an enactment should not be construed in a manner that will lead to a loss of a person's valuable rights without payment of compensation unless such a construction is unavoidable. SARC goes on to say that the compensation systems suggested by the minister may represent an undue trespass to rights and freedoms within the meaning of section 4D(a)(i) of the Parliamentary Committees Act, and goes on to conclude that it makes rights dependent on insufficiently defined administrative powers within the meaning of section 4D(a)(ii) of the Parliamentary Committees Act 1968.

It believes that the *ex gratia* payments may constitute a non-reviewable administrative decision within the meaning of section 4D(a)(iii) of the Parliamentary Committees Act. In other words, a committee in which the government has a majority has unanimously found that the no-compensation clauses are completely unacceptable.

Today the president of the Australian Conservation Foundation (ACF), Peter Garrett, representatives of the Victorian National Parks Association (VNPA) and a whole lot of other people have tried to broker a deal between the parties. What they are all saying to the government and the opposition is, 'Why not treat these issues the same way as the scallop dredgers were treated?'. What were the elements of the scallop dredgers' package? An adequate sum of money was made available to compensate all those whose livelihoods would be affected and an independent and agreed system of allocation was put in place.

What is the contrast between those arrangements and this case?

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Doncaster will resume his comments.

Mr PERTON — It is interesting that the Minister for Environment and Conservation is not in the chamber — she has snuck out. I was going to indicate to the house that it was not only the ACF or the VNPA, but it was people like Dr Mick Lumb, a former director of the Land Conservation Council — —

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! I ask the honourable member for Doncaster to address his remarks through the Chair and be mindful of the need for Hansard to hear what he is saying. Using the microphone would help.

Mr PERTON — Dr Mick Lumb, former head of the Land Conservation Council, has also asked why the government cannot come up with a package similar to the one provided for the scallop dredgers. The government is not trying. Obviously it has decided to pull a stunt and pull the bill. Is it doing it for the purpose of the Aston federal by-election, for the next federal election or for the next state election? What it clearly demonstrates is that there is some other purpose that is more important than the environment or marine national parks. It is clear the government has no commitment whatsoever to the process.

Perhaps this stunt is being pulled because the Environment Conservation Council was set up by the Kennett government. One recalls the words of the minister when she was in opposition as she launched attack after attack on the ECC. Is it because the Liberal Party appointed the council members, who are people of international renown? Is it because the government has no commitment to good science or to an objective process?

Mr Leigh — It is just deal making!

Mr PERTON — One only has to understand, as the honourable member for Mordialloc says, deal making — ‘Let’s take a package, remove Cape — —

Ms Kosky interjected.

Mr PERTON — The Minister for Post Compulsory Education, Training and Employment might stop trying to — —

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Doncaster will ignore the interjections.

Mr PERTON — Obviously the government has no commitment to good process.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Doncaster will address his remarks to the Chair and will ignore interjections. The Minister for Post Compulsory Education, Training and Employment should cease interjecting across the table.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! On a number of occasions I have asked the Minister for Post Compulsory Education, Training and Employment to cease interjecting across the table. I ask the honourable member for Doncaster to continue his remarks through the chair and without interjection across the table.

Mr PERTON — Just before the lunchbreak the Minister for Environment and Conservation referred to a letter I sent her this morning at 11.23 a.m. which it states:

Dear Minister

Further to our discussion of yesterday evening, I urge you not to give in to the Premier’s demands for political expediency.

Again I ask you not to withdraw the National (Marine National Parks and Marine Sanctuaries) Bill from the Parliament. This call is echoed by the conservation groups which have spoken to the opposition, including VNPA, ACF and many coastal environment groups.

The Liberal Party has expressed its unanimous support for marine national parks and will pass the bill when negotiations are concluded on a fair system of compensation.

You need to sit down and talk with the industry and environmental groups as well as the other political groups to develop that fair package. Such discussions cannot take place in a mere two hours this morning while you threaten to scuttle the whole process at 12.30 p.m.

Many people have written to me saying that this process brings all politicians into disrepute. I understand that. While you continue to publicly posture it’s impossible for people to get to the truth of the matter.

Minister, there is only one way out of this dilemma. Withdraw your motion and sit down and talk to other people in an open and transparent negotiation process.

The letter was signed by me. That was the letter the minister ridiculed. Following that, at around 12.30 p.m. the Premier’s office rang the Leader of the Opposition’s office and said, ‘We’ve got Garret on the phone and we want to settle this matter. Can we offer you a proposition?’. Do honourable members know what the proposition was? It was that the Liberal Party should pass the bill with the no compensation clauses as currently drafted and the government would then talk to the opposition!

An Honourable Member — This is a John Brumby deal!

Mr PERTON — The Minister for Environment and Conservation is not in the chamber. She is always a bit late with her mail. Anyone who is sent a letter from her department always finds her a bit slow with the mail!

The ACTING SPEAKER (Ms Barker) — Order!
The honourable member for Doncaster, on the motion!

Mr PERTON — It is quite on the motion, Madam Acting Speaker, because at 2.30 p.m. the Liberal Party was hand delivered a letter from the minister, which states:

Dear Dr Napthine

I am writing to you with respect to the National Parks (Marine National Parks and Marine Sanctuaries) Bill.

I understand that in recent discussions you have undertaken with the Australian Conservation Foundation that if government;

- a) continue discussions with the opposition regarding the further development of a transitional assistance mechanism outside of the legislation, along the lines of the working group model set out in the 'scallops' case, and;
- b) provide the opposition with legal advice pertaining to the inclusion of the section 85 and the 'no compensation' provision in the bill

you will withdraw your house amendments concerning section 85 and the no-compensation provisions.

As you would be aware, I have been engaged with ongoing discussions on these matters with the member for Doncaster, Victor Peron, and the Honourable Phillip Davis although little progress has been made thus far.

She goes on to describe a meeting with Malcolm Smith from the Rural Finance Corporation and states:

However, I require a written undertaking that the opposition is seeking a genuine outcome to this impasse including a commitment on the removal of the section 85 and no-compensation amendments prior to resumption of the debate following question time today.

If such an agreement is possible, I would be prepared to adjourn the withdrawal motion until tomorrow to allow these discussions to take place.

The Minister for Environment and Conservation is not even in the chamber to get the answer, but it is quite clear why the negotiations have made no progress whatsoever. The minister does not listen! All she does is say, 'You acquiesce. You pass the bill as it is and I will talk to you subsequently'. She obviously does not read her own correspondence. Let me repeat that the Liberal Party has expressed its unanimous support for marine national parks and will pass the bill when negotiations are concluded on a fair system of compensation. What could be more reasonable than that? All the minister needs to do is withdraw this foolish, petulant and childish motion and sit down and negotiate with the industry, the environment groups and the opposition. Does the minister need a mediator? As I

said earlier, I thought I was having some trouble with the negotiating process and I think we need a mediator; someone who can explain to the minister that a negotiated settlement does not require the acquiescence of one party to everything proposed by the other party.

What is particularly bizarre about the minister's letter is the fact that the Scrutiny of Acts and Regulations Committee, chaired by a government member with a government majority, has already concluded that the section 85 provisions are unfair. Indeed, if one wants greater proof from your own party, Madam Acting Speaker, the Minister for Energy and Resources in the upper house, the Honourable Candy Broad, said on 5 June:

In response to public comment on this matter the government has also said that its intentions have not been translated in accordance with its drafting instructions ...

Where is the poor drafting officer? He always cops the blame! He is not in the box today, poor fellow. It is probably his fault that he drafted — —

An Honourable Member — Shoot the draftsman!

Mr PERTON — The Minister for Energy and Resources went on to state:

... and that it is the government's intention to ensure that the matter is corrected as soon as is practicable to ensure the bill clearly reflects the government's intentions.

The contribution before lunch of the Minister for Environment and Conservation contained a litany of lies, and that litany of lies has been out in the community as well. On radio this morning Jon Faine expressed concern to the minister and said, 'What about the amendments you promised me last week?' The minister stuttered and mumbled and said, 'We can do that at another time'. An article of 6 June in the *Herald Sun* was headed 'Tangled line in bill — marine laws back to drawing board'. Mr Jason Frenkel, who wrote the article, stated:

A major bungle in the planned new marine parks laws has forced the Bracks government into an embarrassing backdown.

Energy and resources minister Candy Broad admitted to Parliament yesterday the government had got it wrong on the crucial issue of compensation.

After a week telling hundreds of thousands of fishermen compensation restrictions would only apply in marine parks, the government admitted the restrictions mistakenly apply throughout Victoria.

Lawyers spent several hours last night examining two clauses in the draft bill.

The article continues:

... Ms Broad told the Legislative Council the mistake would need correcting.

'The government's intentions have not been translated in accordance with the government's draft legislation ...

An Honourable Member — Shoot the messenger!

Mr PERTON — Firstly there is the question of shooting the messenger and the draftsman, but secondly, where are the amendments? The government wants the Liberal Party to pass the bill as is, but where are the rectifications? The editorial writer in today's *Age* wrote an article on this issue highly critical of the government. He has been lied to by the minister — —

Mr Howard interjected.

Mr PERTON — Does the honourable member for Ballarat East want to take credit for the lies?

Mr Howard — On a point of order, Madam Acting Speaker, the honourable member for Doncaster has been allowed a great deal of latitude, but as he himself has said in raising numerous points of order, this debate is about the withdrawal of the bill. I ask you to call him back to debating the motion before us.

The ACTING SPEAKER (Ms Barker) — Order! I do not uphold the point of order at this stage. However, the honourable member for Ballarat East is correct in saying that this is a procedural motion, and the Speaker has allowed some latitude in the way in which it has been debated. I ask the honourable member for Doncaster to remember that this is a procedural motion, and he should continue his remarks in that vein.

Mr PERTON — As I indicated earlier, the opposition is determined to have marine national parks established in Victoria. The reason for that is set out in the speech I made yesterday, where I referred to the science as expressed not only by the American Association for the Advancement of Science but by Australian marine scientists, by the people who work for the Environment Conservation Council and by the many groups that worked hard on this piece of legislation.

The Liberal Party's proposition is simple. Opposition members are not happy about the way the bill has come into existence. We would have preferred a decent, open and transparent process by which the Environment Conservation Council's recommendations were translated into legislation through proper and respectful negotiation. This consultation, of which there was none,

should have occurred not only with other political parties but also with the many groups in the community that sought to have input. It is clear that the honourable member for Gippsland East and his abalone friends were given special access to the minister. I presume the honourable member for Gippsland West was also given some access, but no other members of Parliament were given access — and neither were their communities. One only has to look at that fact to see why it is a disappointing bill.

The opposition is prepared to let the bill proceed — because marine national parks are so important to the marine environment and the sustainability of fisheries and benefit the community as a whole — but only if the government accepts one important principle, which is that people who suffer as the result of this bill being passed will need open access to an objective process for the payment of compensation. As I have already indicated, it is not only the opposition that thinks this way. The Victorian National Parks Association (VNPA) asks, 'Why not adopt the scallop dredgers solution?', and the Australian Conservation Foundation asks the same question. Dr Mick Lumb and at least another 200 correspondents have written to me asking that question. As my dear friend the honourable member for Warrnambool has said, Associate Professor John Sherwood, the Victorian president of the Australian Marine Scientists Association, has also asked, 'Why won't they?'

Opposition members are ready to proceed with this bill straightaway. We are ready to engage in talks with the government to make sure that a fair system of compensation is put in place. But I am not prepared to acquiesce to the minister's and the Premier's demand to pass a bill that is one of the most wicked and socialistic pieces of legislation since 1949. What the provision says — —

Ms Kosky interjected.

Mr PERTON — Wicked and evil, if you like, Madam Minister. It's about time the minister went for a coffee! Clause 26 provides that the government can take away a fishing licence or part of a fishing licence — —

The ACTING SPEAKER (Ms Barker) — Order! If the honourable member is referring to clause 26, he is debating the bill. I ask him to come back to the procedural motion.

Mr PERTON — That provision is one of the worst that has ever been seen in this state, if not the worst. This has been pointed out by the Minister for Energy

and Resources, by the honourable member for Werribee and her Scrutiny of Acts and Regulations Committee and by a range of commentators in the wider community. It is unacceptable. Everyone would accept that if your house or business were taken from you in order to build a freeway, a road or another government purpose, you could expect to be paid full market value plus a solatium of 10 or 20 per cent.

Perhaps this could apply to taxidriviers. It is well known in the community that a taxi licence is a property right for which people will pay good money. If there were a similar provision applying to taxi licences, whereby a licence could be taken from someone without their having committed a serious criminal offence, the roads of Melbourne would be blockaded with protesting taxidriviers, and they would be backed by the whole community. In this case the people affected are fishermen. The Scrutiny of Acts and Regulations Committee — —

Ms Garbutt interjected.

Mr PERTON — Madam Minister, let us have some — —

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Doncaster should ignore interjections from across the table and continue debating the procedural motion.

Mr PERTON — Madam Acting Speaker, perhaps you would like to use the sessional orders to deal with the constant bombardment by the minister. I am trying — —

Ms Garbutt interjected.

The ACTING SPEAKER (Ms Barker) — Order! The minister should cease interjecting across the table forthwith!

Mr PERTON — All we are talking about is a bit of feeling. The Scrutiny of Acts and Regulations Committee has found that a licence is a property right under the authority of the South Australian and Victorian Supreme Courts. The law does not really matter. If you asked anyone in the suburbs or the country, they would say, 'Fair cop! We want marine parks. We want to preserve our marine environment. Those areas have been fished by the same families for five and six generations. The affected fishermen are part of our culture and part of the economy of those coastal towns, and they deserve fair compensation'.

When in opposition this government railed against any prospect of compensation being paid purely at the fiat

of a minister. I cannot imagine what they would have said if the former government had brought up such an extraordinary proposal with not one zack of compensation and no element of an objective process.

On behalf of the Victorian community I ask the Premier, the Minister for State and Regional Development and the Minister for Environment and Conservation to pull back and do what they are being called on to do — that is, withdraw this motion. If they like they can leave the bill on the table for the rest of the week — or until August, if necessary. The marine parks are not due to be proclaimed until November. I ask them to let the bill lie on the table and then sit down and have a dignified discussion with all the parties affected by the bill — fishing communities, the fishers and the environmental movement.

Mr Pandazopoulos interjected.

Mr PERTON — The Minister for Major Projects and Tourism says how easy it would be.

I am glad he says that, because it is not hard. If there is one thing that has characterised this area of policy, it has been the disappearance of the Minister for Environment and Conservation. Everywhere I have travelled along the coast people say, 'She won't even return our phone calls'. The Torquay angling club made 12 calls to Mr James O'Brien, the adviser to the minister. They could not even get a call back from the adviser to the minister. We know that time and again the minister was not out there.

There are mistakes in her bill because she was not listening to the community. She was listening to some very favoured interests — the honourable member for Gippsland East, the honourable member for Gippsland West and certain elements of the recreational fishing industry who have expressed some different views over previous days. That is not a good process. But we offer this invitation: that the minister withdraw her motion and engage in real and genuine talks with the people of Victoria and their representatives to set up a fair system of compensation. That is one thing that is sadly lacking in this bill. This childish prank by the government — whether it is for the Aston by-election, the federal election or the state election — is not something that ought to be countenanced by any right-thinking Victorian.

Mr RYAN (Leader of the National Party) — Just by way of initial clarification — no-one is writing any letters to me. I want everybody to know that in the letters stakes, I haven't had a single one, so I am feeling a bit left out in that context. I have not had any phone

calls either — not a phone call, not a letter, except for a lot of people who are grateful for the position the National Party has adopted on this bill.

I am opposed to the proposition that has been advanced by the government, and I want to speak to the motion and put the reasons behind the National Party's opposition to that motion. The first thing I want to make clear is that the motion refers to item 3 of government business, orders of the day, on the notice paper, which reflects the reasoned amendment I moved on behalf of the National Party. If you look at the logic of the government's position, you realise that it should have no opposition at all to what is proposed by the reasoned amendment because what that reasoned amendment essentially says is what the government says in its arguments.

As I understand it the government argues that there is enough in the package it has provided — the \$40 million — to deal with the compensation issues and that the \$1.2 million that is said to be part of the package reflects an amount that is just and appropriate by way of compensation payments to those who might suffer.

If that is the case, why will the government not adopt the reasoned amendment, which precisely reflects that position? What it essentially says is that a fund will be established to accommodate the needs of those who are impacted upon by the legislation and that the rights of any person who may want to make a claim in the Supreme Court are preserved. If the government's argument is, 'Well, those things do not matter because we have allocated \$1.2 million in satisfaction of those rights and obligations', why should it worry? Why would it not accept the reasoned amendment moved by the National Party?

Of course the answer to that rhetorical question is that the government has got itself into a dreadful bind. I might say that the position in which it now finds itself was precisely identified by me two weeks ago in my response to the budget, when I said that the government does not have the numbers in the Legislative Assembly to be able to get the 45 votes necessary to pass the section 85 provisions. The government cannot get an absolute majority. I said so to the media that same day and did media interviews to that effect.

From that day on it has been perfectly clear to the government, even if had not been so before, that it was never going to be able to get the section 85 provisions through the house. And what did that in turn lead to? If it could not get the section 85 provisions through the house the government did not want to pass the

legislation because if it were to do that it would expose the state to an uncountable number of claims for compensation, which brings us back to complete the circle.

If there is no problem with compensation, if it is as the government says and it has made fair provision for compensation, why should it worry? We are having this discussion now because the government has been hoist on its own petard. It certainly knew exactly what was going to happen after it was pointed out to it a couple of weeks ago and after all the debate in the various forums where it has been discussed. If it needed reminding, it was told aplenty about the difficulties with its position when a couple of thousand people assembled out the front a week or two ago to demonstrate public concern about what the government was proposing to do. That demonstration highlighted on behalf of those who fish either commercially or for recreation that what the government wanted to do was patently unfair and should not happen and that the no-compensation provisions in the legislation are completely inappropriate.

I make it very clear that the National Party does oppose the bill, because in the first instance members of the National Party represent people who want to work; that is what they want to do first and foremost. They are also in many instances people whose families have fished for many generations. As was clear from the examples I gave last night — I won't go back to that debate — they are people who have looked after the waters of Victoria in the areas where they fish. They have done so admirably over literally decades and are in fact the great environmentalists of this whole discussion, not the environmental vandals they tend to be cast as in the course of this debate. As I said, in the first instance on behalf of the National Party I represent people who want to work, who want to continue with their chosen professions, which many of them have pursued for decades.

The second matter is the inadequacy of the section 85 provisions. A further reason the government wants to move this motion and we resist it is that the government should not be allowed to skate out of its problems the way it is trying to do. It should have to face the music on the floor of the house. It was sprung because of the two section 85 provisions in the legislation. We have had a sorry sequence of events over the past week or two, with the government stumbling about trying to accommodate this issue. The bill has been treated like a kind of movable feast. The government has travelled along various lines, and it has reached the point where I would have thought the minister would have honourably — perhaps the expression is 'graciously' —

at least accepted that there is a provision in the bill that should not be there.

The Minister for Energy and Resources in another place, the Honourable Candy Broad, recognised it as such on the record. There was an indication from that minister and from the Minister for Environment and Conservation that this problem would be addressed. Public undertakings were given about how it would be dealt with. The Minister for Environment and Conservation gave notice of the government's intention to address the issue when the debate was called on, yet when the debate was called on nothing happened. There were no government amendments. Both the section 85 provisions, one of which the Minister for Environment and Conservation readily admits should not be there, are still in the bill listed for debate in the house at present — an appalling state of affairs in all respects. So it is that this morning I moved a motion condemning the minister.

I come back to the way the government is trying to weasel out of this. It is trying to avoid further public scrutiny by withdrawing the bill. That is seen by the government as a mechanism that will enable it to skulk away in the night from this debate, when really it should be held up to the ridicule that is properly its because of the way it has approached the whole matter.

A further relevant aspect is that the National Party has proposed a solution on behalf of the people affected. It has put a proposition to the government that encompasses management plans for fisheries and marine parks, appropriate allocations of funding to examine the issues that would cause problems for marine parks and the payment of fair compensation. We have put that basket of propositions to the government and it has chosen to ignore it. In so doing it has again turned its back on the various elements of country communities and in particular coastal communities that will be effected by the legislation. The government has ignored an opportunity to get a sensible solution to the problem and has instead opted for the solution of trying to withdraw the bill and therefore kill off public debate.

The tragedy is that everybody wants the same outcome. Everybody wants to achieve the protection of our waters in an appropriate way. That is the tragedy. The National Party was prepared to put those propositions which are reflective of sensible solutions.

Ms Davies interjected.

Mr RYAN — I hear the interjections from the honourable member for Gippsland West, whom I was

not going to mention but now will, as she has chosen to intervene. One of the other complicating factors for the government is that the honourable member for Gippsland West has, in basketball terms, been used as the point guard for the government to talk people into accepting the government's propositions. She has been used as the fifth column by the government to try to persuade people, particularly in the Corner Inlet area, to come to the government's view and she has failed. I will be interested to see how the honourable member votes on the motion before the house. If you will forgive the pun, Madam Acting Speaker, she is off the hook because she is not going to have to sit here and finally declare her hand as to whether she truly supports country communities, particularly those in her own electorate.

The government, on behalf of the honourable member for Gippsland West as well no doubt, is trying to withdraw the bill to avoid the further discussion to which it ought properly be subjected. The tragedy is that a great opportunity is being missed. Unfortunately those people whose greatest sin in life is that they go down to the sea to fish for either commercial or recreational reasons will now be left in a state of limbo because there is no finality to this.

Above all else the Labor government, in its own inimitable, open, honest and transparent fashion, has absolutely botched this. Ten years of work is now lying in a pile of ashes because an inept minister and a government that could not run a pie shop have destroyed a process that has gone on for a decade with the involvement of many people who in the end want the same objectives and outcomes.

Mr HULLS (Attorney-General) — I have listened carefully in my room to the debate and in particular to the contribution of the honourable member for Doncaster. Having spent a substantial amount of time in opposition under the Kennett regime I find the hypocrisy of the opposition absolutely breathtaking! This mob were the kings of section 85 provisions. They come into this place pretending to support marine parks after spending seven years in government when they did not once prove their credentials on the environment. Now they say, 'Yeah, we support marine parks but we are opposing the legislation because of the section 85'. It is absolutely extraordinary!

The last time it could be said that the Liberals did anything for the environment was when the honourable member for Doncaster had a full head of hair and that was many, many years ago. They do not care about the environment — —

Mr Leigh — On a point of order, Acting Speaker, I know the debate can often be a little stretched, but my understanding is that there are limitations. I suggest that commenting on people's hair is a bit far-fetched, so perhaps the Attorney-General should come back to the issue.

The ACTING SPEAKER (Ms Barker) — Order! The Attorney-General has been on his feet for only 1 minute. I do not uphold the point of order. I remind the Attorney-General, as I have other honourable members, that the house is debating a procedural motion.

Mr HULLS — We are debating the motion that the bill be withdrawn and the government is arguing why the bill ought to be withdrawn. It appears that one of the main reasons the opposition is not supporting the bill is that it wants to move an unacceptable amendment to the section 85 provision, which is quite extraordinary.

The opposition says it is opposing the bill because of the section 85 provision, but I say it is a smokescreen and it has no real commitment to marine parks at all. At the outset I said that the sheer hypocrisy of the opposition on this issue is breathtaking and I called opposition members the kings of section 85 provisions. If honourable members look at the section 85 provision moved in relation to Crown Casino, for instance — —

Mr Perton — On a point of order in relation to relevance, Madam Acting Speaker, the Attorney-General has clearly come into the house with his standard section 85 speech. The Acting Speaker before you ruled that this is a narrow debate, that the minister introducing the debate had a wider ambit, as did I as the lead speaker for the opposition, but the Attorney-General as second speaker for the government is restricted to identifying the reasons the government will withdraw the bill.

It has nothing to do with the history of the use of section 85, whether the Labor government has used it 300 times, whether the Liberal government has used it 300 times — —

The ACTING SPEAKER (Ms Barker) — Order! That is enough on the point of order. I do not uphold the point of order at this stage. The Attorney-General has been on his feet for only a couple of minutes at best. It is a procedural motion. The honourable member for Doncaster is holding up his fingers to suggest the Attorney-General has been on his feet for 4 minutes, but I remind him that both the honourable member for Mordialloc and he took up a considerable amount of

that time in raising points of order which I have not upheld.

Mr HULLS — I do not intend to go into the specifics of the bill, because to do so would be outside the terms of this debate. We are debating the reason for the government withdrawing the bill. The government is withdrawing the bill because the opposition wants to move some hypocritical, outrageous amendments relating to section 85 provisions.

Honourable members heard the honourable member for Doncaster making a fool of himself on Jon Faine's program this morning, but he smiles when section 85 is mentioned because he knows how grossly hypocritical his party is being on this matter. Time and again the previous government was more than happy to move section 85 amendments. It was able to do so because it had huge majorities in both houses of Parliament. It could do so without any scrutiny at all, and it did, for example, on the Crown Casino issue. In other words, the Liberal Party is saying that it is okay to move a section 85 amendment to remove the rights of people to make compensation claims against Crown Casino, run by Liberal mates, but it is not okay for the Bracks government to protect the environment. How hypocritical is that? It was okay for the Liberal Party when it was in government to remove any access to compensation for victims of crime! It was okay for it to take away the rights of victims of crime to sue in the courts, but it is not okay for the Bracks government to protect the environment!

A whole range of other issues were dealt with by the former government under section 85 provisions, such as matters involving retail tenancies, City Link, fire authorities, accident compensation, planning, industrial relations, gaming and betting, livestock disease control, nurses, police and electricity supply. We have now found out that it also moved a section 85 amendment relating to fisheries legislation. It is grossly hypocritical for the opposition to come into this place now and say, 'We support marine parks, but we are not supporting this bill'.

The government is removing the bill from the notice paper because the Liberal Party cannot be trusted on this issue. It is grossly hypocritical for the Liberal Party to want to move a section 85 amendment. It is not only hypocritical; the Liberal Party intends to put fishers in Victoria through a lot of trauma. In any event, any compensation claim would not ultimately be dealt with for about six or seven years. That creates further uncertainty for the fishing industry and the excellent marine park proposal.

The Leader of the Opposition has previously described the section 85 provision as cruel, but the real cruelty comes from his pretending that there is any certainty that the fishing industry will emerge with even 1 cent of compensation from the courts in any event. That is the cruelty. He is running around saying the section 85 provision needs to be removed because it is cruel, thereby raising the expectation of the fishing industry in Victoria that it will be entitled to receive huge amounts of compensation. That is not the case. It is unfair and single-minded for the Leader of the Opposition to be running this issue as a single issue in his own marginal seat rather than looking at the big picture. The big picture is that Victoria will lead the world in environment issues if this legislation is passed. Victoria can be at the forefront of the world on this issue. However, the legislation will not be passed, because the government is not prepared to proceed with it on the basis of the inappropriate amendments proposed by the opposition.

Previous speakers have raised the section 85 amendment that was moved relating to the Port Phillip scallop licence matter. It was also raised by the shadow minister on the Jon Faine radio program this morning. The government supported that section 85 amendment, but the difference is that the government is not proposing to cancel licences, as was the case with the Port Phillip scallop licence matter. The government supported the section 85 amendment in that case because people's licences could be cancelled. This legislation will not cancel anyone's licence. In fact, the government is putting millions of dollars into enforcement to ensure that legal fishery operators can continue to earn a living. Even if they do suffer economic harm, the government is committed to providing appropriate assistance and compensation without pouring millions of dollars into the pockets of lawyers. I suggest the Leader of the Opposition should take a look at the bigger picture on a whole range of issues, particularly this one.

By supporting this legislation in its current form he has the opportunity to be side by side with the government at the forefront of the world on environmental issues. Instead he is taking a very narrow-minded view, and it appears he is looking after his own precarious seat and his own precarious position rather than looking at the big picture.

I conclude by saying that the position taken by the opposition — and the rest of the community will not forgive it for this — is grossly hypocritical and narrow minded and fails to look at the big picture. It is the opposition that is scuttling legislation that has the

potential to put Victoria at the forefront of the world when it comes to environment protection.

I find it astounding that the only reason the opposition gives for not supporting this bill is the section 85 provisions. The reality is that the coalition parties were the robbers of people's rights when they were in government through hundreds and hundreds of section 85 statements. They were the destroyers of democracy in this state!

Opposition members interjecting.

Mr HULLS — The feeble interjections are, 'How many have you done?'. The government does not resile from the fact that from time to time, obviously, a section 85 provision is needed. But the fact is that the government cannot move section 85 provisions without the support of the opposition. The government needs the opposition's support, whereas when the Kennett government was in office it could railroad section 85 provisions through because it had a huge majority in both houses of Parliament. There was no scrutiny!

The opposition interjections that this government has now moved section 85 provisions are silly, futile and childish, because the government has moved them only with the opposition's support. The opposition parties stand condemned for being wreckers of the environment. They have gone from being destroyers of democracy when in government to being wreckers of the environment when in opposition. They stand condemned for all time as a result of the pathetic, childish and single-minded approach they are taking to this very important piece of legislation.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! I would like to call the Leader of the Opposition. I will do so when the benches are quiet.

Dr NAPHTHINE (Leader of the Opposition) — It is always interesting to follow the Attorney-General's bombastic but ill-considered views. The Attorney-General talked about this legislation being scuttled and people being wreckers of the environment. I draw the Attorney-General's attention to the motion before the house, which is to withdraw the bill from consideration by Parliament.

That is the motion that has been moved by the Minister for Environment and Conservation. It is the government and the minister who are scuttling the legislation. It is the Bracks Labor government and the Minister for Environment and Conservation who are wrecking the environment and wrecking the opportunity to develop a

system of marine parks. It is the Labor Party that is being petulant and childish on this issue. The Labor government and the minister are the ones who have moved a motion to withdraw this very important legislation. The opposition parties are opposing the motion.

I would remind the Attorney-General that the Liberal Party is opposing the motion withdrawing the bill because it wants the marine national parks legislation to be debated, considered, dealt with and passed by this Parliament. The Liberal Party supports the development and implementation of a representative system of marine national parks along Victoria's coast.

Mr Hulls interjected.

Dr NAPTHINE — The Attorney-General does not seem to understand that the Liberal Party supports the development of a system of marine national parks and wants the legislation to pass.

If the Minister for Environment and Conservation, the minister responsible for wrecking the marine national parks and the minister who is a disgrace to the name of environment and conservation, were worth her salt she would be pursuing the legislation and allowing Parliament to debate it — and it would be passed by Parliament! The bill could be passed by the Parliament today or tomorrow if the minister did not withdraw it. It is the minister and the Labor government who are withdrawing the bill.

Let us make it very clear: firstly, the Liberal Party supports the development of a representative system of marine national parks along the coastline of Victoria; and secondly, the Liberal Party is opposed to this childish and petulant action by the Minister for Environment and Conservation and the Labor government in withdrawing the legislation. The Liberal Party wants the bill to be debated by the Legislative Assembly, and it would be passed by the Legislative Assembly.

The Liberal Party also supports the provision of fair and just compensation for fishers and others whose livelihood will be adversely affected by the implementation of marine parks. The question to be asked is why the government is withdrawing the legislation. The government is saying, 'Support the legislation as is or we will withdraw it'. That is a childish and petulant approach.

Ms Lindell interjected.

Dr NAPTHINE — I ask the honourable member for Carrum rhetorically through the Chair: do you support the legislation as is?

Mr Hulls — Absolutely!

Dr NAPTHINE — Absolutely, says the Attorney-General. So the Attorney-General supports the legislation as is, and the Minister for Environment and Conservation wants to amend it!

Mr Hulls — You are pathetic!

Dr NAPTHINE — He says he supports it as is! He says, 'Pass it as is', and the Minister for Environment and Conservation has told all ABC listeners — she has told the ABC world — that the government has made a mistake in the legislation and wants to withdraw a whole clause of the bill. But no, the Attorney-General says, 'Support it as is'. The Attorney-General does not even know what he is talking about. He has demonstrated that in the house in the past few minutes, and he certainly demonstrated it when he spoke on the motion.

The reality is that not even the government wants to support the legislation as is. It wants to amend, modify and improve the legislation and have it passed by Parliament. That is what we on this side of the house want to do, because we are committed to having a system of marine parks along Victoria's coastline.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! I remind all honourable members that interjections are disorderly.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The Attorney-General and the honourable member for Doncaster should cease interjecting across the table! The Leader of the Opposition, without assistance.

Dr NAPTHINE — I urge the government to withdraw this motion here and now.

Ms Garbutt interjected.

Dr NAPTHINE — I am urging you to.

Ms Garbutt interjected.

Dr NAPTHINE — I support marine national parks absolutely!

Honourable members interjecting.

Dr NAPHTHINE — I am happy to vote for the legislation this week if the government brings it on for debate. I am happy to vote for it, but the government is running away from the legislation. Why is it running away from the legislation? Because it will not deal with the issue of fair and just compensation for the people who will be affected.

I urge the government to take on board a number of pieces of advice it has received. Firstly, let it take on board the advice it should have received from the Scrutiny of Acts and Regulations Committee, a government-controlled committee, which states in its *Alert Digest* No. 7 of 2001:

The committee is concerned that the drafting of the no-compensation-payable clauses inserted by clauses 19 and 26 (as above) appear very broad and on the face of them may remove any claim for compensation whether or not such a claim touches or concerns the creation of the marine parks and sanctuaries established by the bill. If the provisions do have such a wide ambit they may trespass on proprietary rights within the meaning of section 4D(a)(i) of the Parliamentary Committees Act 1968.

In its *Alert Digest* the Scrutiny of Acts and Regulations Committee makes the further comment that the no-compensation clause is inappropriate and should be further considered by the government. I urge the minister to take on board its comments.

If the minister is not prepared to listen to her own government-controlled Scrutiny of Acts and Regulations Committee, I urge her to listen to the words of Professor David Bellamy, OBE, from the Conservation Foundation, who sent me a message for urgent attention. It is dated 12 June at 1809 hours England time, which was at about lunchtime today. He states:

The marine national parks act is far too important for the world of conservation to allow it to fail at this moment.

It is very, very important.

Government members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Narracan!

Dr NAPHTHINE — If the honourable member for Narracan agrees with those sentiments — —

The ACTING SPEAKER (Ms Barker) — Order! The Leader of the Opposition should ignore interjections.

Dr NAPHTHINE — If any government members agree with those sentiments that this is too important to let fail at this moment, they should support the Liberal

and National parties in ensuring that this bill is not withdrawn from Parliament. That is how they should vote instead of proceeding down the track they are following at the moment. Instead every last member of the government will vote to withdraw this legislation. That is not in the spirit of what Professor Bellamy suggests is necessary to deal with this issue. Professor Bellamy further states:

Issues like this have been resolved in the past by an independent process to assess eligibility for assistance.

So Professor Bellamy from the Conservation Foundation is not only urging the government not to drop this legislation but he is also urging it to deal properly with the issue of compensation. He is urging it to not drop the legislation and pursue the issue of national parks but to deal fairly with the issue of compensation.

Indeed, they are the two things the opposition is urging the government to do — to not drop this legislation, to deal with the people affected by this legislation and to give them proper access to compensation.

Some honourable members have argued that the compensation bill could be very high, and that that is an impediment to proceeding with this legislation. However, let me refer to some of the comments made by government ministers and the Premier. I refer specifically to comments by the Minister for Conservation and Environment, who said on ABC radio on, I believe, 1 June:

... in the end the scientific evidence is absolutely conclusive that marine parks means bigger, better fish in the end — more fish for everybody.

Further she says with respect to the abalone industry:

... they can move to underutilised reefs as we've said.

On ABC radio this morning the minister said that the money she has allocated to deal with poaching will more than make up for any fish lost through the marine parks to the fishing industry, and she repeated the same comment in question time today.

A couple of weeks ago when asked about the issue by Neil Mitchell the Premier said that the marine parks will have an insignificant impact on the commercial fishing industry.

If those statements are true and accurate, the government has nothing to fear in dealing with adequate compensation for the fishing industry. The ministers have said that those in the fishing industry will get more and bigger fish, that they can go and fish somewhere else and catch their fish, and that it will not

have any impact on the commercial fishing industry. If that is true and accurate, why is the government introducing the section 85 provisions? What does it have to fear?

In the interests of dealing with this legislation properly and getting it through I believe the government should, first and foremost and as a sign of good faith, make available in the parliamentary library or to the community at large all the documents and advice it has received on this issue — whether it be legal advice, scientific advice or departmental advice. It should make available the advice on the impact of marine parks on this community. If it makes the advice available — —

Mr Hulls interjected.

Dr NAPTHINE — You have the casino documents!

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The Attorney-General! I remind all honourable members that both conversation and interjections are disorderly.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! The Leader of the Opposition, continuing his remarks on the procedural motion.

Dr NAPTHINE — Thank you, Madam Acting Speaker. With the procedural motion the government is walking away from this legislation. Fundamentally the government does not have a genuine commitment to conservation in this state or a genuine commitment to marine parks, and it has shown that on a number of occasions.

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! I apologise to the Leader of the Opposition for interrupting him, but I again remind honourable members that conversation in the chamber is disorderly and discourteous. I ask them to leave the chamber if they wish to carry on a conversation — that applies to both sides of the house, I might add.

Dr NAPTHINE — The government does not have a genuine commitment to conservation and to the implementation of marine national parks. That has been seen on several occasions. Initially the government did not adopt the full Environment Conservation Council recommendations. It has already on a political basis —

purely driven by crass politics — walked away from the recommendations for the Cape Howe national park and the Ricketts Point marine sanctuary.

The ACTING SPEAKER (Ms Barker) — Order! On the procedural motion.

Dr NAPTHINE — Madam Acting Speaker, that shows that the government does not have a genuine commitment to the marine parks legislation. Using the earliest excuse possible it is seeking to withdraw this legislation because it is not genuinely committed to implementing marine parks.

In contrast, the Liberal Party is committed to the marine parks process. The Liberal Party set up the Environment Conservation Council; the Liberal Party established the reference to look at marine parks; and the Liberal Party is prepared to support the marine parks legislation. The Liberal Party does not want this legislation withdrawn. What it does want is a proper system of marine parks and a situation in which fishers are not disadvantaged as a result of the process. It wants fishers to get fair and reasonable compensation.

Today's editorial in the *Age* states:

The government ... refuses to move on the compensation issue — an unusual stance for a political party that made much play, during its times in opposition, on the Kennett government's removal of legal rights for various groups in the community —

as various fishers have pointed out.

In a letter of 25 May Brampton Le Page, a cray fisher from Cape Bridgewater and a member of the Fisheries Co-management Council, states:

If the park goes through unamended then the government must address compensation in two ways:

Firstly, effort equivalent to the fishing grounds no longer available must be bought out of the industry. This would have to be at least 45 tonnes. This will ensure compensation for the industry as a whole by removing the equivalent flow-on effort and thereby maintaining the status quo. Licence values would now be unaffected.

Secondly, for those fishers who are displaced from their traditional fishing grounds and who now will incur higher operating costs, there must be an avenue for personal compensation.

A letter in the 'My say' column in the *Herald Sun* of 12 June from Kelly Gannon headed 'Fishing ban hurts' states:

If the government is so sure this marine park won't affect the fishing industry, why are they trying to block our right to compensation?

If the fishing industry is unsuccessful in stopping the government taking its right to compensation, who will be next?

It is very clear where the two parties lie on this issue. The Liberal Party stands absolutely committed to the implementation of a representative system of marine parks across the coastline of Victoria.

The opposition is committed to that and will vote for it. The opposition is also committed to a representative system of marine parks across Victoria. It would vote for that system — and it would vote for the legislation now before the house.

The second issue is where the Labor Party stands. It has never been committed to this process. It amended the ECC's recommendations and introduced the bill in a half-hearted way, and it has not been prepared to enter into meaningful negotiations with the fishing industry or the coastal communities. The Minister for Environment and Conservation has not had the decency to come to Portland and speak to the local people, including members of the local fishing industry. The minister has not had the decency to consult because she is not committed to the process.

Mr Howard — On a point of order, Mr Acting Speaker, I remind you that the motion before the house is procedural. The Leader of the Opposition is straying from that, and I ask that you draw him back to it.

The ACTING SPEAKER (Mr Savage) — Order! I do not uphold the point of order, but I ask the Leader of the Opposition to contain himself to the procedural motion.

Dr NAPHTHINE — I am explaining why the Liberal Party believes the government is withdrawing the bill — that is, that fundamentally it is not committed to the establishment of marine parks across Victoria. Because of that it is not committed to consulting with local communities, not committed to consulting with the fishing industry about fair and reasonable compensation, and not committed to pursuing the legislation in the Parliament.

In contrast, the Liberal Party supports marine parks, is opposed to withdrawal of the legislation, and would vote for it if the government brought it on.

Ms KOSKY (Minister for Finance) — As the Leader of the Opposition scurries out of the house because he is not interested in the debate, I have to say that honourable members have just seen — to use a marine analogy — the Leader of the Opposition cry crocodile tears. What an appalling speech he gave. It

was a prelude to his pre-selection speech, which is what the real story is about.

Given that he will no longer have a seat and must fight for a new one, the Leader of the Opposition thought that he could go to Portland, speak with people in his electorate and receive support from Liberal Party members on this issue — but he cannot. He does not even have the support of his shadow ministers on the issue. There is major dissent in the shadow cabinet.

Mr Perton — On a point of order, Mr Acting Speaker, as you are aware the Speaker has already ruled that this is a narrow debate. The minister, the Leader of the National Party and I were allowed a wider ambit. The Minister for Finance is restricted to the reasons why the government is withdrawing the bill. An excursus of her views on Liberal Party or National Party politics may be of some interest in her bid for the deputy leadership, but it is of no relevance to this debate.

Mr Pandazopoulos — On the point of order, Mr Acting Speaker, the Minister for Finance is absolutely right in making the contribution she is. The motives of the Liberal Party are important to the reasons why the government is withdrawing the bill. The minister has been speaking for less than 1 minute of the 20 minutes she is allowed. Obviously she will cover why the government is withdrawing the bill, but the motives of the opposition are an essential part of that withdrawal.

The ACTING SPEAKER (Mr Savage) — Order! I do not uphold the point of order. The minister had been speaking for a short time only. However, I remind all speakers that the debate is narrow, this being a procedural motion, and that straying from it will receive the censure of the Chair.

Ms KOSKY — The Leader of the Opposition went to water on this issue, and the honourable member for Doncaster has been left standing alone. The Leader of the Opposition spoke about the no-compensation and no-appeal clauses. The government knows they are not the real reasons why the opposition has not supported the bill and is not supporting the motion.

The honourable member for Doncaster said his major concern was that both Cape Howe and Ricketts Point should be included in the bill. The government knew that that was not correct. Surprise, surprise, when the amendments came before the house where was the mention of Cape Howe and Ricketts Point? The honourable member for Doncaster was rolled!

Mr Perton — On a point of order, Mr Acting Speaker, as you are aware this is a bill that requires a message. As the Minister for Finance would know, the opposition is restricted to dealing only with clauses 19 and 26. In making her criticism the minister is implicitly criticising the Speaker and the Clerk, and I ask that you bring her to order.

The ACTING SPEAKER (Mr Savage) — Order! I urge the minister to confine herself to and not stray from the procedural motion.

Ms KOSKY — Mr Acting Speaker, I am giving the reasons why the government has before the house a motion to withdraw the bill. The reason the motion is before the house is that the opposition — —

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster will cease interjecting across the table.

Ms KOSKY — The opposition is completely untrustworthy on this bill. Its hypocrisy on this issue — —

Mr McArthur interjected.

Ms KOSKY — I take offence at that comment and ask for it to be withdrawn.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Monbulk has been asked to withdraw his comment.

Mr McArthur — I am happy to withdraw if the minister takes offence.

Mr Wilson interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Bennettswood should return to his seat and cease interjecting!

Ms KOSKY — The motion is before the house because the opposition parties, who continue to not listen, were not prepared to commit themselves to the bill. They had seven years to make a commitment to marine parks — seven years of negotiation and consultation — but they took no action when they were in government.

It took us 18 months of discussion and a budget of \$40 million that connected our actions with the bill. We were absolutely committed to the bill. It is a total package that has been properly negotiated with lots of consultation. The bill stands as a whole.

Opposition members are not interested in the issues about Cape Howe and Ricketts Point. They bleat and express concern about the section 85 provision. Let us get their crocodile tears into context. How many times did the opposition put forward section 85 provisions when it was in government? Hundreds of times! So it does not have a moral objection to a section 85.

Ms Asher interjected.

Ms KOSKY — The Deputy Leader of the Opposition asks, ‘How many times do you do it?’. We have inserted section 85 provisions, and we have done so for very good reason. On previous occasions the opposition has supported section 85 provisions in bills.

An honourable member interjected.

Ms KOSKY — I do. I want to refer to some of these instances because I know it is embarrassing for the opposition to have the truth brought into the house. Let us talk about a few of the bills that included a section 85 provision.

A section 85 clause was included in the Australian Grand Prix Corporation Bill.

Mr McArthur interjected.

Ms KOSKY — The honourable member for Monbulk refers to ‘a compensation process’. Of course, the government had a process within this bill as well. It was an independent process, as was mentioned by David Bellamy. The Victims of Crime Assistance Tribunal Bill included a section 85 clause. Of course, the opposition has a moral objection to the section 85 clause only within this bill.

Mr Perton — On a point of order, Mr Acting Speaker, you directed the minister to the narrow confines of this debate. The minister has not at any stage referred to the government’s reasons for withdrawing this bill. All she is referring to is the Attorney-General’s prepared notes on section 85 provisions. Let the minister address herself to the motion before the house — —

The ACTING SPEAKER (Mr Savage) — Order! I have heard sufficiently on the point of order. The minister is within the realm of the procedural motion. I do not uphold the point of order.

Ms KOSKY — I refer to the firearms bill. We know that the opposition is very embarrassed — —

Mrs Fyffe interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Evelyn will not make reflections on the Chair like that. If she does, I will call the Speaker back.

Ms KOSKY — A section 85 clause was included in the firearms bill, the Melbourne City Link Authority Bill, the accident compensation bill, the Victorian Plantations Corporation Bill, the marine bill, the casino control bill, the nurses bill, and the list goes on.

The opposition has no concern about a section 85 clause within the bill. It does not have an objection to it. Its request and requirement is to do this bill in. It wants this bill to get knocked off. This bill is a total package and we, as a government, are not prepared to put a bill through the house that will get mutilated by the opposition when it is not even committed to the bill. It is playing games with a critical issue.

I am very proud of the bill that was introduced into the house. When I spoke at a budget briefing I referred to the issue of marine parks to highlight not only the government's commitment to issues of conservation but also that it was an important world-first initiative. At that time I was very proud. However, I am enormously disappointed that the opposition is not prepared to support the package with this bill — —

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster will cease interjecting. I cannot hear the minister. I ask honourable members on both sides of the chamber to refrain from interjecting across the table. The minister is entitled to be heard.

Mr McArthur interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Monbulk will refrain from those sorts of comments.

Ms KOSKY — The honourable member for Doncaster earlier said that the section 85 clause in the bill was wicked and evil. What was it when the opposition in government so happily included section 85 amendments all of the time in its bills? Was it wicked and evil at that stage? Or is it just absolute hypocrisy by the opposition because it cannot get agreement within its own party between the Leader of the Opposition, the honourable member for Doncaster and other honourable members? They are in disarray over this bill. They have had weeks to talk with the government and address their concerns about the bill.

But no, they waited until this week to tell the government what they would do. They are not interested in resolving the issues, only in using the Parliament as a stage for their pathetic act. Worse still, their actions mean that Victoria will not have a world-first system of marine parks.

The opportunity for the opposition to show absolute leadership has been lost. If opposition members had a genuine commitment to establishing world-class marine parks and resolving the outstanding issues, they would have come to the government much earlier than yesterday to indicate what they wanted to do about the bill. They would have been prepared to work through the issues of concern to them, such as the inclusion of Cape Howe and Ricketts Point. However, they have not done that — and no-one believes it is because they are seriously concerned about the section 85 statement in the bill.

The bill is a total package that the government is absolutely committed to. It has attached \$40 million to the bill's implementation, which can be contrasted with the former government, which had seven years to do something about marine parks but did nothing. Honourable members know the opposition's cries over the section 85 statement are not serious, because the opposition is not committed to the bill. The Leader of the Opposition is merely concerned about votes in his own backyard. That is why he put the honourable member for Doncaster up to this pathetic and appalling attempt to scuttle marine parks around Victoria. He was set up!

The honourable member for Doncaster has no commitment to the issues. If he had, he would have been prepared to debate them properly within his party, get agreement on them and then negotiate over any that were outstanding. He has not been prepared to do that.

Mr Perton — On a point of order, Mr Acting Speaker, I know you have shown a lot of leniency to the minister, but her comments are yet again divorced from the topic of why the government is withdrawing the bill. She knows very well that what she is now putting before the house is a litany of lies.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster is now debating the point of order, which I do not uphold. However, I ask the minister to confine herself to debating the procedural motion.

Ms KOSKY — The bill is a total package with \$40 million attached that was designed to ensure that the marine parks established around Victoria would be

marine parks in fact, not just in name, and that anti-poaching measures and the proper protection of the parks would be properly funded. This is extremely disappointing to the government — and to me, because my electorate would have gained a marine park. However, the opposition has not shown a genuine commitment to the bill.

Mr Paterson interjected.

The ACTING SPEAKER (Mr Savage) — Order! the honourable member for South Barwon is out of his place and disorderly.

Ms KOSKY — Opposition members have not shown the same preparedness to work through the issues that they have shown on other bills. The debate on the HIH Insurance legislation, which the house dealt with last week, was a perfect example of the results of such preparedness. In that instance the shadow Treasurer asked me for information on the matter in writing, and I was prepared to work through any concerns the opposition had in order to secure a commitment to the bill. If the Parliament can succeed in dealing with builders warranty insurance to help people cope with the collapse of HIH Insurance, it can do the same for marine parks.

Marine parks are about the environment and about the future. We could have worked through the issues, but the opposition was not concerned to do so. Instead it said to the government only yesterday, 'We will not support the bill as it stands, and we do not want to talk about it'. The government was then faced with having to withdraw the bill.

I hope that while we are in government I will see the day when marine parks are established around Victoria. I hope that the legislation will not disappear but that over the coming months opposition members will have sensible discussions with the government to resolve the outstanding matters that are in the way of securing a world-first system of marine parks.

I call on the shadow minister and the Leader of the Opposition to show leadership and a preparedness to work through the issues to ensure that the Parliament can implement the package that is before it — including the attached \$40 million, which is more than the coalition government was ever willing to provide for marine parks — in the interests of Victoria.

The government has shown a genuine commitment to establishing marine parks around Victoria.

Mr Paterson interjected.

Ms KOSKY — The honourable member for South Barwon shouts, 'It is our report'. No, it is not the former government's report; it is the report of an independent committee.

Honourable members interjecting.

The ACTING SPEAKER (Mr Savage) — Order! The honourable members for South Barwon, Polwarth and Doncaster are disorderly, and two of them are out of their places.

Ms KOSKY — The government would have liked to implement in full the package it has brought before the house. Unfortunately, however, the opposition has shown no commitment to the issues and instead has feigned concern about the section 85 statement. Members of the former government know from their past activities that they have no moral objection to using section 85. They used it continuously —

Mr McArthur interjected.

Ms KOSKY — That is right. Isn't it convenient that the opposition does not want it in this bill! It is a joke, and it is very disappointing. The opposition has not been prepared to support this fantastic initiative, of which the government is very proud.

Mr THOMPSON (Sandringham) — It is a sad day for the Parliament when the Minister for Finance would rather save dollars than the environment. As Victor Hugo noted, nothing will stop the force of an idea the time for which has arrived.

Marine parks will be introduced in Victoria. They are strongly supported by the Liberal Party, in spite of the unprincipled posturing by the Labor Party.

All along Victoria's coastline, from Portland to Port Campbell, the Marengo reef near Apollo Bay, Torquay, the areas around Port Phillip and Western Port bays and along the eastern coast to Cape Howe, there are people whose livelihoods depend on the sea. They include fishermen whose families have been fishing in some cases for several generations. Those honourable members who have had the benefit of seeing the film *The Castle* will realise that those fishermen and their families in many ways reflect the qualities of the Daryl Kerrigans of this world. They are people who understand what is right and what is just. I have stood in this place and heard honourable member after honourable member articulate the aspirations —

Mr Viney interjected.

Mr THOMPSON — I am coming to section 85.

Honourable members interjecting.

Mr THOMPSON — I will get to the honourable members for Frankston East and Niddrie in a moment! Those people understand what is right. In the words of the lawyer who advised Daryl Kerrigan before his case made it to the High Court, those people understand the vibes.

However, the people of Victoria have something more than the vibes. For a start they have the government-dominated Scrutiny of Acts and Regulations Committee. In relation to compensation — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Savage) — Order! Members on the opposition benches are not helping the honourable member for Sandringham.

Mr THOMPSON — In relation to compensation, the Scrutiny of Acts and Regulations Committee accepted that a fishing licence, permit or other authority constitutes a proprietary interest. That is a lot more than Daryl Kerrigan had to build his case on in the High Court. One day in the parliamentary recess the Attorney-General should whip down to the video shop, hire a video of *The Castle*, sit his Labor Party colleagues in the north library and show them a good film about people's rights, which the bureaucracy, the Minister for Finance and the Minister for Environment and Conservation are trampling on.

The Scrutiny of Acts and Regulations Committee also noted the Supreme Court decision in *Springhall v. Kirner*, which states in part:

An enactment should not be construed in a manner that would lead to a loss of a person's valuable rights without payment of compensation, unless such a construction is unavoidable.

The report of the government-dominated Scrutiny of Acts and Regulations Committee noted that:

The committee does not have a unanimous view whether the compensation package announced by the minister is fair and reasonable for any loss consequent upon the establishment of any parks and sanctuaries established by the bill.

One would only have to ask Rob Sitch, Michael Caton or Daryl Kerrigan what they think about the justice of this package. Fishermen have been told that the livelihoods their families have had for several generations may be taken away. The minister has put the hypothetical notion that with improved enforcement there will be less pilfering in the abalone trade and fishermen will make up their catches that way. It may also be that the government knows about the variability

of the weather along the western Victoria coastline and how some reefs are available to fish only on certain days of the year because of the prevailing winds. It may also know that because some reefs are at a greater depth, the danger is greater. However, the question must be asked: what happens if they are not able to fish there? Will the government kick them out in the same way that the heartless airport corporation attempted to kick Daryl Kerrigan out, saying, 'Bad luck.'? Or will the government show some spine and some commitment to the people of Victoria?

Honourable members interjecting.

Mr THOMPSON — Honourable members are talking about real communities who live between Portland and Cape Howe — and I am pleased to be able to mention Cape Howe, even though it is has lost its place on the government's radar screen.

Many people have a genuine interest in this debate. They have worked with coast action groups or foreshore groups or are part of communities in rural and regional Victoria that depend on the fishing industry. They care for their environment, but they know that under this legislation they and others may be deprived of their livelihoods on unjust terms and without compensation.

Whether the legislation is passed today or in the next parliamentary session, for the sake of the people who have put their hearts and souls into developing an effective national marine park system, I hope the marine parks will be established — and established on just terms. Livelihoods have legal rights attached to them, so they cannot be overturned and removed overnight without reasonable terms of compensation. It is notable that section 85 of the Supreme Court — —

Mr Howard — On a point of order, Mr Acting Speaker, I draw your attention to the fact that this is a procedural motion. The honourable member for Sandringham has been drifting further and further from that motion, so I ask you to direct him to come back to it, which is about whether this bill should or should not be withdrawn.

Mr McArthur — On the point of order, Mr Acting Speaker, you will recall that the Chair ruled that the Minister for Finance was entirely in order in referring to the issue of section 85 statements in debating this procedural motion. She debated that at length, so I suggest that it is equally in order for the honourable member for Sandringham to canvas the issue.

The ACTING SPEAKER (Mr Savage) — Order! I do not uphold the point of order, but I ask the

honourable member for Sandringham to restrict himself where possible to the nature of the procedural motion before the house.

Mr THOMPSON — One of the critical issues about the procedural matter before the house, which relates to the bill being withdrawn, is the question of why the bill is being withdrawn. The critical issue relates to the proposed removal of the section 85 provision so that the people of Victoria might have access to just terms of compensation. It may be that the real reason for the withdrawal of the bill from debate during this session is that the government does not have the support of not only the Liberal Party — based on its principled stand of ensuring that people have just compensation — or the National Party but also that of the three Independents, people representing their local communities. Where do they stand on this particular issue?

Members of the Liberal Party are seeking to represent their communities, including fishing families, sometimes with six in a town, who are dependent for their livelihoods on their income from fishing. The government is saying that if we improve the level of enforcement they may be able to catch as many fish as they did in the past. The question is: what if they are not able to catch as many fish as they have in the past and their livelihoods are diminished?

In 1999, in an address to the Law Institute of Victoria, the then Leader of the Opposition, the current Premier, commented on the 200 pieces of legislation which had impacted on the jurisdiction of the Supreme Court. That particular speech did not include reference to the 300 or so acts passed between 1982 and 1992 that had arguably impacted on the jurisdiction of the Supreme Court. If the Attorney-General wishes to update his mantra on this topic, he could add the 27 bills introduced into this Parliament which have impacted on the jurisdiction of the Supreme Court, which include gaming legislation and victims of crime of legislation! It is sheer cant and hypocrisy for the Minister for Finance to quote gaming legislation and victims of crime legislation as having section 85 clauses included by the former government when in the past 18 months the government has introduced into this chamber bills with those very same clauses!

Mr Hulls — With your support!

Mr THOMPSON — If the Attorney-General wishes to delve into more detailed debate about section 85, I am very happy to do so.

Mr Perton interjected.

Mr THOMPSON — The honourable member for Doncaster suggests it is timely to give some advice on this particular issue.

How is this for a remark about the insertion of a section 85 clause in bills and acts? The following was said at a Law Institute of Victoria lunch:

This is absolutely unprecedented in Australia and, no doubt, in most of the Western world. It is a savage and cynical attack on the democratic notion of judicial review.

Did Daryl Kerrigan say that? No, it was the Minister for Education!

Mr Hulls — About which bill?

Mr THOMPSON — It was about 200 bills. How is this? The then Leader of the Opposition, now the Premier, said:

A future Labor government has big plans for democracy in this state.

Daryl Kerrigan would support that. The Premier went on:

Some of them are about returning rights that have been unjustly taken away in the last six years.

Whatever interpretation is taken of the period between 1992 and 1999, honourable members are speaking about the present and the rights of fishing families that will be taken away under the bill. A principled opposition cannot just let people lose their rights; members of the opposition cannot see them taken away — —

Mr Holding — Even your own side's laughing at that, Murray!

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Springvale will not refer to members other than by their correct titles.

Mr THOMPSON — I challenge members of the government to meet with the fishing communities at Portland, Port Campbell, Port Fairy, Torquay, Western Port Bay and down at Mallacoota. We saw how important the fishing industry was to Mallacoota — it disappeared off the map with Cape Howe not being included!

On other legislation, it was noted by a particular member of the government that the previous government had:

... systematically attacked and taken away rights formerly enshrined in the Victorian constitution ... taken away rights

that all Victorians took for granted. Rights that would never have been denied by any other government in Australia today.

Who said that? The current Treasurer!

The current action by the Labor Party in the Victorian Parliament is inconsistent with its rhetoric over the past seven years. The Minister for Environment and Conservation and her parliamentary colleagues deserve to be called to account by regional coastal communities, supporters of marine parks and sanctuaries, recreational anglers, seafood industry licence-holders, environment organisations and the people of Victoria generally for their failure to advance the marine parks legislation today. The vibes in coastal communities are very strong. Mr Kerrigan would take such a case to the High Court — so will the Liberal Party.

In my own constituency, the local press is full of the concerns of people about the fate of marine parks. It includes correspondence by Ted and Diana Pearce, who have been actively involved in the local Beaumaris Conservation Society and state:

As long-term residents of Beaumaris, who have had the privilege and the committed interest to contribute to the Bayside council's coastal action plan, we are very saddened to find that the government has chosen to ignore the recommendations of the Environment Conservation Council ... by not including the Ricketts Point area as a marine sanctuary.

Those views are reflected in a letter from Susan Raverty, the coordinator of Friends of Ricketts Point Landside. There is another letter from Noji Nacamuli of Sims Street, Sandringham, who over 10 years has had a very strong interest in the marine environment.

If the bill does not proceed today, the tragedy is that the aspirations of committed conservationists, people who have given their recreational and leisure hours to improving and building a better environment, will be frustrated.

I have been speaking to local anglers. I understand that over the past 20 or 30 years a range of species has become less prevalent in Port Phillip Bay. They include barracouta, silver bream, butterfish, the gurnard perch, gummy shark, grey nurse shark and flathead.

Mr Howard — On a point of order, Mr Acting Speaker, I remind you that this is a procedural motion. The honourable member for Sandringham is starting to stray into the issues of the substantive debate rather than matters regarding the withdrawal of the bill. I ask you to call him back to the debate on the matter before the house.

The ACTING SPEAKER (Mr Savage) — Order! I do not uphold the point of order, but the honourable member for Sandringham is getting very close to the edge of the seashore on the issue.

Mr THOMPSON — I was getting to some rare species of flathead when there was an unfortunate interjection. The tiger flathead, the sand flathead and the flounder — —

Mr Hulls — That's what you're doing — floundering!

Mr THOMPSON — The Attorney-General might be able to take some guidance from his counterparts in Western Australia who, when they introduced legislation of this nature, included a compensation scheme. It is notable that compensation was payable under clause 5(1) of the Western Australian Fishing and Related Industries Compensation (Marine Reserves) Act 1997. The compensation set in where:

... an area will not be available for commercial fishing after the renewal of the authorisation.

In the second-reading speech on behalf of the then Liberal government, the Minister for Fisheries, Mr House, noted about the bill:

Its introduction honours a commitment ... that further amendments would be brought before the Parliament to provide compensation measures for a reduction in the value of existing rights under fisheries and pearling legislation that may be affected by the passage and operation of the Acts Amendment (Marine Reserves) Bill.

Mr Grill, who spoke for the opposition in that particular case, noted:

The opposition supports the bill, which is a companion bill to the Acts Amendment (Marine Reserves) Bill.

He went on to provide some commentary on the trigger for the compensation provisions. There are some precedents where other Labor parties around the nation have had some sense of justice about compensating people who lost proprietary interests and rights.

The passage of the legislation is very important to a range of environmental groups around the state. It is also important to some fishing interests, who have been in a state of uncertainty over the past nine years during the course of the review.

It is the view of the opposition that its members are prepared to support effective marine park legislation. Opposition members are of the view that it is important that the debate be brought on at the earliest opportunity so that rare and endangered species in Port Phillip Bay

and in Victorian coastal waters will have the benefit of this legislative regime that is the product of some outstanding work undertaken by Professor John Lovering, the chairman of the Murray-Darling Basin Commission, who has an international reputation and who has made a number of remarks about the importance of the environment.

Mr Hulls interjected.

Mr THOMPSON — In terms of the urgency of this matter — I see that the Attorney-General wants to get down to the video shop to get a copy of *The Castle*, which might be of benefit to deliberations over the next period of time — the words of Professor Lovering from the ECC report should ring in the ears of members of the Labor Party forever and a day if we do not have a chance to advance this bill. He said:

... it is now obvious that harvesting of the ocean's biological resources has led in many areas to the degradation of marine ecosystems and threats to the sea's biodiversity. Unless a comprehensive, adequate and representative system of marine national parks with an adequate level of protection is established, we will not be able to hand on to future generations even some limited marine areas where our marine biodiversity is fully protected from human modification and degradation. This is the prime reason, and one which is widely accepted internationally, for the establishment of fully protected marine national parks and sanctuary areas.

If this bill is not processed in this session, the Labor Party will have failed the people of Victoria.

Debate interrupted.

DISTINGUISHED VISITORS

The ACTING SPEAKER (Mr Savage) — Order! I welcome to the gallery a delegation from the government of the state of Andhra Pradesh in India. The delegation is led by Mr K. Vijaya Rama Rao, the Minister for Roads, Buildings and Ports.

NATIONAL PARKS (MARINE NATIONAL PARKS AND MARINE SANCTUARIES) BILL

Withdrawal

Debate resumed.

Ms DAVIES (Gippsland West) — I support the motion to withdraw the National Parks (Marine National Parks and Marine Sanctuaries) Bill from debate and decision in the Parliament this week. The numbers in this house are evenly balanced and usually

that has positive consequences. The Parliament has become more democratic and a wider range of views is encompassed in legislation which makes it through that complicated web of negotiations which has to happen between all parties and members in this house. These negotiations work well when they are undertaken in good faith.

The first difficulty is always working through the posturing, positioning and overly emotional exaggerations — that is, the politics — in order to get to practical matters. The second difficulty is working through the total imbalance of numbers in the Legislative Council. Unlike this house the Legislative Council is a distorting influence which does not represent the balance of community feeling in Victoria.

I spend a great deal of my time trying to work through the excitement generated by many bills in this house and looking for common ground and a path forward on various pieces of legislation. On this one it has not been possible. There is too much politicking and too much posturing. That is why it is time to withdraw the bill from the house so that honourable members can continue discussions in a less heated environment.

I note and discard the position of the National Party. Its position on the bill represents a tiny minority. At the moment the National Party is involved — —

Mr Perton — On a point of order, Mr Acting Speaker, the debate on this motion is extremely narrow.

Ms Lindell interjected.

Mr Perton — What was that?

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster, on a point of order.

Mr Perton — Mr Acting Speaker, you know that the Speaker has previously ruled that members have to confine themselves to the reasons for withdrawal of the motion. The Speaker indicated that the practice of this house is to allow the lead speaker for each party to take a broader view, but this member is not entitled to canvas her views on the National, Labor or Liberal parties. Now is the time for her to put on record where she stands in relation to the withdrawal of this bill and how she would have voted on — —

The ACTING SPEAKER (Mr Savage) — Order! I have heard sufficient on the point of order!

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! I have heard sufficient on the point of order. The honourable member for Doncaster will take his seat.

Honourable members interjecting.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster shall not remain on his feet when the Chair is on his feet. That is a form of the house that is not acceptable. I do not uphold the point of order. The honourable member for Gippsland West has only just started her contribution, and the honourable member for Doncaster will remain silent while the Chair is according some decision on his point of order. The honourable member for Gippsland West has only just commenced her address and will remain within the confines of the procedural motion. The honourable member for Doncaster West — I mean Gippsland West.

Ms DAVIES — Please do not insult me, Mr Acting Speaker!

The National Party is involved at the moment in a desperate search for relevance. Its members argue that they want marine national parks, but they want both commercial and recreational fishing allowed in them. Basically, that is a meaningless and useless idea and would result in a park in name only. The equivalent would be to allow hunting in land-based national parks. I do not approve of land-based hunting in any national parks and I would not support the notion of allowing fishing in marine national parks.

National Party members are absolute tigers in opposition. I commend them for their theoretical embrace of the people they purport to represent while in opposition. The trouble is that National Party members cannot wait to get back into a coalition in any future government and they are completely gutless when in government. They have a proven record on that one, so we can discard the National Party position. But for the rest of us, however, the difficulty remains. The marine parks proposal has generated a great deal of fear and concern in many coastal areas, and these concerns have not been alleviated.

Mind you, in terms of numbers, I have had a considerably greater number of letters both to my office and to the local media supporting the marine national parks proposal than against, but that has not been particularly well reflected in the general balance of coverage in the rural media, and that imbalance has not helped the debate. I have seen some very loud public exclamations of ‘We’ll be ruined’ reported in our local media, when in private those same people have acknowledged to me that their businesses would cope,

particularly with some of the amended proposals that have been put to the house.

However, I accept that people whose livelihoods are changed or even potentially changed by such legislation need to be reassured. Whether that reassurance is given by amending proposals or by providing appropriate support is irrelevant. You may need to do both.

Some amendments have been made to the original Environment Conservation Council recommendations. Some support has been offered, but that has not been sufficient to reassure either the industry or several of the rural communities in Victoria. We certainly have not got to the very necessary stage of bipartisan support for the bill. Both this government and any future Liberal or coalition government would need to play a strong role in supporting marine parks, which would be forever, not just for the life of one government. It is very important that not just the concept but also the practice of instituting marine national parks be supported by any potential government in Victoria. We do not have that at the moment.

We have had confusing signals from the opposition. I am unsure whether in fact members of the opposition want more parks than this legislation proposes, which I would suggest would result in an even greater impact on the industry.

An honourable member interjected.

Ms DAVIES — I am unsure whether they want the government to spend more money or whether their primary concern, as is often expressed, is financial conservatism and care. I am unclear about whether they would vote yes or whether they would vote no for this legislation and under what very specific circumstances they would vote either way.

I do not think the debate in this current atmosphere of spin and posturing is useful. I trust that out of the heat of the Parliament useful discussions can continue. Nothing can be achieved by bringing on a vote in the divisive atmosphere we have in Parliament this week. I do not believe good decisions are made in this sort of climate.

I support the motion to withdraw the bill so discussions can continue. Perhaps in the end we will find that an acceptable solution will be to bring in these parks bit by bit, with detailed discussions with each community along the way. Perhaps in the end we will need a more modest proposal with fewer parks. Perhaps we will need to change some of the terms of the adjustment and other support measures that are offered.

There are now clear public assertions by the vast majority of members of this Parliament that they support the establishment of fully protected marine parks, and I include myself among that number. Given those very clear statements we should be able to find a way forward eventually, but it is apparent that we have not got there yet, that it is not possible for it to happen just now, and that therefore the most practical and useful solution is, as I suggest, to withdraw this bill and to allow the discussions to take place outside of Parliament with less heat and less politics.

Mr LANGDON (Ivanhoe) — I move:

That the question be now put.

House divided on Mr Langdon's motion:

Ayes, 43

Allan, Ms	Langdon, Mr (<i>Teller</i>)
Allen, Ms	Languiller, Mr
Barker, Ms	Leighton, Mr
Batchelor, Mr	Lim, Mr
Beattie, Ms	Lindell, Ms
Bracks, Mr	Loney, Mr
Brumby, Mr	Maddigan, Mrs
Cameron, Mr	Maxfield, Mr
Campbell, Ms	Mildenhall, Mr
Carli, Mr	Nardella, Mr
Delahunty, Ms	Overington, Ms
Duncan, Ms	Pandazopoulos, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Robinson, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Stensholt, Mr
Helper, Mr	Thwaites, Mr
Holding, Mr (<i>Teller</i>)	Trezise, Mr
Howard, Mr	Viney, Mr
Hulls, Mr	Wynne, Mr
Kosky, Ms	

Noes, 40

Asher, Ms	Maclellan, Mr
Ashley, Mr	Maughan, Mr (<i>Teller</i>)
Baillieu, Mr	Mulder, Mr
Burke, Ms	Napthine, Dr
Clark, Mr	Paterson, Mr
Cooper, Mr	Perton, Mr
Dean, Dr	Peulich, Mrs
Delahunty, Mr	Phillips, Mr
Dixon, Mr	Plowman, Mr
Elliott, Mrs	Richardson, Mr
Fyffe, Mrs	Rowe, Mr
Honeywood, Mr	Ryan, Mr
Jasper, Mr	Shardey, Mrs
Kilgour, Mr	Smith, Mr (<i>Teller</i>)
Kotsiras, Mr	Spry, Mr
Leigh, Mr	Steggall, Mr
Lupton, Mr	Thompson, Mr
McArthur, Mr	Vogels, Mr
McCall, Ms	Wells, Mr
McIntosh, Mr	Wilson, Mr

Motion agreed to.

House divided on motion:

Ayes, 45

Allan, Ms	Langdon, Mr (<i>Teller</i>)
Allen, Ms	Languiller, Mr
Barker, Ms	Leighton, Mr
Batchelor, Mr	Lenders, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms
Brumby, Mr	Loney, Mr
Cameron, Mr	Maddigan, Mrs
Campbell, Ms	Maxfield, Mr
Carli, Mr	Mildenhall, Mr
Davies, Ms	Nardella, Mr
Delahunty, Ms	Overington, Ms
Duncan, Ms	Pandazopoulos, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Robinson, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Stensholt, Mr
Helper, Mr	Thwaites, Mr
Holding, Mr (<i>Teller</i>)	Trezise, Mr
Howard, Mr	Viney, Mr
Hulls, Mr	Wynne, Mr
Kosky, Ms	

Noes, 41

Asher, Ms	Maclellan, Mr
Ashley, Mr	Maughan, Mr (<i>Teller</i>)
Baillieu, Mr	Mulder, Mr
Burke, Ms	Napthine, Dr
Clark, Mr	Paterson, Mr
Cooper, Mr	Perton, Mr
Dean, Dr	Peulich, Mrs
Delahunty, Mr	Phillips, Mr
Dixon, Mr	Plowman, Mr
Doyle, Mr	Richardson, Mr
Elliott, Mrs	Rowe, Mr
Fyffe, Mrs	Ryan, Mr
Honeywood, Mr	Shardey, Mrs
Jasper, Mr	Smith, Mr (<i>Teller</i>)
Kilgour, Mr	Spry, Mr
Kotsiras, Mr	Steggall, Mr
Leigh, Mr	Thompson, Mr
Lupton, Mr	Vogels, Mr
McArthur, Mr	Wells, Mr
McCall, Ms	Wilson, Mr
McIntosh, Mr	

Motion agreed to.

Withdrawn.

APPROPRIATION (PARLIAMENT 2001/2002) BILL

Second reading

Debate resumed from 15 May; motion of Mr BRUMBY (Treasurer).

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Seymour!

Ms ASHER (Brighton) — I wish to make a few comments on the Appropriation (Parliament 2001/2002) Bill. I will confine my comments because I am conscious of the fact that honourable members on both sides of the house want to talk on the major appropriation bill. It is a significant advance that the appropriations for the state and those for the Parliament are the subject of separate parliamentary scrutiny and separate parliamentary protection.

Parliament has a range of output initiatives and asset initiatives, both of which are quite modest. In particular, funding of \$500 000 is allocated to the Parliament information technology strategy, and there is some funding associated with additional accommodation for the Parliament of Victoria, which I will comment on at some juncture. Some \$1.7 million has been allocated for the tenancy at 157 Spring Street to provide better accommodation for parliamentary staff. Allocations have been made for the fit-out of that building. Funding has also been allocated for ongoing tenancy and motor vehicle lease costs. In terms of the asset investment initiatives for the Parliament, a total of \$1.6 million is allocated for improved Legislative Council office space, Legislative Assembly chamber renovations and the Parliament information technology strategy.

I also want to refer briefly to what is not in the bill. I am pleased the government appears to have backed away from its initial idea of funding a very expensive tunnel from the Parliament to 157 Spring Street. It is economic folly to spend millions of dollars on a tunnel to rented premises, and I am pleased to see it has been omitted from the budget. I urge the government to ensure it remains omitted. Although I have every sympathy for women, in particular, crossing the road at night, the best options for a solution to the Parliament's space problems do not include investing millions of dollars to connect a tunnel to a rented building. I would have thought at the very least the landlord would be salivating at the prospect of increased rentals, and it is certainly not worthy of that sort of investment. There are probably much cheaper on-site options for the accommodation of staff that could be investigated. There are more economically viable options that would prove to be better long-term investments for the state as a whole.

Because, as I said, I am conscious that other honourable members wish to speak on the Appropriation (2001/2002) Bill, I wish to conserve time. However, I take the opportunity to thank the staff of the parliamentary library and Hansard. If we look at the

performance indicators in budget paper 3 relating to the output of both the parliamentary library and Hansard we see the volume of work processed by those parliamentary departments each year. In terms of the parliamentary library's information access, it has a 2001–02 target of processing 45 000 items for retrieval; it is expecting 50 000 visits; and it is anticipating 10 100 searches on its databases and 60 000 electronic *Hansard* records being accessed. That is a huge workload for the parliamentary library.

One aspect of the work undertaken by the parliamentary library is conducting a number of student visits to the Parliament. Students from the Brighton Secondary College visited Parliament today and witnessed question time. Their local member was very well behaved! It is anticipated that there will be 23 000 student visitors to Parliament next financial year. The parliamentary library performs important work in explaining democracy to students and showing them democracy in action.

An honourable member interjected.

Ms ASHER — As the honourable member said, or the gag! The students here today would have witnessed the gag being applied.

I turn to Hansard. I have an enormous amount of respect for Hansard. The staff work in very difficult conditions — they often work late at night, and they have to deal with honourable members who can be trying and demand that every detail of their transcripts is 100 per cent accurate. I have a vast amount of respect for the work undertaken by Hansard.

Hansard has as a target for next financial year of 16 000 printed pages. However, it is not just the printing of *Hansard* that is important but also its timeliness. I can recall only a couple of occasions in my entire parliamentary career, which commenced in 1992, on which I have not been able to pick up a *Daily Hansard* first thing the next morning, and those occasions have occurred through no fault of Hansard — that is, when this house and the other place have chosen to sit what can only be described as ridiculous hours. It is only then that *Daily Hansard* is not ready for pick-up first thing the next morning. I again acknowledge the phenomenal work done by the Hansard staff as part of their daily duties.

With those few words, I wish the bill a speedy passage. As I have said, I would rather allow time for opposition members to speak on the government's budget.

Mr KILGOUR (Shepparton) — I am pleased to support the very important Appropriation (Parliament

2001/2002) Bill. For the Parliament to operate, as with any business, it needs money. Whether you are a dairy farmer from Numurkah or the Collingwood Football Club, you need money to operate, and thankfully there are a few more bickies in the bin after last Monday's win over Melbourne!

I turn to the important issue at stake in this bill. The bill provides for the appropriation of money for works that should have been done in this Parliament years ago but which still need to be done. As a member of the House Committee, and as a former member of the parliamentary committee established to rejuvenate and rebuild Parliament House until it was withdrawn because the Labor Party would not allow it to bring the much-needed stone out of the Grampians, I have been in a position to look at this building from the very top to the very bottom. I can inform the house that the building needs a lot of money spent on it, and I am sorry to have to show friends some of the areas I take them to and the conditions under which parliamentarians have to operate.

An Opposition Member — The penthouse!

Mr KILGOUR — The penthouse is a very good example. It is a room up on the third floor at the back of the building. There have been some big nights in the penthouse, and you can tell! However, the three gentlemen currently occupying that room are treating it extremely well.

I turn to the parliamentary dining rooms, because it is there that we see the worst part of the Parliament. John Isherwood, who is now in charge of that area, and his staff have to work in inappropriate and outmoded conditions using facilities to provide our meals in the Parliament that are a long way from being up to world best practice. There is virtually no storage area and there is not even a coolroom in the place in which to cool food and drinks. To his credit, John Isherwood performs magnificently in providing the sorts of meals he does in this Parliament. Planning for a kitchen redevelopment is well advanced, and I hope we will see appropriation for that redevelopment continue as time goes on to ensure the provision of best-quality meals cooked in best-quality conditions.

Another appropriation issue is airconditioning. Given that this place was built 150 years ago, it is not surprising that it does not have airconditioning. This chamber needs a lot of airconditioning, given the amount of hot air that floats around the place from time to time — present speakers excepted, of course. It is important that at least the first stage of the airconditioning project reaches fruition by the end of

the year. I hope honourable members will soon see airconditioning experts providing airconditioning for this chamber, which gets extremely cold in the winter and extremely hot in the summer months. Although, thankfully, the house does not sit through the hottest part of the summer, airconditioning needs to be installed, and I am very pleased to see that that is on the go.

The conditions in this building are much lower than most honourable members would expect in a normal workplace. I trust we will start to see some of the appropriation moneys expended on those projects in the near future.

However, it appears the Parliament has a 10-year lease on a building across the road in Spring Street next to the Princess Theatre, and I understand there are certain moves afoot for some parliamentary staff to work across the road in that building, including Hansard staff.

It is ridiculous to expect the Hansard reporters to travel between that building and the Parliament when they are required to be in this house up to 10 times a day. From my point of view that defies all logic. They cannot be expected to cross the road in all sorts of weather with their machines and go in and out of the house. The occupational health and safety issues relating to that proposal are incredible!

What has the government decided to do? It has said, 'We are going to build a tunnel. We are going to spend seven million bucks' — seven million buckaroos! — 'on a tunnel that goes from here, under Spring Street and comes up in a building we do not own'. I have never heard of anything so stupid!

My mates the dairy farmers would never spend money like that on a farm they did not own, because it would simply be stupidity. Here we are, expecting to spend \$7 million on a tunnel — —

Mr Mulder — It is like a cattle underpass to a neighbour's property!

Mr KILGOUR — It is like a cattle underpass to a neighbour's property, crossing under the Murray Valley Highway or something like that. Such is the stupidity of this government that it proposes to put a tunnel under the road. The people who own the building will be laughing all the way to the bank! They will say at the end of the lease period, 'We know you have spent \$7 million on a tunnel. Let's put the lease up 100 per cent. You haven't got much choice — you are going to have to take that!'.

I understand Hansard staff will be moved simply to allow for ministers and ministerial staff to use the Hansard offices. Hansard staff should stay right where they are. They do a fantastic job in this Parliament; they should not be upset and they should not be expected to go across the road. In any appropriations to Parliament we should look after the needs of Hansard staff, and in this case we should not expect them to take that incredible trip across the road. In supporting the Appropriation (Parliament 2001/2002) Bill, I note that the \$7 million for the tunnel will not come out of appropriation but out of Treasury. Nevertheless, I abhor any spending of \$7 million on such a tunnel.

Mrs MADDIGAN (Essendon) — That was a most interesting contribution by the honourable member for Shepparton. He spent most of his time talking about things that are not in the Appropriation (Parliament 2001/2002) Bill as opposed to things that are. Unlike him, I will turn my attention to the bill we are debating. Debate on the appropriation bill is one of the few times that honourable members get to acknowledge the great work done by staff at Parliament House and other parliamentary officers at 35 Spring Street. Honourable members would agree that having to work for 132 egocentric men and women is perhaps not the easiest way to spend your working life. The patience, tolerance and assistance given to members in all areas of parliamentary administration is very much appreciated. Honourable members would also understand how strong our demands on the parliamentary staff are and how difficult we make it for them from time to time. I extend thanks from the government and, I am sure, from all members of Parliament for the great work done by our parliamentary staff.

The budget addresses a number of issues that have been of concern to the Parliament for some time, and I will quickly turn to those. The honourable member for Shepparton mentioned 157 Spring Street; no money has been allocated in the budget for a tunnel underneath the house — not 1 cent. Money is allocated for the rental of the property under a lease for 10 years with a further optional six years, so it is a long-term lease. Money is available not only for the lease but also to fit out the building to make it appropriate for the staff of the Parliament. Costs include such things as rental, car parking, cleaning, security and leased lines for the building. The leasing of that building will ensure that some of the overcrowding of our members and staff will be eased significantly. It will also mean that some staff members will have very modern equipment and very modern offices to work in, which will put them further ahead of a lot of other people in the Parliament.

An amount of money is allocated to the Legislative Council to extend the area on the first floor at the rear of the Council chamber. That will allow for the area to be extended from the desk of the President's Orderly, along the passage to the office of the Usher of the Black Rod to the rear of the eastern side of the building, which will create two offices and two meeting rooms. Honourable members know that finding a room in which to have a meeting in this Parliament is often extremely difficult, especially when Parliament is sitting, so the creation of two further meeting rooms, which will be available to all members of this house and the Legislative Council will be of great benefit to the Parliament.

Much-needed renovations will also be carried out in our parliamentary chamber, particularly on the seating arrangements, which all members will be pleased about. I am not sure who designed these seats. I think the last renovations to this chamber were done some time in the 1950s, but obviously those responsible were not strong on ergonomics. The seats are so brilliantly designed that whatever your height you are uncomfortable sitting in them. A short member of Parliament must sit with their feet sticking out, like a child sitting on an adult's chair, and a taller member must sit perched on the edge or slouch in an ungainly manner, leaning back against the seat. Because there are fewer cushions than there are seats, those that some kind soul has provided are quickly taken by members, to be used for a bit of back support. We will all be pleased to see a significant change in the ergonomics of the seating arrangements.

The renovations will also improve the technology of the house. They will allow for the wiring of members' laptops and the provision of individual power main facilities, and cater for electronic voting.

Honourable members often talk about streamlining parliamentary procedures. Calling divisions and counting votes are not quick processes, particularly when members of both major parties vote together, as occurred recently. Electronic voting is one way of making the operation of the house more efficient without reducing — —

Mr Steggall interjected.

Mrs MADDIGAN — I accept the correction of the honourable member for Swan Hill: it will make it faster. Whether electronic voting makes it more efficient is a matter of opinion, which I will leave alone for the moment. Certainly electronic voting will make it faster, which will be of assistance to the house.

An honourable member interjected.

Mrs MADDIGAN — One thing about electronic voting is that your name and the way you vote are shown, so there is no way of cheating. I do not think the opposition will get any more votes than they get now!

The renovations will include soundproofing the chamber through carpeting, providing access to the chamber floor for disabled persons, and upgrading the individual facilities I have mentioned. When this place was built, and even with the more recent renovations, providing access for disabled people was not taken into account. Some of the other renovations will improve and increase the size of the public viewing areas so that, for example, people with hearing difficulties will be able to be accommodated.

That will be worth while, because we have all been in the situation of having visitors who would have liked to attend question time but could not because no seats were available. That is expenditure from which all honourable members will gain benefit.

I now refer to the main parliamentary departments, which the Deputy Leader of the Opposition mentioned quickly. I have a fondness and high regard for the parliamentary library. The library's latest annual report shows how much good work the library staff did last year, as well as the good things planned for this year. I will quote what the annual report says about ours being an e-parliament, because I am not sure that honourable members realise how advanced this Parliament is compared with other parliaments not only in Australia but also worldwide in the area of information technology. The library staff, under the leadership of Bruce Davidson, can take a great deal of credit for that. The report refers to:

... Parlynet intranet services, the parliamentary network, the equipment in the electorate offices, the Parliament House wireless LAN, members' web sites, the increasing acceptance of members laptops and palm devices pave the way for the Victorian 'e-parliamentarian'. The members who fully use the available technology and the electronic services of the parliamentary library to correspond with colleagues and constituents, to gather opinions from the electorate, to keep abreast of current developments and to access information and statistics electronically, can accurately be described in today's jargon as 'e-parliamentarians'.

I am not sure if members are in the habit of referring to themselves as e-parliamentarians. Having seen some of them struggle with their laptops, I am not sure if it is appropriate for any of them to be called that! However, a lot of them could be, and those who are not are moving towards it as fast as they can. The report continues:

With the continued innovative approach of the Parliament of Victoria to the application of new technology in the work of the houses e.g., encouraging the use of laptops, installation of wireless LAN, enabling the use of laptops in the chambers, et cetera, it could well be one of the first Australian legislatures to be deservedly described as an e-parliament.

The library should take note of the fact that it is well ahead in terms of information technology.

I draw the house's attention to the clock. I am sure that my speeches are fascinating, but whether honourable members want me to speak for 2 or 3 hours is perhaps open for debate!

Another aspect of the services the library provides, which I know members are grateful for, is the work of the education officer. The number of schoolchildren who come through this Parliament — I think there were 24 000 last year and there are estimated to be 23 000 this following year — is a great tribute to the work of the education officer and adds to Victorians knowledge of their parliamentary system. I am always concerned by the number of adult visitors who have never visited their state Parliament before. Every schoolchild should have the opportunity of visiting the Parliament — and given the efforts of our hardworking education officer, Karen Dowling, we can expect to see that in the future.

The quality reports that Hansard provides are of great importance to us all. Many Hansard staff have been here for a number of years, which is a great tribute to their patience as well as their technical competence! Hansard has a difficult job, especially at question time or when matters of great interest are being debated — such as the marine parks bill — or when honourable members speak too quickly or mumble. I know we all appreciate the service that the Hansard staff provide.

I refer to the catering and function section, which is managed by John Isherwood. The parliamentary dining room has undergone quite a few changes over the past year or so. There have been many discussions about issues involving the service in the dining room, some of which have even made it into the media. I recall that the number of scoops of icecream you could have on your dessert was one issue that came up. There was also concern about the removal of the Thursday smorgasbord, which members had a fond regard for. But John Isherwood and his staff, including the long-serving staff in the strangers' corridors such as Jackie and Shirley, as well as Blanka upstairs, all provide friendly and helpful service to members, whether it is at 8.30 one morning or 2 o'clock the following morning. It is very difficult to get staff as dedicated as they are.

Where would we all be without Parliamentary Services to tell us how much of our budgets we have spent, how much less we have for the rest of the year, and how we should all be careful not to overspend what we have been given? The services the staff provide are extensive. They assist members of Parliament and their electorate officers in many ways, enabling them to better fulfil their roles as representatives of the people of Victoria.

I would not like to forget some of the other excellent staff who, while not located in this building, are of great importance to us. I refer to the staff of the joint parliamentary committees, who are located at 35 Spring Street. Being a member of a joint parliamentary committee gives honourable members a great opportunity to work with members from other parties and from the other house. That helps us to better understand each other's points of view. The assistance the committee staff give us, the research work they do and the many hours they put in, especially when reports are getting close to the pre-publication stage, is greatly appreciated. I know that Michele Cornwell from the Public Accounts and Estimates Committee, of which I am a member, spends many hours of overtime during the week and on weekends providing background material for members.

The budget contains a number of new initiatives for the Parliament as well as further money for the information technology strategy, and we will all benefit from that. I look forward to working with my colleagues and staff for another year. I thank all the parliamentary staff very much for their assistance.

Mr ROWE (Cranbourne) — In speaking on the Appropriation (Parliament 2001/2001) Bill I wish to raise a couple of matters concerning 157 Spring Street, about which all earlier speakers have also spoken. Some questions that concern me about 157 Spring Street definitely need to be investigated and answered.

I understand that it was the intention of the Parliament to purchase the building at auction and that the Treasurer had given approval for such purchase. The value of the building in the real estate market was believed to be in the vicinity of \$4 million, which was also the valuation of the Valuer-General. During the auction process it appeared that the building would sell for more than \$4 million and a variation in the allowable purchase price was needed. Unfortunately, the Minister for Finance could not contact the Treasurer and the minister refused permission to increase the bid, meaning that the Parliament and the people of Victoria missed purchasing the building.

That in itself would not have been a particular problem and would not have raised questions unless one had done some investigations. In doing those investigations it was found that the building was purchased for \$4.2 million. The Parliament immediately entered into negotiations to lease the building, which was then revalued by the National Australia Bank some two weeks later at \$6.5 million — a tidy profit in a short time.

Not only has the Parliament entered into a long-term lease which has given a financial gain to the purchasers of the building but it is also paying for its refurbishment. It has an option to purchase the building and is building a \$7 million tunnel. I wonder what connections the purchasers of the building have with the Australian Labor Party. I wonder if it is a coincidence that permission could not be given for an increased purchase price, and if it is a coincidence that one of the directors of the company that purchased the building attended the \$1000-a-head Labor Party dinner?

Those questions need to be investigated further. The purchasers of the building have no connection to the Liberal Party. It is a little too coincidental that they paid \$250 000 more for a building than the Parliament was prepared to pay and that the Parliament has now entered into a long-term lease giving the new owners a windfall gain of \$2.2 million and a ready purchaser at the end of the day after having spent \$7 million on a tunnel.

I wanted to raise those questions in the house. I hope the Treasurer will investigate and perhaps address them when summing up the bill. Having raised them, I wish the bill a speedy passage.

Mr LENDERS (Dandenong North) — I support the Appropriation (Parliament 2001/2002) Bill. I wish to touch on three areas of the bill: the first is the building itself; the second is the people who work in the Parliament; and the third is the separation of powers.

Before proceeding I cannot let pass the provocative comments of the honourable member for Cranbourne about 157 Spring Street. It is unhelpful to use this forum to raise innuendo and throw issues around. I should hope that in a debate such as this issues could be raised on a bipartisan basis in an endeavour to make this place a better workplace following on the strong leadership shown by you, Honourable Speaker, in bringing this institution into the 20th century going into the 21st, for which there was a lot of scope.

If the building we work in was the subject of an occupational health and safety issue it would probably be black-banned. It is archaic. Earlier in the day I

missed a division because I was in a meeting room in the chook shed which has no bells. This chookshed issue is an illustration of some of the areas where one must meet to deal with constituents or fellow workers. It is long overdue to look at this place as a workplace in modern government where one must deal professionally with visitors, constituents and various other people with whom one works. The modest proposals for refurbishment to make this place a better working place rather than a Taj Mahal are important. I again commend your leadership, Honourable Speaker, in moving in those directions.

I do not seek the sympathy of honourable members because I am delighted to be in this place under any conditions and represent the people of Dandenong North, so do not get me wrong on this, but having worked in a previous life in the federal Parliament — both the old and new buildings — the working conditions here are interesting. I share an office with the honourable member for Carrum who, in a previous life was a missionary in Papua New Guinea. The room we share in the basement of this place is where the airconditioning returns go through, so that in winter one experiences icy conditions.

Some of these things are not luxuries; they deal with basic working conditions. It would be good to update this place, but we need to keep it balanced with decent working conditions. We represent constituencies and people who do not expect us to work in luxury.

The public's perception of the building and its working conditions are worthy of comment. When people walk into this place they find it amazing visually. One of the first impressions that struck me was that the place is like a medieval fortress, with doors with bars and barricades and other objects, and was historically designed not to be welcoming. In contrast the federal Parliament building has huge galleries where the public can walk and feel some sense of ownership of the place where they are represented. We have a long way to go in that regard, and any proposals that would make us more accessible, accountable and visible to our constituents and provide more transparency in a physical sense are highly desirable.

The refurbishment of this chamber will I hope bring us further into the 21st century. We have been equipped with one of the best information technology systems in the parliamentary world, and that is a tribute to a series of people who have worked on its development. It has been totally bipartisan good innovation. Perhaps further enhancements will include features such as power points so honourable members can continue their work

without the tyranny of periodically needing to run in and out of the chamber to stay linked in.

There are a number of possibilities. My personal preference would be to have developments in these critical areas ahead of electronic voting. Despite the microeconomic reform we have imposed on the community from both sides of politics over the past two or three decades, we are debating issues about whips counting people sitting on top of each other at 4.00 a.m.! More efficient methods of counting votes would enhance our whole operating procedure. However, I am probably digressing more to the imminent report of the Standing Orders Committee than is appropriate to the parliamentary appropriation bill.

The issues raised by the Deputy Speaker, such as access, are critical for us. I reiterate that we need to be accessible and in working conditions that are not luxurious. Far from it, they should be more modest, in line with community standards, but they should certainly be workable.

The second issue I will briefly touch on is the separation of powers. We come from a rich tradition in the Westminster system of the separation of the executive, the legislature and the courts in a range of areas. It is always important that we maintain that separation. The entire parliamentary appropriation plays a critical part in that in a place where the Parliament is one step removed from the executive and a separate Auditor-General is funded through Parliament rather than through the executive government. These are important things that we should not just take for granted; we should publicly cherish them.

The final point I will touch on is that honourable members are accountable — as I am to electors in Dandenong North — to constituents in 88 electorates for the \$71 million of public money that goes into running this place and the office of the Auditor-General. We need to be vigilant to ensure that our constituents see that as a matter of trust. They expect good governance from us for that money.

Over a number of years we, as a Parliament, have tried to separate ourselves from the capacity to determine our own entitlements. Whether it be independent remuneration tribunals or the commonwealth parliament, which we have followed since the 1970s so far as salaries are concerned, that determine our entitlements, we need to be careful that we are seen to be right away from the process of looking after

ourselves and that other, independent people are determining remuneration.

As an institution we need to be eternally vigilant about how members of the community judge some of the things they see as perks — whether it be the daily sitting allowances, Commonwealth Parliamentary Association study tours or other entitlements generally. Many procedures are necessary to run a Parliament properly, but we have to be always vigilant to ensure that we do not cross that line or we will be rightly held accountable for it. I wish the legislation a speedy passage.

Ms McCALL (Frankston) — I begin my short contribution to the debate on the Appropriation (Parliament 2001/2002) Bill by congratulating Mr Speaker. It is a privilege to serve on the House Committee with you, and it is a great pleasure to make a contribution to this wonderful building.

It is possibly obvious that the honourable member for Dandenong North has not seen the Taj Mahal. May I open his mind by saying that this building is much more classical and in many respects less majestic. It is probably one of the most attractive Parliament buildings in the world.

As a member of the House Committee and as a member of this Parliament I am mindful that it is also incumbent on us to preserve the building for posterity and for generations who will visit and recognise it as a fine example of our historical past. We all acknowledge how difficult it is to preserve the building appropriately and, with any luck, one day to finish it in a manner Kerr would have liked, at the same time to making it flexible enough to adapt to a modern world and a modern political environment.

There is no question that these seats are horrendously uncomfortable, and none of us would argue about the need for us to move forward and look at something that is not only historically acceptable but ergonomically useful. For those of us who work in here even some of the time when Parliament sits, the office accommodation for members of Parliament in a modern world does not meet occupational health and safety standards. As someone who has a background in personnel management, I have to say that it is probably right to say that we would have been out the door by now in any other office environment.

I am particularly mindful of the members of staff who are here almost all of the time, who are obliged to be here when members of Parliament are here but are also here to maintain the running of the building and various

departments and look after it when we are not here. There is no question that the conditions in which they work are substandard. I support the allocations in this piece of legislation that are part of the move towards making their lives just a bit more comfortable, particularly the library staff, who are here all hours of the day and night. I also place on record my congratulations to the new catering manager, John Isherwood. The food provided for all honourable members and staff has been dramatically improved. I encourage Mr Speaker and Mr President in another place to improve the kitchen standards for the sake of all our health, not just for members of Parliament but also for the staff.

This building is a magnificent example of Victorian architecture, and there is no question that it needs to be looked after. It needs to be conserved and preserved as best it might be. I only regret that in my lifetime I think it highly unlikely that we will ever see the building completed as was the original intention. I had hoped under the previous government we might have moved towards the completion of the building in a way that would have addressed many of the issues we are talking about today — that is, new technology, comfortable seats, better access for members and better conditions for the staff. However, the then shadow minister for conservation was uncomfortable about the opening of the granite quarry in the Grampians. As we have seen today, the same honourable member, the current Minister for Environment and Conservation, stymied another piece of legislation — so there we are! That is the way of politics; that is the way of democracy.

I wish the bill a speedy passage, and I wish all of us a more comfortable life — and sooner rather than later. I also wish to see Parliament House conserved in the best possible way.

Ms GILLET (Werribee) — It is with pleasure that I make a brief contribution on the Appropriation (Parliament 2001/2002) Bill.

I do not often seek to speak on behalf of my colleagues, but the honourable member for Tullamarine, who sits beside me in this chamber, and I are both certain we are of average height and build, yet to both of us it seems that the furniture was built for people who were unusually large and otherwise differently built. Therefore, on behalf of the honourable member for Tullamarine I say thank you very much for the provision in the bill that allows for the renovation of the seating in this chamber. Our chiropractors will be most unhappy with you, Mr Speaker — and with the President in other place — because we will probably not need to see them as often as we do now.

In all seriousness, the bill is important because it enables Parliament to move physically and procedurally into the 20th century. It would be a little ambitious to hope to see it move straight into the 21st century!

There is much to be said in congratulating you, Mr Speaker, on the sure and steady yet progressive way you have approached the management of not only this chamber but also the overall Parliament. You are prepared to listen to members of the House Committee, who now have regular meetings and have a real say on important aspects of the management of the Parliament, and that is encouraging. Some substantial improvements have been made in the past 12 to 18 months, and I look forward to the improvements provided for in this appropriation bill.

I also place on the record my appreciation of the outstanding work that you, Mr Speaker, and Marcus Bromley, the Deputy Clerk, who is back with us again, have done in reinvigorating the Department of Parliamentary Services, on which we all rely on a daily basis. At times there have been difficulties with the operation of the department, but along with all honourable members I express my gratitude for the pain and suffering I am sure Marcus went through as he carefully, diligently, gently and passionately took Parliamentary Services from where it was to where it is now. He has done an outstanding job under circumstances that were not easy by any means.

One of the parliamentary departments that can claim to have moved well into the 21st century is the parliamentary library. I know it is the favourite department of the honourable member for Essendon, and she is entitled to have her favourite given her professional background. Taking children to the parliamentary library is a delight. It is such a grand room in a place full of grand rooms, yet it is so switched on and plugged in. Even 15-year-old boys are impressed with the computer software and hardware that Bruce Davidson, the librarian, and his wonderful staff have brought into our lives.

As part of my contribution I record my thanks, as chairman of the Scrutiny of Acts and Regulations Committee, to the staff of my parliamentary committee and all the other committees. As the honourable member for Essendon has said, they work incredibly hard and incredibly long hours. I want them to know that I am impressed and grateful for the work they put in, as are all honourable members.

Although the bill is not sensational by any stretch of the imagination, it is one that I always enjoy speaking on because it pays the wages of some wonderful people

who work in this place. They have been kind, generous to and tolerant of me over the past five years. I place on the record my thanks to all of them, and I wish the bill a speedy passage so they can continue to be paid their wages.

Mr WILSON (Bennettswood) — I am pleased to join the debate on the Appropriation (Parliament 2001/2002) Bill. I will comment on only a few provisions in the bill, and in doing so will keep my comments brief.

I noted the remarks of the honourable members for Shepparton and Cranbourne about the lease arrangements for 157 Spring Street and the possible allied expenditure of \$7 million on a tunnel. The only comment I wish to make is that the opposition would be concerned about any major expenditure by the Parliament on a building or associated with a building that it does not own.

I take up the point made by the honourable member for Dandenong North about the working conditions in this Parliament. He said he nearly missed a division when he was working out the back in a meeting room that did not have division bells. About 12 members of the Liberal Party had a similar experience only about an hour ago. We were on the third floor, most of us in our offices, others in meeting room 93, when the division bells rang. It was a close call to make it to the chamber for the division because of the archaic lift, which is the main lift in the building. It does not serve members or staff well at all. Serious consideration must be given to improving the lift to the second and third floors.

Another issue for those honourable members who occupy offices on the third floor are the stairs at the southern end of the building. I do not count myself in this number, but I am trying to make a positive contribution about my fellow members. The stairs are particularly unsafe and it is only a matter of time until a member has a nasty fall and is seriously hurt. Honourable members hear the division bells and have to rush and it is only a matter of time before someone falls down the stairs and does significant damage either to themselves or somebody else.

Honourable members on the third floor have had what I can describe as a workable toilet for only the past few months. It was due to the good work of the honourable member for Frankston, who spoke to the Speaker about the circumstances on the third floor, that a workable toilet has been provided, and we are grateful for that.

The honourable member for Essendon, who is now in the chair, mentioned in her contribution the renovations

which are to take place including better seating arrangements in this chamber and better working conditions generally throughout the building. I welcome that. Many improvements could be worthwhile. However, I offer one note of caution. In a former life I worked in the old Parliament House in Canberra and then had the pleasure of working in the new Parliament House. I worked in the old Parliament House as a staffer for Senator David Hamer, who was Deputy President of the Senate. It struck me that many of the renovations and so-called improvements that took place there were ad hoc. They were not done properly; they were just done to fix a problem at a particular time and nobody gave much thought to doing something permanent which suited the historical nature of the building. I hope that as we try to improve facilities for members of Parliament, staff and visitors they are done cleverly and not just for the sake of doing them. I hope a lot of thought and planning goes into the process.

Like other honourable members I want to pay tribute to a number of the departments within Parliament. It goes without saying what a remarkable job Hansard does. Sometimes when you read your speech next day, you are pleasantly surprised how it came out and how kind Hansard was to you as you stood up and mumbled. When you read *Hansard* at 10 o'clock next morning you think, 'That wasn't so bad after all!' I think all honourable members have had that pleasant experience and we thank Hansard for it. But thanking them is not really enough because, of all the officers around this place, they are absolutely essential to the running of an efficient Parliament. The working conditions of the people who work at Hansard are not good enough and we must work hard as a Parliament to improve them.

Like other members I wish to pay tribute to the Education Office. Madam Deputy Speaker, you mentioned in your contribution that 24 000 students a year go through Parliament and learn about democracy and our parliamentary system. I have had the pleasure of being with a number of schools from my electorate since I have been in this place. They enjoy their visits to this Parliament and they learn much from them. The work of the Education Office is to be applauded.

It goes without saying that the Parliamentary Library serves all members of Parliament very well. On limited resources and in a limited capacity compared to their colleagues in the Parliamentary Library in Canberra, the librarians and allied staff serve us well.

My final comments relate to the improvements in the catering division at Parliament House. I pay special tribute to John Isherwood, who has brought many

improvements to catering in this place since he became catering manager. I am a trustee of the Sir Robert Menzies Lecture Trust and for the past two years the trust has held its annual lectures here. Last year's lecture was delivered by Claude Smadja of the World Economic Forum. It was a great success with a full house in Queen's Hall and dinner in the members' dining room.

This year was an even bigger event, and the Right Honourable Christopher Patten was the guest lecturer. As honourable members would know he is a member of the European Commission and a former governor of Hong Kong. Five hundred guests heard the lecture in Queen's Hall, which was a great success. It was followed by dinner for 250 guests in Queen's Hall. In the hour following the lecture, 250 people were seated, well fed and well watered by the catering staff. It is a tribute to John Isherwood and his staff that they are able to deliver those services.

It was on that night that Christopher Patten described Melbourne as one of the world's great cities, and certainly the best and grandest Victorian city in the world. He said this building is symbolic of such a city.

With those comments, I wish the bill a speedy passage.

Mr PLOWMAN (Benambra) — It is always valuable to have an opportunity to speak on the parliamentary appropriation bill because as members of Parliament we are rarely able to express our thoughts about how valuable that appropriation is to various elements of parliamentary expenditure. As many other members have done, I want to run through a few of those elements.

Before I do so I want to express my views about the completion of Parliament House. An opportunity was missed, and I will not necessarily suggest why or how it was missed. Suffice it to say that it was an opportunity which, once gone, will be hard to regain. I mention this not so much from the point of view of point scoring politically, but rather to emphasise the fact that if we are going to look to the future of the parliamentary system in Victoria it is imperative that honourable members forget about party politics and ask themselves what can be done to ensure that this building not only continues into the future — which I am sure it will — but also continues to enable members of Parliament and the people who work in the parliamentary system to continue to give the sort of service we have given well into the future. That should be done as well and as economically as possible.

On a personal note, I find it enormously disappointing that one of the grandest and finest buildings in Melbourne has never been completed. It is even sadder to think that it might never be completed unless honourable members ignore the battlelines between parties and acknowledge that they have to look to the future of the parliamentary system and the future of the democratic process in Victoria. Are honourable members prepared to put state funds into the completion of Parliament House and end up with a building that will run for the next 150 years as it has over the past 150 years?

Honourable members only have to look at other parliamentary buildings around Australia to see what can be achieved. Of particular note is the building program at the Parliament of New South Wales, where an excellent addition to the existing building has been constructed in a way that does not take away at all from the values of the older building. I make particular mention of the front of the new parliamentary building, which is at the back of the old building. Having been there, Madam Deputy Speaker, you might recall that the building goes down five, six or seven floors in order not to take away from the facade of the old building, and it does so very cleverly. Walking into the old building you cannot sense the line dividing the old from the new, yet the new building provides services members in this place would give their eyeteeth for.

The New South Wales parliamentary dining room is a lovely area that could well be taken as an example of how, in a rebuilding process, the Victorian Parliament could create a room with views over one of the loveliest gardens in Melbourne. Few Melburnians realise the such an area exists. A dining room could be built with views over the gardens, which would be even better if the 25-year-old chookhouse were removed. If it were removed as part of a rebuilding program Victorians could have a parliamentary dining room similar to that of New South Wales. Being able to offer such dining facilities would be great for Melburnians, Victorians and other visitors to the Victorian Parliament. We would be doing them a great service.

A lot of money was spent on the Queensland Parliament House to build that state's Taj Mahal. Frankly I do not think it comes within cooee of this Parliament House, but it provides extraordinary services for the members and for the staff who use it and work from it.

The completion of Parliament House is a project that must be considered as an imperative for Victorian parliamentarians. The battlelines need to be rubbed out and questions need to be asked about how it can be

achieved. I hope I get some support from the other side on this matter.

Without knowing anything about the detail, the suggestion that money be spent on building a tunnel under Spring Street to additional premises rather than spending it on completing this building defies logic. I cannot understand why we would accept an alternative that comes a bad second to the completion of the building.

In lending my praise to the work the Speaker has done during this Parliament over the past two years, Madam Deputy Speaker, I add my congratulations to you as Deputy Speaker. It is not an easy role to come into. As a previous Speaker explained to me, it can be very lonely. Often you have no friends on either side because of the difficult decisions you make in trying to keep the peace. However, that is the role within the chamber. As I see it the more important role is managing the parliamentary process. Both you, Madam, and the Speaker have done that job well and credibly, and I commend both of you for it. I hope this parliamentary appropriation meets the needs of the Speaker and his office and your needs as Deputy Speaker.

I will take the opportunity to give credit to the attendants at Parliament House. Earlier I said that it is one of the finest buildings in Australia, and its upkeep is magnificent. I admire the work they do here, their attention to detail and the fact that they look on this place as their own. The way they treat guests, visitors and parliamentarians is a credit to them all.

I thank the Hansard staff. I believe the Hansard services provided in this place are absolutely second to none. One of the blessings about being a member of an all-party parliamentary committee is that when you travel around the state on inquiries you have Hansard staff members travelling with you. You get the chance to know them better and see them in situations other than their simply recording our boring speeches here. It is a delight to learn more about the jobs they do and it is a credit to them that they put up with us. I thank the Clerks for their patience and tolerance. It is quite beyond me how they achieve that. I thank the parliamentary library staff for the service that they give us. I believe we are very fortunate to have the devoted service that we get from the library staff.

Finally, I believe probably the most important part of the parliamentary appropriation is the appropriation to committees. When I was first appointed to an all-party committee I thought what an extraordinary amount of money to put into the committee system. But since I

have been a member of Parliament I have learnt the value of those committees. I have learnt that committees provide an extraordinary service to the whole parliamentary process. With that vote of confidence in the parliamentary system, I commend the bill to the house.

Mr MULDER (Polwarth) — I rise to support the Appropriation (Parliament 2001/2002) Bill. As a relatively new member to Parliament and uprooting myself from a business and a home to come to Melbourne, it took me some time to get a great understanding of how the Victorian Parliament worked and how the support services work within the Parliament. I must say that particularly over the past six months or so since I have started to understand the processes of Parliament, I have grown to have a great appreciation of the support that has been given to me as a new member by parliamentary officers — by everyone from Bill at the back gate to the library staff.

I think it is great that the Victorian Parliament takes an active role in relation to the trainees that we have in our dining room who display tremendous courtesy towards not just the members but visitors who come to Parliament House. The continual flow of people through the Parliament, particularly school groups and other people who visit here, are always amazed at not only the magnificence of this building but also the inadequate office space provided to members. It is a great shame that over the years we have not seen fit or been able to finish off the work on Parliament House.

I, like other honourable members who have spoken today, have some concern about the lease of the building across the road — a building that does not belong to us — and the proposed tunnel to allow staff to move backwards and forwards to 157 Spring Street. It would appear to me to be a tremendous loss of an opportunity to spend up to \$7 million on Parliament House itself rather than on a building we do not own, a building that has a 10-year lease with a 6-year option. As I said, the upgrade of Parliament House is an absolute priority for us. I believe as parliamentarians we should all support that.

Like the honourable member for Benambra, I acknowledge the very difficult role played by the Speaker, the Deputy Speaker and the Acting Speakers, particularly with new members who at times display a little bit of overenthusiasm. I think at one stage I may have been accused by the Deputy Speaker of a discourteous act. As the Deputy Speaker is now in the chair I take the opportunity of apologising if that was case because I did not see her out of the corner of my eye during what was then a very heated debate.

I support the Appropriation (Parliament 2001/2002) Bill and the people who work in Parliament. I certainly appreciate the great service and support I have received as a member from parliamentary officers and their departments.

Mr LANGDON (Ivanhoe) — Honourable Deputy Speaker, I would like to add my comments to the record. I know that when you were speaking on the bill you wanted to mention the attendants in the Legislative Assembly. Since that was omitted, I thought I should include it in my speech!

Mrs FYFFE (Evelyn) — I am pleased to make a brief speech on the Appropriation (Parliament 2001/2002) Bill. I will use the opportunity to praise the work of the catering division. Having run a restaurant for 25 years, I know how hard it is to please a diverse range of palates. The education office, with 24 000 students a year going through Parliament, does a fantastic job. I have enjoyed being part of that, particularly in listening to the information provided and observing the way they handle children of different ages and standards. The work of the parliamentary library is absolutely fantastic. They just help so much when you need research quickly and I think that is something that we all need to remember.

I praise the House Committee and particularly the honourable member for Frankston. When I came into Parliament, like everyone, I was a little surprised at the conditions provided for members, in particular, the toilet on the penthouse floor that was used by 27 members, including 3 females. It was an appalling toilet. When the honourable member for Frankston went on to the House Committee the first thing she did was to ask the Speaker and the Serjeant-at-Arms to come upstairs, and very soon after we actually got a remodelled toilet that smells pleasant and has a bright light so you can actually see the floor. In fact the new toilet is helping some of our male colleagues to temper their habits in the evening. It is far more pleasant and one of the better things that has happened this year in Parliament!

Like many people I am concerned about the proposed tunnel. I have never heard of anyone renting a house and then building a sunroom on at their own expense.

An honourable member interjected.

Mrs FYFFE — The toilets were magnificent. The toilets and tunnels — yes, the Ts. The tunnel flabbergasts me. You don't rent a house and build a sunroom on, so why the heck are we spending

\$7 million putting a tunnel through to a building we do not own?

I am pleased to make a contribution to the debate. I support the bill.

Mr HAERMEYER (Minister for Police and Emergency Services) — I thank the honourable members for Brighton, Essendon, Cranbourne, Dandenong North, Frankston, Werribee, Bennettswood, Benambra, Ivanhoe, Evelyn and Polwarth for their contributions to the debate. I appreciate the bipartisan spirit in which the debate was conducted. The Parliament is a place in which we all have an interest, and it is an important institution in terms of processing the democratic business of the state of Victoria, and some valid points were made. Some of them I dare say if you go back into the *Hansard* 50 years or so were being made then and they will probably be made 50 years from now. I have to say that one thing that came up in this evening's debate which I have never heard before is the congratulations to the parliamentary dining room for the improvement of the food. I would like to add my compliments there because for the first time the other week I actually had cause to order seconds.

Mrs Fyffe interjected.

Mr HAERMEYER — I would like to also congratulate the dining room staff on the work they do and, in particular, all the staff of the Parliament — the Clerks, the Hansard staff, all of the other support staff around the place, the attendants, and also those people who come under my auspices, the protective security officers as well who all do a wonderful job looking after us, and sometimes I think we are not as appreciative as we should be. On that note, I will wind up the debate.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CONSTITUTION (PARLIAMENTARY PRIVILEGE) BILL

Second reading

Debate resumed from 17 May; motion of Mr PANDAZOPOULOS (Minister for Gaming).

Government amendments circulated by Mr HAERMEYER (Minister for Police and Emergency Services) pursuant to sessional orders.

The DEPUTY SPEAKER — Order! I am of the opinion that the second reading of the bill requires to be passed by an absolute majority.

Dr NAPHTHINE (Leader of the Opposition) — Parliamentary privilege is an important issue and needs to be treated seriously. It is not a matter that honourable members or the community take lightly in their considerations. A provision which seeks to extend parliamentary privilege is one all members need to look at seriously and examine the issues contained therein. The original bill as proposed was quite a general bill extending parliamentary privilege across a wide range of areas — —

Mr Ryan — What's left?

Dr NAPHTHINE — I'll tell you that in a minute! The original bill proposed to extend parliamentary privilege to reports of royal commissions, reports of boards of inquiries, reports of joint investigative committees — that is, all-party parliamentary committees — ombudsman's reports, reports under the Audit Act, reports required before Parliament and reports permitted to be laid before Parliament.

In discussion on the bill a number of concerns were raised by members of the Liberal Party in respect to how privilege is given to certain documents, what documents would be given privilege and what reports would be given privilege. Members came to the view that a lot more work has to be done in the area before the proposed bill could be considered as a general bill.

I recognise that the officers of the department and the government have responded to the concerns raised by the Liberal Party in these discussions and have accepted a range of suggested amendments. The nub of the amendments go to the fact that the bill has been slightly rewritten. It no longer covers in a general sense royal commissions, boards of inquiries, all-party parliamentary committees, ombudsman's reports, Auditor-General reports, reports required before Parliament or reports permitted to be laid before Parliament.

The effect of the list of amendments is that the bill now pertains only to the publication of the Metropolitan Ambulance Service (MAS) Royal Commission report. So instead of being a generalist bill covering a range of issues it is now similar to the bill introduced by the previous government with respect to the Longford royal commission.

Mr Mildenhall interjected.

Dr NAPTHINE — I will come to the sunset clause in a minute. I am nearly at the sunset of my speech!

It is now like the Longford royal commission legislation and allows the government, or in this case the people who produce the royal commission report, to have the report circulated under parliamentary privilege between sittings of the Parliament. If the report is available in the appropriate time frame it will be done in that way so that it will have the privilege of the Parliament but be circulated as soon as it is available.

I note the interjection of the honourable member for Footscray — who has been most helpful in the process and I congratulate him for his cooperation and helpfulness — that the bill sunsets.

Mr Mildenhall interjected.

Dr NAPTHINE — I would have the honourable member for Footscray in the cabinet. He and the honourable member for Geelong North should both be in cabinet.

Honourable members interjecting.

Dr NAPTHINE — And the honourable member for Coburg!

The legislation sunsets so it dissolves itself on the first day of sitting after the act receives royal assent. Given that the act receives royal assent later in June after it has passed both houses, when the Parliament resumes on 16 August the legislation will dissolve itself because it will not be necessary to provide privilege to the royal commission report.

In summation, the Liberal Party supports the legislation because it wants the royal commission report to be available as soon as possible. We appreciate the cooperation of the government, which has recognised the problems being created by a very general bill. We appreciate the efforts made to substantially amend the bill to get to the nub of the issue, which is protection of the royal commission report and giving it parliamentary privilege.

I finish by saying that the Liberal Party is happy to have further discussions with the government on a more general bill and some of the issues raised. There are some complex issues about providing parliamentary privilege and how it can be given to certain reports without being abused in the process. Getting the balance right is important.

Finally I wonder if the Premier when summing up the bill will give an assurance to the house that if the Metropolitan Ambulance Service Royal Commission report is made available under privilege through this process that there be an opportunity, if required by either the National Party or the Liberal Party, for a motion to be moved in the Parliament that the report be noted and hence create a debate on the royal commission as a result. It is important that the legislation gets through. The Liberal Party supports the amended legislation as is and wishes it a speedy passage.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr RYAN (Leader of the National Party) — It is my pleasure to join the debate on the Constitution (Parliamentary Privilege) Bill. This bill has all the hallmarks of having had a big night out with Jack the Ripper or the Boston Strangler or both. For those honourable members who have not had a look at the bill, I point out that originally it had eight pages of clauses, but it now has, with the amendments agreed to by the government — —

An honourable member interjected.

Mr RYAN — There are five lines of the original bill left on page 1, about four lines of it left on page 2, about four or five lines of it left on page 8 and some new clauses have been inserted.

An honourable member interjected.

Mr RYAN — No, it is not too much. We have plenty of time, and I am happy to keep talking about the amendments. So long as people keep teasing me about it, I am happy to keep talking about it.

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable member for Benalla to cease interjecting, and I ask the Leader of the National Party to address the Chair.

Mr RYAN — We now have a radically different bill from the one with which we started. I note the terms of the amendments proposed by the Liberal Party and accepted by the government. The essence of the amendments means that the original intent of the legislation has been removed. The original intent was to establish a mechanism whereby reports that had to be tabled in Parliament and — going down a sliding scale — those that might have been tabled in Parliament were otherwise able to be tabled between parliamentary sessions. We now have a situation where the various reports described in the original bill have

been deleted and the bill is constrained entirely to the position that applies to the Metropolitan Ambulance Service Royal Commission report.

On the general issue, at some stage and however it might be achieved, the aim of establishing a process for the tabling of reports between parliamentary sessions is laudable. Ultimately I would like to think we can, through discussions between the three parties, achieve that outcome. In as much as it applies to the Metropolitan Ambulance Service (MAS) Royal Commission report, the position we now have is innovative. There is a sunset provision in clause 5, which states in effect that the bill will sunset — it will die — on the first day of sitting of the Legislative Assembly after the day the bill receives the royal assent. Presumably on 16 August, when the Legislative Assembly goes to Bendigo, this bill will cease to have any effect. One would have to say it has a short life expectancy. It will now apply specifically to the MAS report.

Although it is written in slightly different verbiage, that sunset provision replicates the solution that applied to the delivery of the report on the Longford disaster on 25 September 1998. At the time of the Longford inquiry complications arose because of the possibility of the report being released between the two parliamentary sittings, and a piece of legislation was drafted to accommodate that circumstance. This bill is similar to that legislation in that it will accommodate the position with regard to the MAS inquiry.

I do not intend to speak on the bill for long. Much comment has been made in other forums about the MAS inquiry and whether in all the prevailing circumstances it is justified and warranted and whether the enormous expense it has involved is appropriate when the money could be used in other ways. Be that as it may, I will not dwell on that topic for the purposes of this debate.

An issue I will raise is the construction of subsection (2) of proposed section 74AB to be inserted by amendment 2, which pertains to the involvement of the Governor in a way that was not anticipated or proposed in the original bill. Originally, the bill contemplated that the report — whatever report it might have been — would be made available to the responsible minister and that a chapter of events would then unfold. In the bill now before the house the Governor is to receive from the commissioner a copy of the report on the results of the MAS inquiry and a sequence of events is to flow from the Governor's receiving that report.

I seek clarification from the government of the process whereby the report is to make its way out of the hands of the commissioner to the Governor in the first instance. How is that to happen? Is there to be a time frame; what are the mechanics of the transition of the completed report to the Governor; and what are the mechanics of the transition of the report from the Governor to the clerks of both houses?

Subsection (2)(a) recites that it is intended that the minister:

... must give a copy of the report to the clerk of each House of the Parliament;

Does a time frame attach to that process and what are the mechanics of the transition of the report?

I seek clarification from the government of the process under subsection (3) of proposed section 74AB by which:

A copy of the report given to the clerk of a house of the Parliament under subsection (2) is deemed to have been ordered by the house to be printed ...

What is the significance, if any, of the difference between the minister providing a copy of the report to the clerk of each house of the Parliament in subsection (2)(a) as opposed to the reference in subsection (3) to the report being given to the clerk of a house of the Parliament? One of the clerks is apparently then to undertake a certain course of action. How is it to be determined which clerk is to take the action? For example, it might be that whatever house the responsible minister is in will be the determinant of which house is relevant for the purposes of subsection (3). I seek clarification from the government on that issue.

I note that the amended form of the proposed bill makes various changes to the long title, and that is understandable in all the circumstances. Other issues flow by way of consequential amendments because of the major changes that have been effected to the legislation. However, save for the queries I have raised, I advise the house that the National Party does not oppose the bill.

The SPEAKER — Order! The honourable member for Pakenham.

Mr MACLELLAN (Pakenham) — I was prepared to defer to the honourable member for Footscray, whom I understood was to be the next speaker. If that is not the case, I will take the call.

The SPEAKER — Order! The honourable member for Footscray is not in his place. The honourable member for Pakenham has the call.

Mr MACLELLAN — I regret that the honourable member for Footscray was not in his place and was somehow outmanoeuvred.

The words of the Leader of the National Party on the bill have been very sensible and constructive. The Leader of the Opposition put the position for the Liberal Party, but I would like to express my personal gratitude to the departmental officers who came to several meetings with opposition members to brief us on the bill.

I praise them for their honesty. Their honesty was quite accidental, but it was patent and obvious. They knew nothing about the political and parliamentary scene. They had no idea that the Parliament does not have a one-party system by which the executive achieves exactly what it wants. Their attitude was that parliamentary privilege was to be handed over to the executive. That is why the house has before it such extensive amendments, and that is why the bill has been, in effect, completely gutted and rewritten by amendments to be proposed by the government. It was in response to the critique that the Liberal Party was offering, and perhaps the National Party as well, to the advisers who pretended to be on top of this bill. I do not think they had a clue about what was needed.

For instance, the original bill would have allowed a minister, at 11 o'clock at night when both houses had adjourned, to release a report with parliamentary privilege — in other words, to deliberately snub both houses of Parliament, even though they might be meeting the next day. That was what was in the original bill. The departmental officers, of course, expressed amazement and disbelief that such a thing could ever happen. I suppose an innocent abroad may well have that view. What did the opposition find? Did it find that the intention was for there to be a debate on a report released between sessions? Well, no. There was no guarantee that when either house next met there would ever be a debate about the subject. It might have been released during the interval never to be heard of again as far as the executive government was concerned.

The opposition also found that the executive government could pick and choose which reports were released. If it was one that it suited the government to release, it would release it; if it was one that it did not suit the government to release, it would not release it. There was no obligation to do so just because it had received a report. The decision was up to the executive.

It was a bid made by someone from the government — I am not sure who in the government takes responsibility for it — to hand over parliamentary privilege to the executive in a way that was plainly uninformed about the parliamentary process.

As you know, Mr Speaker, under the parliamentary process parliamentary privilege is given to those documents that are ordered to be printed in a particular parliamentary form. I think the government has now got it right. When the amendments are passed and bedded down, apart from the question being asked by the Leader of the National Party, we can all relax and say, 'It is going to be about the ambulance royal commission and not much else'. However, I agree with the Leader of the National Party — and the Leader of the Opposition has also said it — that there is the germ of a good idea here. It needs work, but it does not need work by uninformed persons on a political mission. It needs work between the parties; it may even need work between the houses. It may need a level of cooperation that, for this government, is unusual. I am not sure who will lead the charge for the government because no-one appears to want to be the author of the idea.

The opposition was told that the Presiding Officers, plural — I am not directly pointing at you personally, Mr Speaker — had asked for something. However, when inquiries were made we could not find any evidence that the Presiding Officers had asked for what was said to have been asked for. When we asked, 'Why is that there?', the departmental officers said, 'Because the Presiding Officers raised that matter'. A very healthy scepticism is appropriate on that matter.

The opposition found that the urgency to release the ambulance royal commission report between this session and the next was driving the bill, and that a few good ideas were being grafted on but that they had been drafted so badly they were a bad joke.

Now that it has been cut back to a Longford royal commission-type measure, happily named the Metropolitan Ambulance Service Royal Commission bill, I think it is safe for the Parliament to pass it — but it was not safe or appropriate for the Parliament to pass the bill as introduced. The justification given by those officers who were so wonderfully honest in their belief that the executive deserved to have all the powers in the world and that Parliament was merely an inconvenience along the way to the greater glory and good of government will not ensure that the appropriate bill gets through this Parliament — or at least not until we reach the nirvana that officers in the Victorian public service seem to think is their God-given right to pursue, which is one-party government.

When they next relive the halcyon days of one-party government, all I hope is that it turns on them — because it seems to me that under this government the public service is out of control.

Mr MILDENHALL (Footscray) — I rise to make a few brief comments, given the brevity of the debate, on the Constitution (Parliamentary Privilege) Bill.

As the Leader of the National Party aptly said, the amendments we are debating have renovated the original bill as a meat cleaver would renovate a lamb chop. It has had radical surgery indeed. Nevertheless discussions between the government and the opposition have achieved an agreed solution, given the expected completion of the Metropolitan Ambulance Service Royal Commission sometime between the rising of the house tomorrow and its sitting again during the spring sessional period.

As other speakers have outlined, the amendments will replicate the provisions of the Longford Royal Commission bill, but via the different route of amending the constitution rather than amending a separate act.

During the debate a couple of questions have been asked of the government, the first of which was from the Leader of the Opposition. He sought an undertaking that the royal commission report would be debated at the first opportunity. Although the minister in whose name the bill has been moved is not present in the house, I can indicate that it is the government's intention that ample time be set aside for the debate at an early stage in the spring sessional period. Obviously that would depend on other priorities at the time and the content of the royal commission report.

The Leader of the National Party asked about the process and time lines by which the Royal Commission report will be transmitted to the Governor and then to the Clerk of each house. I point out that that process necessarily involves the executive. Proposed section 74AB(2) provides that the minister will be the person responsible for the transmission of those reports. While a time line is not specified, the convention is that these actions are taken promptly, and there is no suggestion that the royal commission report would be dealt with in any way other than appropriately and properly. These provisions — —

Mr Maclellan — You just wouldn't do it. We should trust you?

Mr MILDENHALL — While in the cool light of day opposition members can see the sense of the intention behind the original bill, for the purposes of the

debate they are holding to the view that they cannot trust this government. So we end up in one of those situations where the government says that it is trustworthy and committed to upholding the conventions and traditions of this place and the opposition — —

Honourable members interjecting.

Mr MILDENHALL — It is their right, and I suppose it is their responsibility to be sceptical. But there is no suggestion — —

The ACTING SPEAKER (Mr Lupton) — Order! I ask the honourable member to talk about the bill.

Mr MILDENHALL — I am talking about whether it is likely that the government will uphold the time-honoured traditions and conventions of this house. The answer is absolutely yes: it is not of a mind to depart from these practices.

That answers the key questions that have been raised. Government members accept the spirit in which the suggestions have been made by the opposition, and we will sit down over the winter and — —

Honourable members interjecting.

Mr MILDENHALL — He is not here.

Honourable members interjecting.

Mr MILDENHALL — The government certainly accepts the spirit in which the suggestions have been made. During the winter recess the opportunity will be taken to consult and to cobble together a compromise that combines the guarantees the opposition is looking for and the sensible notions that formed the basis of the original bill.

Mr Maclellan interjected.

Mr MILDENHALL — Yes, we will have a cup of tea.

Honourable members interjecting.

Mr MILDENHALL — The government is committed to trying to put together a wider framework that finds a balance between the guarantees the opposition is looking for and the opportunities that any government would be looking for. I am sure that with a level of goodwill from both sides an appropriate solution will be found.

The government thanks the opposition for its support of the bill in its current state. We realise that the amendments have been — —

Mr Ryan — Since we raised it, could you give the National Party a mention? You keep talking about the opposition.

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! Will the honourable member for Footscray get on with the debate!

Mr MILDENHALL — I know it is not appropriate to respond to interjections, but in responding to a couple of the queries I believe I referred to the Leader of the National Party. If I did not, I should have. Some very perceptive observations about the amendments came from that quarter. I am sure they will provide food for thought for both officers of the department who have assisted in the drafting of the bill and those responsible for its carriage in this place. If the opposition has further queries about the finer details of the transmission of the royal commission report, I am sure a briefing can be organised to enable those queries to be answered.

The wider issue is that committee reports and royal commissions are not completed according to a schedule set down for Parliament. Staff of parliamentary committees who are asked to complete reports by a certain date often find that because of the weight of evidence or new information coming forward they cannot meet the deadlines. For the edification of the community I am sure there are many occasions when tabling reports of some urgency or of particular relevance between sittings is the most appropriate course.

Honourable members on this side of the chamber understand that in other jurisdictions provisions of the type originally intended by the government for this bill exist, but the sky has not fallen in; there are sensible checks and balances. The provisions work and make for the more timely availability of information to Parliament. I am at a loss to know what the drama was about, but I understand that it is the role of oppositions to be sceptical. Although it was sensitive and suspicious, that is not an accusation that could be made against the former opposition, which was sensible about such issues. The real answer is that with an overwhelming majority in both houses the former government did what it liked and the former opposition had to cop it. The Labor government is now in a position, and not only is it encouraged to but it has a

mind to do so, where it seeks to reach agreement with the opposition parties over the tabling of reports.

With those few remarks I thank the opposition for its support. I am sure that in summing up the debate prior to the committee stage the minister will answer any remaining queries.

Mr CAMERON (Minister for Local Government) — We have a situation here where the end product will be a substantially altered bill. The government put forward what people would regard as a commonsense bill, something members of the Public Accounts and Estimates Committee, including the Deputy Leader of the Opposition, agreed was appropriate. However, I suspect that as a product of tensions on the opposition side of the house there is not a unanimous view on the issues. As a consequence, the government has decided to proceed with the proposed amendments in committee. I thank honourable members for their contributions.

The SPEAKER — Order! I am of the opinion that the second reading of this bill requires to be passed by an absolute majority. As there are fewer than 45 members present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

The SPEAKER — Order! The question is:

That this bill be now read a second time.

As there are some voices for the noes, I ask that honourable members supporting the bill stand in their places.

Total of 42 stood in support of bill.

The SPEAKER — Order! I declare the second reading of the bill passed, but without the concurrence of an absolute majority of the whole number of the members of the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr CAMERON (Minister for Local Government) — I move:

1. Clause 1, omit this clause.

Amendment agreed to.

Clause negatived.

Clause 2 agreed to.

Clause 3

Mr CAMERON (Minister for Local Government) — I move:

2. Clause 3, omit proposed sections 74AB, 74AC, 74AD, 74AE, 74AF, 74AG and 74AH and insert —

‘74AB. Publication of Metropolitan Ambulance Service Royal Commission Report

- (1) In this section —

“**Commissioner**” means the Commissioner appointed under section 88B of the **Constitution Act 1975** by the Letters Patent;

“**Letters Patent**” means Letters Patent dated 21 December 1999, a copy of which was published in the Government Gazette on 22 December 1999, as amended from time to time;

“**Metropolitan Ambulance Service Inquiry**” means the inquiry conducted by the Commissioner in accordance with the Letters Patent.

- (2) On receipt by the Governor of a copy of a report from the Commissioner of the results of the Metropolitan Ambulance Service inquiry and his recommendations, the Minister —
- (a) must give a copy of the report to the Clerk of each House of the Parliament; and
- (b) must cause the report to be published by the Government Printer.
- (3) A copy of the report given to the Clerk of a House of the Parliament under sub-section (2) is deemed to have been ordered by the House to be printed and a copy of the report as published shall be tabled in the House on the next sitting day of the House.
- (4) The publication of the report of the Commissioner in accordance with this section is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of the Parliament apply to and in relation to the publication of the report as if it were a report to which those sections applied and had been published by the Government Printer under the authority of the Parliament.’.

The effect of this is to omit proposed sections 74AB, 74AC, 74AD, 74AE, 74AF, 74AG and 74AH and insert a new provision which will be new section 74AB.

Honourable members interjecting.

The CHAIRMAN — Order! I ask honourable members to lower their voices. I am having difficulty hearing the minister.

Mr CAMERON — The effect of this amendment will allow for the publication of the Metropolitan Ambulance Service Royal Commission report. Honourable members will appreciate that that is very important because the report is due in the middle of winter and many people want to see the report of the royal commission at the earliest opportunity. As a consequence this provision will allow that to occur outside the parliamentary sittings.

Certainly, the Public Accounts and Estimates Committee sees this as being extremely prudent not only for this provision but also for the entire bill that was introduced into the chamber. It is very important that the public is quickly made aware of the findings of a royal commission. The Metropolitan Ambulance Service Royal Commission has been going for some time and a great deal of evidence has been heard. It is a very important royal commission, and we all want to see the outcome.

Mr RYAN (Leader of the National Party) — I raise a few matters for the minister’s consideration. They relate in part to the matters I raised during the second-reading debate, particularly to proposed section 74AB(2), which reads in part:

- (2) On receipt by the Governor of a copy of a report ...

What are the mechanics for transmitting the report to the Governor? Is there a time frame? We are told by the honourable member for Footscray that there is a protocol of sorts, but I seek clarification on what it is.

My second question refers to the term ‘his recommendations’. Proposed section 74AB(2) implies that the Governor has to make his recommendations.

The CHAIRMAN — Order! I ask the Leader of the National Party to pause. I am having a great deal of trouble hearing the Leader of the National Party. I ask honourable members to cooperate with the Chair by not talking so loudly so we can get through the committee stage. If they want to talk loudly, they should do it somewhere else.

Mr RYAN — The issue is the use of the term ‘his recommendations’. Presumably it means the recommendations of the Governor that the report be transmitted in some way. I request clarification of what is intended.

My third question concerns the expression ‘the Minister’ in the third line of proposed section 74AB(2). I suppose it refers to the minister who has the responsibility for the portfolio encompassed by the report. I presume that in the case of the MAS royal commission it would be the Minister for Health, who was involved in calling for a report in the first place. I ask for that point to be clarified.

The CHAIRMAN — Order! I ask the government members in the back row to be quiet or leave the chamber.

Mr RYAN — My fourth query is about what happens to the report after it leaves the hands of the minister. Under proposed section 74AB(2) the minister:

- (a) must give a copy of the report to the clerk of each House of the Parliament ...

That is clear. However, the next paragraph reads:

- (b) must cause the report to be published by the Government Printer.

I seek clarification of what the term ‘must cause’ means. Is there a time frame for that, or is a direction given in some way? If so, what is it?

Proposed clause 74AB(3) says:

- (3) A copy of the report given to the clerk of a House of the Parliament under sub-section (2) ...

Subsection (2) provides that a copy of the report be given to the clerk of ‘each House’ of the Parliament, whereas subsection (3) provides that a copy of the report be given to ‘a House’ — and then the term ‘the House’ is used in the same paragraph. That might mean that ‘the House’ is the house in which the minister is located, and therefore the wording is a means of distinguishing between the Legislative Council and Legislative Assembly. I would be grateful for clarification of that.

Mr CAMERON (Minister for Local Government) — I will address those matters before anyone else registers another query. The first matter relates to a requirement on the minister to do certain things on receipt by the Governor of a copy of a report from the commissioner of the results of the Metropolitan Ambulance Service Royal Commission and his recommendations. The question was about the mechanics involved in the transmission of the report from the commissioner to the Governor. That is a matter for the commissioner.

The next question related to the words ‘his recommendations’. The word ‘his’ means the commissioner’s, not the minister’s.

The third question was about the identity of the minister concerned. In terms of this royal commission, the minister concerned is the Premier.

The fourth question asked by the Leader of the National Party was about clarification of the term ‘the Clerk of a House of the Parliament under sub-section (2)’ and the following expression ‘deemed to have been ordered by the House’. The confusion came from the expressions ‘a House’ and the following expression ‘the House’. The report would go to each house separately, so the Clerk of the Legislative Assembly would act as if the report were an order of the Legislative Assembly and, equally, the Clerk of the Legislative Council would, on receipt of the report, act as if it had been ordered by the Legislative Council.

Mr WYNNE (Richmond) — As has been indicated by the honourable member for Footscray, the government has made significant amendments to the legislation to accommodate any concerns the opposition may have about the tabling of the Metropolitan Ambulance Service Royal Commission report.

As honourable members will be aware, the practice with previous royal commissions has been that when the Governor receives the commission’s report he is advised by the responsible minister, in this case the Premier, who may then table the report and order it to be printed.

The order to print gives the report parliamentary privilege pursuant to sections 73 and 74 of the Constitution Act 1975. That will protect publication of the report and protect the commissioner, the staff of the commission and publishers of the report from liability. Additionally, section 74 provides those who print extracts of the report in good faith with such immunity from civil suit.

In that context it is important that we acknowledge that the government is seeking to ensure that there is appropriate protection when the MAS royal commission report is subsequently tabled. As I understand it, it is unlikely that Parliament will be sitting when the report is delivered by the royal commissioner, which I gather will be close to 30 July. As the report may well contain findings against individuals or organisations that are potentially defamatory, such people may seek an injunction to prevent publication of the report and/or take the

potential legal remedy of suing the publishers of the report.

The amendments provide for a process deeming that a copy of the report delivered to the Clerk of each house of Parliament has been ordered by that house to be printed and requiring that the report be tabled at the next sitting of that house. Obviously when the report is tabled it will attract parliamentary privilege.

As has been indicated by my colleague the honourable member for Footscray, the amendments are based almost entirely on the Longford Royal Commission (Report) Act 1999, save for the following key points. The bill is an amendment to the Constitution Act 1975 rather than stand-alone legislation, as was the case with the Longford act. That was done on the advice, as I understand it, of parliamentary counsel, and the cabinet approved the bill as an amendment to the Constitution Act.

The other important aspect raised during both the general debate and in the committee stage is that the bill has a sunset clause, which provides that the act will sunset on the first day of the next sitting of the Legislative Assembly. That is provided by clause 5. It is arguable that once the act has sunsetted, since the Legislative Council will not sit until the week following the return of the Legislative Assembly, the obligation to table the report in the Legislative Council will no longer exist. As I understand the debate, the sunset clause was requested by the opposition, which has been accommodated by the government. A reasonable compromise has been reached on that. Clear time lines pertain to the amendment so that there is absolute certainty for both sides of the house.

Clause 4 provides that the amended bill operates as an amendment to section 85 of the Constitution Act.

The CHAIRMAN — Order! The committee is on clause 3.

Mr WYNNE — I will confine my contribution to clause 3 and when I have the opportunity I will comment on clause 4. The bill is an important measure. The government has indicated that it is prepared to reach a satisfactory compromise to ensure that adequate protection is provided to both sides of the house and that checks and balances are there in the sunset clause. The clause now being debated should be supported by both sides of the house.

Mr STENSCHOLT (Burwood) — I support amendment no. 2, which gives greater specificity to clause 3. It makes the situation quite clear by omitting proposed sections 74AB through to 74AH. I will not

repeat them, as the Minister for Local Government has already enumerated them.

Proposed new section 74AB relates to the publication of the Metropolitan Ambulance Service Royal Commission report. In the circumstances a sensible compromise is being proposed because a specific event is happening in Victoria — that is, the Metropolitan Ambulance Service Royal Commission. I will not comment on the royal commission, which is in train and has been spoken of quite often in this house in the past. There has also been quite a lot of discussion in the house about the Metropolitan Ambulance Service.

The amendment is quite clear in defining the commissioner and the letters patent. Proposed section 74AB(1) specifies which inquiry we are actually dealing with — that is, the Metropolitan Ambulance Service Royal Commission. In case honourable members have not read the amendment, it is an inquiry conducted by the commissioner in accordance with the letters patent. ‘Letters patent’ may seem to be an old-fashioned term, but the amendment clearly specifies that the letters patent are those of 21 December 1999, which were published in the *Government Gazette* of 22 December of the same year and have been amended from time to time since then.

Proposed subsections (2), (3) and (4) give further details of what is being considered in publishing the report and making it available. I commend the amendment to clause 3, which omits proposed sections and inserts a proposed section 74AB.

Mr MILDENHALL (Footscray) — It gives me great pleasure to make a few passing observations about the amendments currently before the Chair. Firstly, the goodwill that was offered in large volume by the Leader of the Liberal Party and the Leader of the National Party was somewhat dissipated when they had their first opportunity to assist the passage of the bill. They expressed effusive support for the bill, which meets their precise requirements and wishes and was presented in the form they wanted, but when they had the opportunity to support it during the second-reading debate they went missing.

Madam Chair, it is clear that one or two members of the National and Liberal parties who are supporting the bill would have had us onto another debate by now. But they are very clever and I am sure they are rolling around the corridors saying, ‘Gee, that was pretty smart, wasn’t it? We are wasting hours of good debating time which could have been devoted to appropriations or other matters’. But because they are

too smart by half, honourable members are still debating the amendments.

The amendments allow for the tabling of the report of the Metropolitan Ambulance Service Royal Commission between sessions. This is a desirable course of action for both the government and the opposition. The matter of the Metropolitan Ambulance Service has attracted a great deal of community interest, public comment and media attention, and if the first volume was anything to go by, then it is clear — —

Mrs Fyffe interjected.

The CHAIRMAN — Order! The honourable member for Evelyn should lower her voice.

Mr MILDENHALL — If a royal commissioner finds that illegal activities have gone on then it behoves the Parliament to facilitate the ventilation of the recommendations at the earliest available opportunity, and that is what these amendments do. The government thought that it had reached agreement with the opposition that that should take place. Now it finds that at the first available opportunity a very cunning stunt has been pulled and opposition members are sitting up against the back wall smirking their heads off.

Some queries have been raised about the details of the first amendments, particularly proposed subsection (2) to be inserted by amendment 2. I reinforce the point that the chain of events that the Leader of the National Party is so concerned about is started by the royal commissioner. The bill states that the royal commissioner is obliged to hand the report and the recommendations of the royal commission forthwith to the Governor. I take it that the opposition would not suggest that that would not occur forthwith and that the commissioner would not undertake that responsibility in a timely and effective manner. The Governor is then required to transmit the bill via the minister to the Clerk of each house of the Parliament.

These steps are clearly set out in the legislation and there is no reason to believe there would be any delay. The Governor or the commissioner would not be tardy in undertaking their duties as laid out in the amendments. Could the opposition contemplate the commissioner or the Governor not undertaking these duties? I would have thought the certainty of this being carried out promptly is absolutely beyond question.

With that level of reinforcement I hope the Leader of the National Party is confident that this chain of events will occur and his query can be put to rest. I look forward to debating further amendments as the opportunity arises.

Mr LENDERS (Dandenong North) — It is with a degree of trepidation that I join a committee debate in this packed and hushed chamber on only my second occasion since being elected to this place. As the son of Dutch immigrants I never thought the day would come when I would be able to speak on a matter of such magnitude as the amendments to the Constitution (Parliamentary Privileges) Bill.

Privilege in the Parliament is a vestige of the long and rich Westminster tradition. When I walk in the streets of my electorate of Dandenong North I realise that the stature of Parliament — and as honourable members discussed in other legislation today, the whole institution of Parliament — is important. The large number of government members present in the chamber is a recognition of how seriously the government treats the amendments to the legislation.

The CHAIRMAN — Order! The honourable member for Dandenong North must refer his comments to amendment 2.

Mr LENDERS — Thank you, Madam Chair, for your guidance. It is an overwhelming moment for me to speak in this committee debate, but I will confine my comments to the amendments to clause 2.

The CHAIRMAN — Order! It is amendment 2 to clause 3.

Mr LENDERS — I think I have said the things I need to say and I will defer to other colleagues who have more things to add.

Amendment agreed to; amended clause agreed to.

Clause 4

Mr CAMERON (Minister for Local Government) — I move:

3. Clause 4, lines 12 to 16, omit all words and expressions on these lines and insert —

“(8B) Section 74AB alters or varies this section and has effect as a direct amendment of this section.”.

Amendment agreed to; amended clause agreed to.

New clause AA

Mr CAMERON (Minister for Local Government) — I move:

4. Insert the following new clause to precede clause 2 —

“**AA. Purpose**

The purpose of this Act is to make provision for the publication of the report of the Metropolitan Ambulance Service Royal Commission.”.

New clause agreed to.

New clause BB

Mr CAMERON (Minister for Local Government) — I move:

5. Insert the following new clause to follow clause 4 —

“**BB. Repeal of sections 74AB and 85(8B) of the Constitution Act 1975**

Sections 74AB and 85(8B) of the **Constitution Act 1975** are **repealed** on the day that is the first sitting day of the Legislative Assembly after the day on which this Act receives the Royal Assent.”.

New clause agreed to.

Long title

Mr CAMERON (Minister for Local Government) — I move:

6. Long title, omit “provide for the publication of, and Parliamentary privilege in relation to, certain reports and documents laid before the Parliament when Parliament is not sitting” and insert “make provision for the publication of the report of the Metropolitan Ambulance Service Royal Commission”.

Amendment agreed to; amended long title agreed to.

Title

Mr CAMERON (Minister for Local Government) — I move:

7. Title, omit “**Parliamentary Privilege**” and insert “**Metropolitan Ambulance Service Royal Commission Report**”.

Amendment agreed to; amended title agreed to.

Reported to house with amendments, including amended long title and title.

Report adopted.

Third reading

The SPEAKER — Order! The question is:

That this bill be now read a third time.

As there are not 45 members present in the chamber, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Question agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

APPROPRIATION (2001/2002) BILL

Second reading

Debate resumed from 7 June; motion of Mr BRUMBY (Treasurer).

Ms BEATTIE (Tullamarine) — It gives me great pleasure to speak on the appropriation bill. I especially like its theme: ‘Delivering today, building for tomorrow’.

The SPEAKER — Order! I ask the Treasurer to take a seat.

Ms BEATTIE — I am especially pleased that the Treasurer has seen fit to stay in the house while I make my contribution. What a fantastic budget it is for the people of Melbourne’s north-western suburbs.

This has been a disgraceful day for the house, given that members on the opposite side have shown so little commitment to conservation and the environment. They have shown as much commitment to marine parks as the Howard government has shown to the Kyoto protocol. Although it is a shameful day for them, it is a great day for the Bracks Labor government.

This budget undoubtedly demonstrates the Bracks government’s commitment to the north-west, which can be seen from the impressive list of funding given to the area. I recently invited the Treasurer to a budget breakfast in the north-western suburbs, and I can tell the house that the business folk’s hands were nearly red from applauding him. It was a great day! Labor’s priority of developing a high-quality public education system is demonstrated through the big funding injection it has given to schools and further education institutes, especially in the north-west. The Treasurer provided \$23 million for computer upgrades, which is fantastic for education. Under the previous government education spent seven years in a black hole, but the Treasurer and the Minister for Education have lifted it up again.

In my electorate Sunbury Secondary College is a big winner. It will receive \$3 149 000 for a technology

upgrade, the modernisation of the school library and the installation of technology-enhanced classrooms for music and drama.

Broadmeadows Secondary College, which is in the Treasurer's electorate, will receive \$1 110 000 for the modernisation of its facilities, which is fantastic. In all, a total of \$283 million has been allocated for education infrastructure. Along with that, Sunbury Secondary College will be given \$45 516 as part of the government's Middle Years strategy. It is a targeted plan for students in the middle years of schooling — years 7 to 9 — that aims to improve literacy standards, increase attendance and participation rates, and encourage curriculum innovation.

Another big winner in my area is the Gladstone Park Secondary College. Having already been given a big boost last year by the Bracks government, this year under the Brumby government — the Brumby budget, I should say — it will receive a funding bonus of \$83 920, while Sunbury Downs Secondary College has been granted \$35 359 for its Middle Years strategy. This funding will be a great boost to what are already great local schools that were neglected by the former Kennett government, which hated the north-west. While the Kennett government squealed with delight every time it closed down a school — certainly the little Bulla Primary School in my electorate was an example of that — the Bracks government has given the people of Roxburgh Park even more reason to celebrate by providing funds to the sweet tune of \$4 million for the construction of a new secondary college. I thank the Treasurer for that. And I forgot the allocation of \$903 000, as well. I sound like the fellow on TV who sells steak knives by saying, 'But wait, there's more'.

A funding injection of \$3.1 million is coming to Sunbury for the Melba Conservatorium of Music. Sunbury will now be synonymous with music whenever the conservatorium is mentioned throughout the world. 'Melba at Sunbury' — what a sweet tune that makes! The conservatorium will include state-of-the-art practice and rehearsal rooms, teaching and sound studios and a library and recital hall. I know it will also please the Minister for Planning and Deputy Premier, who has also come into the house to listen to me, when I tell him that the money will result in the preservation of a great building in Sunbury. The project clearly secures Sunbury's place as an art and education precinct, and it is an example of a partnership between government and the community at its very best.

The north-west has done well given the sport and recreation funding it has received. The budget is great news for the Broadmeadows leisure centre. A lot of

people in my electorate of Tullamarine use the leisure centre, which will receive \$660 000 for work on stage 2 of the pool redevelopment. The leisure centre was neglected in the Kennett years. It again shows that the Kennett government hated the north-west.

The Sunbury Lawn Tennis Club will get \$60 000 for the construction of four floodlit, sand-filled artificial tennis courts. We almost have the Royal Sunbury Tennis Club, but not quite yet. The Tullamarine live steam society will get \$50 000 to construct a station building and community facility for the Bulla Hill railway. The live steam society gives great pleasure to the many young people who ride around on the little steam trains.

The Boardman stadium in Sunbury will prosper from the installation of an irrigation system to enhance the quality of the running track surface. Honourable members may recall that last year the Boardman stadium was flattened by a mini-tornado, but the Brumby government —

Honourable members interjecting.

Ms BEATTIE — So much talent!

The ACTING SPEAKER (Ms Davies) — Order! I know it is all very exciting, but I ask honourable members to calm down.

Ms BEATTIE — We have so much talent on the front bench.

Mr Leigh — On a point of order, Madam Acting Speaker, is it appropriate for ministers to be speaking from the backbench? There appears to be one over there!

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Mordialloc knows as well as do I that that is a frivolous point of order and is therefore not acceptable.

Ms BEATTIE — Again I am reminded that we have so much talent on the Labor front bench. Perhaps the most exciting news of all is the \$50 000 that has been allocated for the long-awaited Sunbury skate park, about which the previous member for Tullamarine just talked and talked and talked — —

Mr Leigh interjected.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Mordialloc will hold his peace.

Ms BEATTIE — The previous member for Tullamarine just talked and talked and talked about this project, but Brumby, Bracks and Beattie have delivered, with an allocation of \$50 000 for a park to cater for skateboarders and rollerbladers. It was fantastic when the Minister for Sport and Recreation came out and he and I had a skateboard ride down the road together!

I will now talk about transport. The people of the north-western residents will be pleased with the extension of the suburban rail network. Although it is not right in the heart of my electorate, the new rail network to Craigieburn, as well as the upgrade and extension of bus routes to Craigieburn, Roxburgh Park, Coolaroo and Broadmeadows, will benefit the whole of the north-east and again take the people of Tullamarine all over the north-west corridor. These additional services will meet the extra demand for public transport created by our growing population. We were well catered for by the road funding provided in the previous budget.

Clearly the Bracks government sees Melbourne's north-western region as an area of immense growth potential and it has invested so much in education, arts and public transport upgrades and capital works. Clearly Bracks, Brumby and Beattie are delivering for Tullamarine!

Honourable members interjecting.

Ms BEATTIE — What else can I say? Business taxes: again lower, fewer and simpler, with some \$774 million in tax cuts — —

Honourable members interjecting.

Ms BEATTIE — I am glad the honourable member for Glen Waverley is here. In his contribution he talked about the lack of major projects. Clearly we have a different definition of major projects. I regard the rebuilding of the Austin hospital as a major project — the biggest health project in Australia — but the honourable member for Glen Waverley just dismissed that out of hand. I regard schools funding as major project funding, but again he dismissed it out of hand. From this the opposition should learn why it was defeated at the last election, but it does not.

I contrast this budget — a terrific, strong budget — with the lacklustre performance of the opposition. The government has consulted with and listened to people. What has the opposition done? It has looked to nursery rhymes for its inspiration. On the Racial and Religious Tolerance Bill we saw the Leader of the Opposition

acting like Little Bo Peep. He came across here but left his sheep on the other side of the chamber.

Honourable members interjecting.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Tullamarine should not respond to interjections.

Ms BEATTIE — The shadow Attorney-General's next contribution to the parliamentary debate will be 'Who killed Cock Robin?'. That is his next exposé.

My congratulations go to the Treasurer, who has again come into the house, for the best ever budget for Tullamarine, proving again that Bracks, Brumby and Beattie deliver for Tullamarine!

Mr LEIGH (Mordialloc) — In the house tonight we have heard what really goes on in the government. Tomorrow I will look with interest at the Hansard greens to see that they are not altered because if they are I will ask the Speaker to check the record. Let's get the facts straight. The person who runs the government is not the Premier, better known as the Empty Suit. He is a nice man.

Honourable members interjecting.

Mr LEIGH — I said the Premier, the honourable member for Williamstown. The person who runs the government is the Treasurer. Twice tonight his acolyte over there said 'the Brumby government' and she said it all because what is going on — —

The ACTING SPEAKER (Ms Davies) — Order! I ask the honourable member to refer to other members of Parliament in the appropriate fashion and 'she' is not the appropriate fashion.

Mr LEIGH — The honourable member for Tullamarine said it all tonight as to who really runs the government. It isn't the Premier. He is the figurehead of the administration. He goes out there to be nice to people and give them cheques. The person who runs it is sitting opposite us in the house tonight — the person who on the night of the election and still today has his knapsack and that rattle, baton or whatever he has in that bag ready to be used in the future, the moment the polls change in any way. And over there sits one of his buddies, the honourable member for Tullamarine.

Mr Maclellan — Naked ambition!

Mr LEIGH — Naked ambition. You only needed to look at his reaction on polling night. As a member who has been here a while, one thing I remember well is a

comment of Frank Wilkes, a former Leader of the Opposition. He said that the things that happen in the Parliament never change, the issues never change, but the faces do. So true! I close my eyes and I see John Cain and Rob Jolly running the Parliament of Victoria and telling everybody how wonderful it was. I open my eyes and I still see them running the Parliament of Victoria today, all these years later.

In his book John Cain says that the watchdogs failed. Who were the watchdogs? They were the ministerial advisers like Steve Bracks, the Premier and honourable member for Williamstown, and the Deputy Premier and honourable member for Albert Park. You can go through the list of who the watchdogs were. These are not my words but former Premier Cain's words.

Look at the budget from a transport point of view. What does it really deliver? Does it deliver anything or nothing? Or is it, as one local paper in the southern suburbs, the Dandenong *Examiner*, describes the government, 'smoke and mirrors'. An article on 29 May about buses says that despite the allocation of \$189 million to replace 880 buses over four years across Victoria it is simply business as usual. For all the stories told by the government, it was simply the former Liberal government's policies running on. It is the *Titanic* being driven by this bunch but turning neither to the left or the right, just heading straight at that iceberg at 30 knots while a committee looks at what to do. Smoke and mirrors!

What did the government say it would deliver on roads? It promised the Scoresby freeway. It said to the feds, 'Give us some money and we'll put it in'. The government had better take it from the Howard government because if Beazley gets elected, we will see that he believes in road tolls. So the federal government has put in \$220 million, and on 8 August last year the Honourable Justin Madden, the then acting Minister for Transport, said, 'We've got the money. It's there. We've got the mechanism. We're ready to go'. What happened? Some \$2 million was allocated in the budget for the Scoresby freeway and not a cracker for getting on with road building. I refer the house to the Dingley bypass. John Brumby, then the Leader of the Opposition, said, 'If we're elected to government we'll start construction in the first year'. Where have we got to? The government is still buying land and planning it again, despite its being planned about 10 times under different governments, with environment effects statements being undertaken and the rest of it. Nothing! Smoke and mirrors!

I refer to the matter of reopening country rail lines. I will quote from an interesting article that appeared in

the local newspaper, the Leongatha *Great Southern Star* of 15 May. It is headlined 'What would make you use the train?' and states — —

An honourable member interjected.

Mr LEIGH — I am happy to give you a copy of it. It states:

While Bairnsdale residents warmly greeted the news the trains were returning to their town last Friday, there was something of a lukewarm response to the news in South Gippsland.

Why? Probably because we have seen it all before when another ALP Steve, the then transport spokesman, Steve Crabb, promised the return of the rail ahead of the election of the John Cain government.

Unfortunately, when the trains did return the first time (to much adulation in the community I might add), there was little willingness on behalf of the government to significantly upgrade the standard of the lines, the rolling stock, the timetable or the marketing of the service.

And the public responded accordingly.

They liked the idea of having the trains there but they rarely used them en masse because the train took too long to get to Melbourne, stopping at every little dung hill —

that is what it says —

along the way to the city, and there were constant delays.

Nothing has changed. The Bracks government is about smoke and mirrors. The Premier attacked me today about country rail lines and what should and should not happen. It is very interesting that he should want to attack me. What did this great man say in Bracksville? He said, 'There will be a 1-hour train service'. What did we get? Geelong looks likely to get the fast train before Ballarat, which is not what he said at the beginning. Secondly, the real time frame is not that 1-hour target. Is any private money being put toward it? Two years later there is not a cracker. The government keeps relaunching things. This is the relaunching consultative government. It has relaunched the Spencer Street railway station proposal three times, and the tendering process for the trains has been done at least twice.

The Treasurer and the Minister for Transport are arguing about how much the government should provide. The Treasurer said \$550 million, but the Minister for Transport seems to have lost in the cabinet, because he said it would cost about \$1 billion. The Treasurer wears the glasses and tries to act as if he is the former member for Brighton, but it is not working.

What have we got? Nothing, not a thing more. This is the man who came down to my neck of the woods and

said, 'I will give you all the road if you vote for me tomorrow'. What happened? I presume it does not mean anything now because he lost the leadership — he did not have the guts to stand up to Martin Kingham.

Where are we now? Access Economics said the project would cost \$80 million — —

Ms Campbell interjected.

Mr LEIGH — Goodness gracious me! Thank God you moved to Preston from Parkdale. Access Economics said it would cost \$80 million. The government said the trains would cost \$80 million — —

Ms Campbell interjected.

The ACTING SPEAKER (Ms Davies) — Order! The Minister for Community Services should let the honourable member get on with his contribution.

Mr LEIGH — The budget allocation blew out to \$920 million and then to \$1 billion plus or minus 30 per cent. If anyone believes the Labor Party ever did anything on budget, never mind under budget, forget it. The figure is now at \$1053 million. The next time tenders were taken a rubber was used to get rid of the 30 per cent either way. Still no-one is out there.

An honourable member interjected.

Mr LEIGH — Have I got a policy? I have exactly the same policies the Labor Party had at this time. I am out there talking to people, which Labor has forgotten how to do.

Let us look again at the south-eastern suburbs. The government promised a flyer train service to Frankston. According to the Premier, under the fast rail proposal it will take less time to get to Bracksville than it will to get to Frankston from the city. Frankston residents currently take longer to get to Melbourne than Ballarat residents will under the government's fast rail proposal.

The honourable member for Carrum boldly told everyone in her electorate that she could promise a \$270 million freeway that no-one in the Labor Party in their right mind was prepared to promise. She was in her electorate with the Minister for Transport last week promising it again. She said it would be built at some time in the future. She promised \$270 million, but what has happened? Nothing.

As I said from the outset, this government is about smoke and mirrors. In the brief time I have left in this debate I wish to make a point about Ballarat

particularly. How can you trust a Premier who cannot deliver or keep his promises to his own home town? Madam Acting Speaker, you will also have that problem. I will quote a letter from the Department of Infrastructure. It is a very nice letter to a whole range of people who live along what is called the Bungaree diversion. It is part of a loop on the Ballarat line that the government has to get rid of. It is where the government should look if it wants to use of some of the \$550 million and reduce time frames on the Ballarat line.

Firstly, the government introduced the program without telling a resident or anyone else. Following the announcement, when the people in the area looked at the local newspaper they saw a report that their land would be blighted by this scheme, and the government had not told the parties concerned. What did Premier Bracks then do? Nothing. After some months I forced the government to call a public meeting of the residents, and the honourable member for St Kilda — or Ballarat East, as I think he refers to himself — said he was getting on with it. A letter dated 5 June from the Department of Infrastructure, which I will make available to the house, if necessary, says, in part:

Millbrook to Dunnstown deviation — regional fast rail project

...

On 31 May the government released the expression of interest documentation to the market as the start of the bidding process ...

Work on whether the deviation is required between Millbrook and Dunnstown is still continuing, however this may not be resolved until the end of the tendering process early next year.

The government regrets the uncertainty ...

Farmers and others who live in the community have no knowledge of what is going on. At the public meeting the people supporting the fast train proposal put forward a great idea about how farmers could resolve the problem of crossing the track with their sheep. They said the train line should be buffered to protect them. The track will go right through the middle of one farmer's property. The head of the infrastructure group said, 'I do not understand what your problem is, because we are going to make a payment to you. With that payment you will be able to afford to hire a transport company to move your sheep from one side of the railway track to the other when you need to. Every time you want to move your sheep you will have to ring Ballarat to get a transport company out. There will be enough money for you in an account so you can afford to pay for that forever'. That is the sort of nonsense that is going on.

The people of Ballarat have to ask themselves, as do the people of Victoria, whether this smoke-and-mirrors government and this man who promises to deliver everything to Ballarat — as he moves the revenue office and everybody else he can think of up there — can be trusted to deliver when the people who are most affected by these proposals along the way are told nothing. They did not even know about all the former plans and studies that had gone on in the past.

Mr Maclellan — No doubt they will have a section 85.

Mr LEIGH — The honourable member for Pakenham says that whatever happens no doubt there will be a section 85; however, we cannot accuse the government of hypocrisy on this.

The Premier cannot be believed about what he will deliver to his own home town — remember, it went from \$80 million, to \$920 million, to \$1000 million and remember the arguments between the Treasurer and the Minister for Transport about who pays for what. When the government launched all this it did not even invite the people who were involved in the projects — for example, Freight Australia. The Minister for Transport thinks the head of Freight Australia should be replaced. The minister is so wise in business he says, ‘Sack the head of Freight Australia’, because the minister thinks he leaks information to me when he does not. It is his department that leaks information.

The Premier is not someone you can trust. He proved — just as John Cain proved all those years ago — that he can put up smoke and mirrors, but what happens is that the state gets destroyed. Nothing has changed. This is the same sort of government with the same ideas and the same claims; all that has happened is that Labor has replaced the faces and put up a new group of people. These are the understudies who knew it all, except for the real leader of the Bracks government, who runs everything and who was sitting up there in Canberra waiting to be called to the front bench. This government is heading Victoria down the trail of wasting and taxing the state out of existence.

Sadly, because of the government’s changes to democracy, we do not get an expanded time to talk on the budget. I am disappointed that you, Madam Acting Speaker, as someone who believed all this was going to change as part of the new arrangements of government, now that we have these restricted times — —

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Mordialloc should refrain from casting aspersions on the Chair. It is inappropriate,

and I ask the honourable member to stay on his budget speech.

Mr LEIGH — I will refer to the honourable member for Mildura, the honourable member for Gippsland East, and you, Madam Acting Speaker, who arranged for this to happen in this way. I referred to — —

The ACTING SPEAKER (Ms Davies) — Order! I have just said that it is inappropriate for the honourable member for Mordialloc to cast — —

Mr LEIGH — Yes, all right. Just relax. Democracy again, I see.

The ACTING SPEAKER (Ms Davies) — Order! I have just said it is inappropriate for the honourable member for Mordialloc to cast aspersions on the Chair. I ask him to treat whoever is in the chair with respect.

Mr LEIGH — Given that female members do not like being referred to as ‘her’, I find it almost offensive to be referred to as ‘him’.

The ACTING SPEAKER (Ms Davies) — Order! I will cease to hear the honourable member for Mordialloc if he does not speak with more respect and care.

Mr LEIGH — I always have great respect for the Chair; always. I will go no further.

I thought Parliament was going to have expanded opportunities under this new administration; instead, it has significantly less. As time goes by Victoria will see that this budget is smoke and mirrors, and the members and creators of this government will go down in history for what they are — participants in a game of smoke and mirrors that has massively damaged Victoria.

Ms CAMPBELL (Minister for Community Services) — It is with pleasure that I speak on the Appropriation (2001/2002) Bill and congratulate the Bracks government, and in particular the Treasurer, on delivering for today and building for tomorrow in our budget.

The budget is crystal clear in ensuring that people who need community services throughout this state will get more of them and that they will receive a higher quality of service. The views expressed by a wide range of community organisations since the budget are heartening. Many organisations, be they disability services, financial support services, family support networks or disability services, have stated that this is a

good budget. This budget ensures that people who need community services will receive them.

One of the reasons the budget is so good is that it was informed by a range of consultations with organisations that provide community services around Victoria. The views of those community service organisations and the government are not always identical, but we have an understanding that our decision making is much better informed by the contributions of a range of community organisations that contribute to the budget process.

The community care budget is the first item I will cover. I will quickly describe the big picture and how the budget affects community care in the Department of Human Services. Overall, community care has had a 7 per cent increase from \$497.7 million to \$532.7 million. The Department of Human Services receives an increase of 9.4 per cent, which will assist many of the individuals and families who use the community service divisions of the department. The increases will apply all the way from ambulance services right through to subacute health services.

The overall increase for community care includes \$14.75 million for new service initiatives and \$15.9 million for wages and other costs. In combination that is a very healthy injection into the community care budget.

Service funding is boosted to \$18.4 million through a \$3.7 million reallocation within the departmental budget. The department has worked very hard to achieve that reallocation to ensure there are better services for Victorians.

The 2001–02 state budget increases the placement and support program funding base. A \$7.5 million increase for residential care was announced in the budget, which brings the total increase for residential care since July 1999 to approximately \$23 million. When the government's first and second budgets are added together, one finds the spending of the previous government in this area has almost been doubled. Its funding was so poor that the future viability of residential services around the state was threatened. Because this government has almost doubled the previous government's spending and because it is also putting a big investment into restoring the quality of these vital services, there will be far better outcomes for young people who unfortunately need to use the services.

Included in the \$7.5 million increase was an amount of nearly half a million dollars to set up training for staff in the placement services. Honourable members would

be familiar with the fact that under the former Kennett government not only were residential services stripped of funds and then outsourced, but the staff training that should have occurred did not occur. The Bracks government under the first Brumby budget will ensure that there will be funding for the training of staff in the placement services.

Mr Maclellan — On a point of order, Madam Acting Speaker, I ask that as a matter of consistency you draw the minister's attention to the requirement you drew to the attention of previous speakers — that is, that they must not refer to 'Brumby' and 'Bracks' but must — —

Ms Campbell interjected.

The ACTING SPEAKER (Ms Davies) — Order! There is no point of order.

Honourable members interjecting.

Mr Maclellan — It is a matter of consistency.

Mr Leigh interjected.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Mordialloc! I ask the minister to take care to refer to other honourable members appropriately.

Ms CAMPBELL — Included in the \$7.5 million increase for residential care was nearly half a million dollars for staff training. This has been a significant improvement for the dedicated staff who work in the residential care system. They are absolutely delighted to be able to upskill their provision of services.

The government will continue to expand the building improvements in residential care. When the government came to office the residential care infrastructure was in a very sorry state. I remember showing the Public Accounts and Estimates Committee photographs of very unsatisfactory residential care facilities. Doors were broken, windows were broken — —

Ms Asher interjected.

Ms CAMPBELL — Acting Chair, I am painting a picture.

Opposition members interjecting.

The ACTING SPEAKER (Ms Davies) — Order! The opposition benches should come to order.

Ms CAMPBELL — The infrastructure in the residential care system was in a very sorry state. As a result of the government's first budget, it was improved. As a result of its second budget, more money is going in — \$17 million over the next four years. Improving the bricks and mortar — —

Mr Spry interjected.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Bellarine is getting excited.

Ms CAMPBELL — Golly, what a thought. Improving — —

Honourable members interjecting.

The ACTING SPEAKER (Ms Davies) — Order! I repeat, the honourable member for Bellarine is getting excited and should hold his tongue.

Ms CAMPBELL — By improving the basic bricks and mortar of residential care in Victoria we are sending to the children who use those facilities the message that they are important.

Ms Asher interjected.

The ACTING SPEAKER (Ms Davies) — Order! The shadow Treasurer should wait her turn.

Ms CAMPBELL — These services do matter. Decent, safe homes for young people in care and for all citizens should be provided. They are not a luxury in the 21st century. The government will ensure that young people live in appropriate accommodation. Caregiver payments have also been increased.

Ms Asher interjected.

The ACTING SPEAKER (Ms Davies) — Order! The shadow Treasurer should cease interjecting.

Ms CAMPBELL — Caregiver payments have been increased by an additional \$2.2 million in the past two years — a figure the government is very proud of. That increase has built on the 6 per cent funding increase allocated last year. Volunteer carers play an invaluable role in our community, and it would do the opposition — —

Honourable members interjecting.

Ms CAMPBELL — Volunteer caregivers who take on the important role of foster care should be supported by all governments, and I would think there would be a bipartisan approach to that.

Mr Wilson interjected.

Ms CAMPBELL — If the honourable member for Bennettswood has a problem with foster care payments — —

Mr Wilson interjected.

The ACTING SPEAKER (Ms Davies) — Order! That is the third time the honourable member for Bennettswood has spoken out of his turn. I ask him to hold his peace.

Ms CAMPBELL — Lastly, in relation to the important tertiary end of our work, an additional \$1 million has been provided in after-hour support in rural areas of Victoria for child protection workers. It is totally unsatisfactory that child protection workers have to work 24 hours a day. The extra \$1 million will enable all regional offices to be given additional money so that child protection workers do not have to work day and night.

I move to the early intervention side of my portfolio. Early intervention is very important for building up the community.

Mr Spry interjected.

Ms CAMPBELL — For the benefit of the honourable member for Bellarine, who cannot possibly sit in his seat any longer, I will refer to preschool services. Under this government preschools have received increased funding and are locked into recurrent funding. An amount of \$4 million has been allocated this year, on top of \$4 million in the previous year.

Ms Asher interjected.

Ms CAMPBELL — The shadow Treasurer wants to interject. I am happy to tell her — —

Ms Asher interjected.

Opposition members interjecting.

The ACTING SPEAKER (Ms Davies) — Order! The minister should not respond to interjections, and the opposition benches should allow the minister to speak.

Ms CAMPBELL — I would be delighted to tell honourable members that the \$8 million allocated by the Bracks government in its first two budgets is a vast improvement on what it inherited. The government has also ensured that preschools are far more affordable as

a result of the improvements for health care cardholders — and, guess what, as a result — —

Mr Maclellan interjected.

The ACTING SPEAKER (Ms Davies) — Order! I ask the honourable member for Pakenham to be silent. He is disorderly.

Ms CAMPBELL — I move on to the important role of disability services. They have been greatly improved as a result of the — —

Mr Maclellan interjected.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Pakenham is getting a bit excited.

Honourable members interjecting.

Ms CAMPBELL — In fact, Acting Speaker, opposition members are absolutely excited.

Mr Paterson — On a point of order, Acting Speaker, if you keep directing members to ‘hold their peaces’ this excitement will continue.

Honourable members interjecting.

Ms CAMPBELL — The government is delighted with the community services budget and with the improvements that have come about as a result of our combined work. For disability services the government has provided for an increase in the program budget of 7 per cent. That translates to disability service programs now receiving more than a total of \$713 million. That is a significant improvement. As a result of its work in the last two budgets the government has allocated an additional \$141.5 million. We are all very pleased with the fact that that has provided a 24.7 per cent increase.

Mr Wynne — How much?

Ms CAMPBELL — A 24.7 per cent increase. No wonder the opposition is getting excited. In this budget additional funding is provided for increased shared supported services. The government has ensured that assistance is given to young people with disabilities who are leaving school. It has provided additional in-home support services and increased respite services, and it has expanded the number of flexible care packages to better assist families who are caring for a family member with high support needs. In shorthand, that is exactly what this budget has delivered. As a result of its two budgets the government has improved disability services by 24.7 per cent. This is a budget that builds for today and delivers for tomorrow.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Polwarth has less than 1 minute before the house goes on to the adjournment debate.

Mr MULDER (Polwarth) — I wish to contribute to the debate on the Appropriation (2001/2002) Bill. I open by voicing my deep concern about the lack of funds provided to assist the fishermen along the coastal areas in relation to the now defunct marine national parks.

During my time in this Parliament, and particularly in my role as a member of an all-party parliamentary committee, I have had the opportunity to travel to New Zealand and see the establishment of marine national parks in that country. I understand what great benefits they would bring to my electorate of Polwarth.

Debate interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Seitz) — Order! Under sessional orders the time for the adjournment of the house has arrived. When the Appropriation (2001/2002) Bill next comes before the house the honourable member for Polwarth will have the call.

Premier and Cabinet: consultancies

Ms ASHER (Brighton) — I call on the Premier to take action to stop bankrolling Labor mates with consultancies — in particular that great Labor hack, Bill Russell. Bill Russell earned his living under the Cain and Kirner governments as a commissioner of the former State Electricity Commission, former secretary to the Department of Minerals and Energy and director-general of property and services. He ceased being a fat cat and moved on to consultancies under the former Labor government.

He stopped the Eastern Freeway extension and received money for conducting both health and parliamentary reviews. When the Bracks government came to power in 1999 it took less than two months for this man to be given a job — by the Premier no less! He was given a job as head of the audit committee looking at Kennett government contracts. His job, he said, was to dig up dirt on the Kennett government. He went all over Hawthorn, where he lives, saying, ‘My job is to dig up dirt on the Kennett government’.

What was he paid to dig up dirt on the Kennett government, despite finding none? According to freedom of information (FOI) documents released to

the opposition this man was paid \$1500 a day plus travel and expenses. I quote from the Premier's letter to him on 21 December 1999, which states:

I understand you are likely to spend four days a week on average on this review.

If that is the case — if he spent four days over four months, which the Premier thought likely — this man received \$96 000. He already has a second job, which I read about in the *Age* of 26 February. The Minister for Ports in another place, the Honourable Candy Broad, has appointed him to head a review of port reform. Through FOI the opposition has again found out how much this man is being paid. In this case it is \$1200 a day, plus expenses and facilities.

What facilities does this Labor hack receive? I quote from a letter dated 6 March from Mark Curry of the ports and marine division of the department, saying to this Labor hack:

In relation to other arrangements, a desk, telephone and other office equipment and support can be provided from Nauru House if required. I will await your advice on what facilities you need.

This man is getting everything: support staff, telephone, the lot. He is an absolute Labor hack and a drain on the public purse.

The opposition is told the project cap is \$50 000. Under FOI it also gained access to the agreement between the Department of Infrastructure and Professor Bill Russell for his 'professional services' or consultancy. I turn to the point labelled 'Performance standards'. What does that show? It is a blank sheet of paper! That is the performance standard the government requires of Bill Russell, this Labor hack. The man is a drain on the public purse.

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

Ambulance services: community officers

Mr RYAN (Leader of the National Party) — I refer the Minister for Health to an important issue relating to community ambulance officers. I raise the issue on behalf of a constituent, Mr Max Speedy of Mirboo North. Mr Speedy is a community ambulance officer, and he tells me that issues have recently arisen that are of particular importance not only to him but to all community ambulance officers.

Those officers play valuable first-response and transport roles in remote area locations. They help people who may be in need of ambulance assistance in

circumstances where there are no ambulance officers in the usually understood definition of that expression. Recently there came into the possession of Mr Speedy a document headed 'Enterprise bargaining: the battle commences'. It was issued by the Ambulance Employees Association of Victoria, signed by Mr Rod Morris and dated 11 May 2001.

The document sets out several assertions and claims made on behalf of the association in the name of Mr Morris that deal with the negotiations currently being undertaken before the Australian Industrial Relations Commission between state government representatives, the Metropolitan Ambulance Service and Rural Ambulance Victoria (RAV). The difficulty is that in the course of this enterprise bargaining document Mr Morris clearly makes inappropriate statements concerning community ambulance officers. At page 4 the document states in part:

RAV pay a minimum 8-hours pay for all operational employees responding to duty, but are only offering one-and-a-half hours for 'casuals' when they are called out. This is not acceptable and drives down your working conditions.

The document says in particular:

These people are employees who should receive appropriate recognition, title, pay, uniform and personal protective equipment to suit their qualifications and role. They should not be used as scabs to undermine ambulance paramedics and their award.

I seek assistance from the Minister for Health on two matters. The first is the importance he attaches to those critical individuals — the community ambulance officers. Secondly, I ask the minister to dissociate himself from the term used by Mr Rod Morris on behalf of his association to describe a group of people who in remote country localities brilliantly serve their communities by doing work that is utterly necessary to ensure the health and safety of the people in those communities.

Centre for Adult Education

Mr WYNNE (Richmond) — I refer the Minister for Post Compulsory Education, Training and Employment to the major educational services the Centre for Adult Education provides to many residents in my electorate. As members of this house would be aware, the CAE has a long and proud history of providing excellent services to thousands of Victorian adults.

In particular it provides crucial second-chance education for people seeking to re-enter the work force and further education opportunities for many older Victorians who are keen to upgrade their knowledge

and skills. While this sort of educational opportunity may not be crucial to residents in the leafy eastern suburbs, it is absolutely crucial to further opportunities for many hardworking constituents in my electorate.

As many honourable members would be aware, the electorate of Richmond is home to a vast and diverse community drawn from many ethnic backgrounds. People from around the world have chosen to live in Richmond through successive waves of migration to Australia. Providing educational opportunities has been crucial to these communities in enabling them to fully participate in and contribute to the Victorian economy.

The CAE has long been a focus point for this education. Honourable members may not know that one of Richmond's largest migrant groups, the Vietnamese community, uses the CAE extensively. For instance, 7 per cent of students enrolled in the English-as-a-second-language program at the CAE are Vietnamese. Vietnamese is also a popular language-other-than-English subject delivered by the CAE.

Unfortunately many residents comment that while they are happy with what is taught at the CAE — honourable members would be aware of its location just off Flinders Street in Melbourne — the current accommodation in Flinders Street is dilapidated and well below what any of us would regard as appropriate to community expectations.

I seek advice from the minister. Is she aware of the condition of the current CAE building, and does the government intend to improve the facilities of this longstanding provider?

One of the key points about the CAE is that it provides education for migrant communities. It gives people a leg up, an opportunity to improve their English language skills and to gain the confidence needed to seek out employment opportunities. In that respect the CAE has a proud history of service to this community. By any measure the level of educational service it provides is first rate, but unfortunately the building is in a very dilapidated condition. I call on the minister to inform the house of action —

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

Drysdale kindergarten

Mr SPRY (Bellarine) — I wish to address a question to the Minister for Community Services, who was in the house a moment ago. It concerns ongoing kindergarten crises, which have come to a head again,

this time at the Drysdale kindergarten. A fax arrived on my desk today with a heartfelt plea — 'We need help!'.

This kindergarten caters for 74 families. It was closed on Tuesday morning for the four-year-olds' session, and 24 families were affected. The vice-president and relief staff coordinator, Virginia Dyson, had to call 24 families between 7.00 a.m. and 7.30 a.m. because no relief staff was available. The situation is disgraceful and puts enormous strain on this parent-run kindergarten, where parent volunteers do everything from washing and sewing to gardening, quite apart from the total organisational responsibilities. Parents pay for the three-year-olds' teachers and assistants and \$17 000 for the director's wages, quite apart from significant fundraising efforts for playground equipment.

This parent organisation is at its wit's end. It is stretched beyond breaking point and has received little if any government support. At the same time its members are aghast at seeing selective funding going to kindergartens such as Lake Bolac, which was the gratuitous recipient of a \$15 000 relocation grant. 'Why some and not others?', they may well ask.

The minister has the capacity to address this issue. The Kirby report has been lying on her table since the end of April awaiting a response, which was promised a fortnight ago. As yet, there is dead silence. She apparently does not care. Why will she not address the discrepancy in pay rates between preschool and primary teachers and fix the teacher shortage in kindergartens?

I repeat: the Drysdale kindergarten is in crisis. It is at its wit's end. I ask the minister —

Mr Holding — On a point of order, Mr Acting Speaker, I have been listening carefully to the honourable member for Bellarine. At the beginning of his contribution he said that he wished to address a question to the Minister for Community Services. I have listened to his contribution, and he has not sought action; he has merely sought to ask a question. I ask you to direct him to request action of the minister and not to use the adjournment debate as a repeat of question time.

The ACTING SPEAKER (Mr Seitz) — Order! I have heard enough on the point of order. I uphold the point of order and ask the honourable member for Bellarine to clarify in a succinct way what action he requires from the minister.

Mr SPRY — I ask the minister will she help. Is she even aware of the crisis? Is she prepared to do her job?

Is she prepared to provide some help for this overworked and distressed kindergarten committee?

Disability services: Benalla

Ms ALLEN (Benalla) — I ask the Minister for Community Services to intervene in an important issue to provide for capital works projects in facilities that cater for people with disabilities in my electorate. This would ensure that they are able to participate in safe and comfortable work environments.

The Dame Pattie Menzies Centre, which has wonderful facilities and programs for people with disabilities, is an historic guesthouse on the outskirts of Alexandra, my home town. The carers at the centre are all locally employed people, many of whom I have known for a number of years, who provide a caring environment. Summer programs include swimming sessions, bus trips and the teaching of life skills for individuals to help develop independence in outer environments such as supermarket shopping situations.

Central Access is another centre in my electorate. It is the old Ballendella disability services centre, now run by Anthony Putt, who is a very capable person. He is doing a wonderful job of coordinating and providing an excellent service.

In particular, the building that houses Central Access is very old and badly in need of an upgrade. The disability staff working there, like the staff at the Dame Pattie Menzies Centre in Alexandra, produce wonderful programs. Its caring parent group, which is led by Mary Ginnivan, is run extremely well.

The minister needs to take action to ensure that they are given comfortable workplaces so they can continue to provide excellent services for the people in my electorate with disabilities.

Local government: rates

Mr HONEYWOOD (Warrandyte) — Through the Minister for Police and Emergency Services I raise for the attention of the Minister for Local Government the fact that, at a time of historically low interest rates, the Bracks Labor government is adhering slavishly to a 12.3 per cent interest rate on rate arrears — a rate set in 1989! — across all of Victoria's local councils.

Arthur Preusker, the keen editor of *The Local Paper*, one of my local publications, has taken up the issue for and on behalf of a number of severely affected ratepayers in the Park Orchards and Warrandyte areas of my electorate. It is an indictment of the government that while it claims to be concerned about local councils

and about open and transparent government, at a time when the industry average interest rate is 6 per cent, people who fall behind on their council rates are being required to pay double that.

As a separate matter, I would like the minister to find out why, even though under the Local Government Act 1999 they have the power to waive rates or arrange time payments, many local councils are not taking up the option to work out appropriate schemes for ratepayers, particularly elderly ratepayers, who fall behind on their rates.

I call on the minister to give local councils some guidelines to ensure we have schemes that can be individually tailored to the needs of individual ratepayers. It is appalling that at a time of record low interest rates anyone who falls behind because of economic circumstances has to pay over double the prevailing rate.

LPG: Gippsland

Mr INGRAM (Gippsland East) — I ask the Minister for Police and Emergency Services to raise with the Minister for Energy and Resources in another place the ever-increasing price of bottled liquefied petroleum gas (LPG) in country areas.

I ask the minister to investigate all possible measures to address the price of bottled gas, particularly for household use in areas not connected to the mains supply. Most people in my electorate do not have access to mains gas, and many have to use bottled LPG for cooking, heating and hot water. Of particular concern is the increase in the price of bottled gas in recent years.

I ask the minister to investigate the possibility of having the Office of the Regulator-General address the potential for adjusting the price of bottled gas and to find out what savings could be delivered to those householders who rely totally on LPG. For households dependant on LPG the proportion of the household budget taken up in purchasing bottled gas for heating and cooking is becoming quite daunting, particularly for low-income families, some of whom live in outlying areas and do not even have access to electricity.

I ask the minister to investigate what can be done to alleviate some of the cost burden on people who are heavily reliant on bottled gas and to address the concerns many of my constituents have raised with me.

Laburnum Primary School

Mr ROBINSON (Mitcham) — I seek an assurance from the Minister for Education that Laburnum Primary School's priority in the capital upgrades list will be maintained. The school council and the principal, Victor Brydy, have worked diligently on the upgrade project for a number of years. In the past few weeks they have completed the full planning process, which is an important precursor to the commencement of work.

At a meeting with the Department of Education, Employment and Training that was convened for the benefit of the school council on Friday of last week, a number of things became evident. The meeting provided an important opportunity for the school community to convey some concerns to the department.

At the meeting the principal and school council representatives were advised of a number of things, including the fact that the previous government had misled schools through the early and mid-1990s by providing funding for masterplans for projects that were later ditched. At one point early on in the previous government's tenure the preparation of masterplans was an important stepping stone to getting onto the schools capital upgrades list. The problem was that the former government changed its policy but conveniently forgot to tell the schools.

Secondly, the school representatives were advised that the new government facilities schedule, which was revised last year, has resulted in a far greater degree of resourcing for schools that are in upgrade mode, so much more intensive planning is needed. Thirdly, the school was advised that the scope of works had been allowed to grow to accommodate an enrolment adjustment that had been made in the school's favour late last year.

The Labor government committed itself to an upgrade of the school during the 1999 election campaign, and the scope of that work has increased from \$600 000 to \$1.7 million now. That is great news. However, the school community remains anxious that stage 2 funding should be delivered at the earliest opportunity. I seek from the minister her assistance and her assurance that that will happen.

I understand from the discussions last week that the minister's favourable consideration of the project would allow the work to commence early in 2002, which would be a tremendous outcome for the school and for all involved with it. It is one of the most outstanding schools in the state, having an enrolment of

600. I trust the minister will give the project every favourable consideration to enable the work to start.

Sheen Panel Service

Mr LUPTON (Knox) — I refer a matter to the Minister for Police and Emergency Services. On or around July 1999 a vehicle owned by the Royal District Nursing Service was involved in a motor accident and taken to Sheen Panel Service. An AMP assessor, Mr Manolaros, did an assessment on the vehicle and then called in a Mr Brockwell, who was an internal AMP investigator. He then referred the matter on to Detective Sergeant Linehan, who conducted an investigation.

The last page of Detective Sergeant Linehan's report following his investigation states:

Both the witness Manolaros (22 years experience) and the witness Wyngaard (Woods Accident Repair Centre — 30 years experience) are of the opinion further damage was caused to the vehicle —

after the initial collision. The report continues:

In my opinion, both these assessors have nothing to gain by giving false statements. They are both highly credible and experienced.

The fact of the matter is that Woods Accident Repair Centre, for whom Wyngaard works, subsequently got the job. Further in the report it says that Laker, who worked for Sheen —

... has either denied any knowledge of tampering or put his actions down to 'human error'.

To my mind that does not indicate an in-depth investigation. The report is dated 21 December 1999 and was submitted by Detective Sergeant Linehan.

Sheen Panel Service lodged a letter of complaint with the ethical standards department of Victoria Police in August 2000. A letter from its solicitor states:

On 26 April 2001 our inquiry of C/S —

that is, 'Chief Superintendent' —

Edward disclosed he had left a message with the disciplinary advice unit but a 'complication had arisen' and it may be up to another two months before a report is forthcoming.

The action I seek from the minister is for him to investigate this matter. It has been with the ethical standards department for some considerable time. Sheen Panel Service is suffering considerable financial hardship because it has now lost any panel beating or other work from the Royal District Nursing Service. I am further advised that AMP is not referring any panel

work to the company. The matter has been outstanding for a long time, and if the report is looked at in the hard light of day it would appear that the policeman involved is subject to investigation by the ethical standards department. I seek early clarification of the current situation. This period of time is excessive and unjustified.

Central Bayside Community Health Service

Ms LINDELL (Carrum) — I raise a matter for the Minister for Health concerning the Central Bayside Community Health Service, which provides a range of health services to residents of the Carrum electorate. Honourable members may recall that the Central Bayside Community Health Service primary site on Nepean Highway in Parkdale was the site of the former Mordialloc-Cheltenham Community Hospital which was so well and truly closed in the years of the Kennett government.

The health service was brought into some disrepute by the honourable member for Mordialloc earlier in this parliamentary sittings when he raised allegations of mismanagement relating to the amalgamation of Chelsea Community Health Centre and the Central Bayside Community Health Service in 1996.

Mr Leigh interjected.

Ms LINDELL — The allegation the honourable member for Mordialloc made was that — —

Mr Leigh interjected.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Mordialloc will get his call.

Ms LINDELL — During the amalgamation process the then Department of Health and Community Services advised both community health centres to desist from spending money, and while the Central Bayside Community Health Service obeyed that arrangement, the Chelsea Community Health Centre continued to expend funds.

I ask the minister what action he has taken to restore community confidence in the provision of appropriate health services by the Central Bayside Community Health Service. The honourable member for Mordialloc believes he can come into this place and question the actions of two voluntary boards of management involved in an amalgamation some five years ago because of his need to have his name splashed across local newspapers, rather than attending to his shadow ministerial work, which might benefit some of his

colleagues. I ask the Minister for Health what action he has taken to restore community confidence in Central Bayside Community Health Service.

Melbourne Unitarian Peace Memorial Church

Mr LEIGH (Mordialloc) — I raise a matter for the attention of the Treasurer and seek an examination of whether a particular organisation is entitled to land tax and rate exemptions. It is supposedly a church in East Melbourne called the Melbourne Unitarian Peace Memorial Church.

The church produces open letters to Steve Bracks entitled 'The state of the state'. It produces sermons reviewing proportional representation in Victoria — —

An honourable member interjected.

Mr LEIGH — I know you are! It has a considerable amount of money. The land is, I believe, unencumbered and worth several million dollars. It has a trust account of some hundreds of thousands of dollars, and I understand that in recent times there have been branch-stacking operations going on from the Victorian Labor Party. This organisation has become so hectic that there have been calls not to accept particular members because it is concerned those members are attempting to take the church over to gain its money.

I seek an examination of whether this church should do it. At the time the assistant secretary — against whom I make no allegations — was Bob Stensholt, now the honourable member for Burwood. I make this document available to the house. He and others moved that a person be admitted as a church member despite the fact that he had not been attending the church and was attempting to take over the church by branch stacking.

The member concerned was one Mr Telmo Languiller, the now —

Mr Stensholt — On a point of order, Mr Acting Speaker. I take offence at what the honourable member for Mordialloc has just said, which impugned my reputation by associating me with a publication like that. I ask him to withdraw his remarks.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Burwood has taken offence at the words used by the honourable member for Mordialloc. I ask the — —

Mr LEIGH — I have not attacked the honourable member for Burwood.

The ACTING SPEAKER (Mr Seitz) — Order! I ask the honourable member for Mordialloc to sit down while the Chair explains what has been requested of him. The honourable member for Burwood has taken offence at the words the honourable member for Mordialloc used to describe him. I ask the honourable member for Mordialloc to conform with the forms of this house and simply get up and say, ‘I withdraw’.

Mr LEIGH — Sir, I referred to him only as the acting assistant secretary. If he wants me to withdraw my comment that he was the acting assistant secretary, I am happy to do so. I did not insult him; I was questioning the honourable member for Sunshine — —

Ms Kosky interjected.

Mr LEIGH — I did not say anything about him, darling. I just said he was the assistant secretary.

The ACTING SPEAKER (Mr Seitz) — Order! I am asking the honourable member for Mordialloc whether he will withdraw.

Mr LEIGH — I withdraw.

Ms Kosky — On a point of order, Mr Acting Speaker, I take offence at the honourable member for Mordialloc calling me ‘darling’, and I ask him to withdraw.

The ACTING SPEAKER (Mr Seitz) — Order! The Minister for Post Compulsory Education, Training and Employment has asked the honourable member for Mordialloc to withdraw his remark. I ask the honourable member to get up and withdraw.

Mr LEIGH — It was not meant in any detrimental way. I withdraw the remark.

Responses

Ms KOSKY (Minister for Post Compulsory Education, Training and Employment) — The honourable member for Richmond brought to my attention an important matter relating to the current accommodation arrangements for the Centre for Adult Education. As many members in this house will know, the CAE is an important institution, not only in the history of adult education but also in terms of — —

Mr Haermeyer interjected.

Ms KOSKY — You wish! It is also important because of the incredible work it has done in assisting a whole range of people who are interested in literacy and language courses, including English as a second language, VCE English and languages other than

English. Each year the CAE provides courses for up to 40 000 Victorians. I have visited the CAE on a number of occasions, both as minister and as a participant in its courses, the standard of which I can vouch for. I am sure there are a number of honourable members who have attended courses at the CAE’s building in Flinders Street.

As the honourable member for Richmond has said, there are real concerns about the accommodation at the CAE. Anyone who attends courses there realises that the conditions are substandard. The previous government paid little if any attention to improving the accommodation at the CAE, expecting people to learn in substandard conditions. It is a shame the previous minister was not committed to ensuring that the participants could learn in good conditions, particularly given the fact that the CAE caters for a large number of people who are learning English or languages other than English or who are studying VCE English because they have been unable to succeed in ordinary schools.

I am pleased to announce that in this budget the CAE has been given an additional \$4 million for capital expenditure on its building. This injection of extra money means that the CAE will be able to fit out new premises and to fix up the annex of the old substandard building. It is terrific news for the centre, but more broadly for the people who go back time and again to participate in courses it offers.

Mr Honeywood — Has it got any students?

Ms KOSKY — The former Minister for Tertiary Education and Training, the honourable member for Warrandyte, asks if the CAE has any students. It is a shame he has not been there recently, because if he had he would know that the CAE is full of additional students. They include students who want to learn English as a second language as a VCE subject to equip themselves with the skills they require to find new opportunities in the work force. The extra \$4 million will enable new state-of-the-art science and laboratory facilities to be installed in the annex building in Degraes Street as well as pay for equipment for the new library and general classrooms at the CAE’s new site at 253 Flinders Lane.

In addition to this capital grant the CAE will receive an extra \$250 000 to establish online learning facilities that will allow it to provide even better services, particularly for elderly people wishing to become web enabled. These two grants come on top of an extra \$1.43 million that the government has made available to the centre to upgrade its information technology. That makes a total of \$5.68 million in additional money that the Bracks

government has invested in the Centre for Adult Education to allow it to modernise and upgrade its facilities. This will enable the CAE — —

Mr Baillieu — On a point of order, Mr Acting Speaker — —

Mr Thwaites interjected.

Mr Leigh (to Mr Thwaites) — He's been watching you, don't worry — and her!

Honourable members interjecting.

Mr Baillieu — According to the Auditor-General's report tabled last week, the CAE has suffered a funding decline in the past 12 months of over \$500 000. I seek clarification from the minister as to whether the money that is being assigned is going to recurrent funds or capital funds.

The ACTING SPEAKER (Mr Seitz) — Order! I do not uphold the point of order.

Ms KOSKY — I understand the concerns the honourable member for Hawthorn has, because he is very concerned that the previous government really paid no attention to the Centre for Adult Education. I know he is pretty keen on some of the training courses at the CAE. I will provide him with the booklet so he can do some training and upgrade the skills he needs, because he has really been absent from the debate in this Parliament. But I am very pleased to say we have provided a total of \$5.68 million in additional funds.

Mr Wynne — How much?

Ms KOSKY — We have provided \$5.68 million in additional money to the CAE to ensure that it continues to provide the excellent skills training it has provided over a long period. It had seven very dark years, but now the CAE knows that the government — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Seitz) — Order! The noise makes it difficult for Hansard and the Chair to hear.

Ms KOSKY — The CAE knows, as we do, that it really did require additional facilities and equipment so that it could provide state-of-the-art facilities. The Bracks government has delivered, and now the CAE will go on to bigger and better things.

Mr THWAITES (Minister for Health) — The Leader of the National Party raised an issue in relation to community ambulance officers. Certainly the

government believes community ambulance officers provide a very valuable service in many areas of Victoria. Community ambulance officers currently undertake some 220 hours of training for their role. In addition to that they have to undertake continuing training to ensure that their skills are updated on an ongoing basis. There are community ambulance officers at branches around rural Victoria, typically in small towns and typically where the caseloads are between 3 to 110 per year, so they are clearly in towns where there is not sufficient caseload to warrant a station staffed by professional ambulance officers.

There are also some stations that are staffed by community ambulance officers at some times of the year and professional officers at others. That depends upon the demand at different times of the year. The government certainly acknowledges the very important role community ambulance officers play. By the same token the government also believes the best possible service for a local community is through professionally trained ambulance officers, and that is why it is committing extra professionally trained ambulance officers to many locations throughout rural Victoria and is putting in extra money.

This year \$9 million of extra funding has gone into Rural Ambulance Victoria. That has assisted the government to provide two-officer crewing in many locations as well as providing extra mobile intensive care ambulance (MICA) services in many country areas. That extra MICA coverage is being established in Shepparton, Mildura, Warrnambool, Wodonga and Wangaratta — a good effort from the Bracks government. This is the sort of thing that we are doing right throughout rural Victoria. We are providing extra and better services than existed under the previous Liberal-National Party government.

The Leader of the National Party referred to a document that was sent out during the course of the enterprise bargaining negotiations by the secretary of the Ambulance Employees Association. The Leader of the National Party has made some criticisms of that. As I understand it, the document was raised in the context of an industrial dispute, and many of the statements will be met with different views from many different parts of the community.

I should clarify one aspect, and that is that the secretary of the union did in fact acknowledge that these people play a valuable role. I think he said they were well intentioned in the role they play. The honourable member I think also referred to other comments that were made. As I understand those comments, they were directed at ensuring that professional ambulance

officers are not replaced by community ambulance officers. But I am sure everyone, including representatives of the union, believes these people provide a valuable service. I believe it is in the interests of all of us to support the very important role community ambulance officers play as well as the very important role professional ambulance officers play in providing the highest quality service.

The honourable member for Carrum raised with me an important issue. She asked me what action I had taken to restore community confidence in the operation of community health services. In particular, she referred to allegations made in this house by the honourable member for Mordialloc. The honourable member for Mordialloc made unsubstantiated allegations in cowards' castle in the way he is renowned for doing.

Mr Leigh — On a point of order, Mr Acting Speaker, I simply make the point that what I referred to were copies of letters from the Auditor-General to the regional director of health.

The ACTING SPEAKER (Mr Seitz) — Order! There is no point of order.

Mr THWAITES — The honourable member for Mordialloc is an embarrassment not only to this side of Parliament; he is an embarrassment to his own side of Parliament. The reality is that behind his back most of his colleagues say that he is a joke. He is a joke, and once again his allegations have been proved to be totally baseless and totally unsubstantiated. What he has done is make allegations. He has then sent them off to the department and the Auditor-General, who have appropriately said, 'Yes, we will investigate them'. Then this honourable member has said there is an investigation into his allegations, as though in some way the parties are guilty.

I am very happy to advise the honourable member for Mordialloc that an independent audit has been carried out, and the audit has found that there is absolutely no evidence whatsoever for the allegations the honourable member has made. All he has done is once again demonstrate that he gets it wrong time and again, and perhaps it would be better for him to concentrate on doing his job as a shadow transport minister. He fails there dismally every time. We are so pleased to have him there. We are so pleased to have him, because his allegations in this, as in all other cases, never hit the mark. He has never once hit the mark. In this case the audit finding was that the review of the Chelsea Community Health Centre financial statements and financial transactions indicated that at the time of the

amalgamation Chelsea Community Health Centre funds would have been fully committed for payment.

After the amalgamation, financial reports were prepared for the amalgamated organisation — —

Mr Leigh — Would the minister — —

The ACTING SPEAKER (Mr Seitz) — Order! I have not given the honourable member the call yet! The honourable member for Mordialloc will wait until the Chair gives him the call.

Mr Leigh — On a point of order, will the minister make the full file available to the Parliament and lay it on the table of the library to save me the trouble of putting in an FOI request?

The ACTING SPEAKER (Mr Seitz) — Order! Can the Minister for Health sit down? Slowly, I want to hear the point of order of the honourable member for Mordialloc.

Mr Leigh — On the point of order, I believe in fairness. As the minister wants to make these allegations, he should make the entire file available in the parliamentary library.

Mr THWAITES — If the honourable member wants to raise points by way of a question he can do that in question time. At this stage I am responding to a matter raised by the honourable member for Carrum, which I propose to continue with.

The ACTING SPEAKER (Mr Seitz) — Order! I do not uphold the point of order.

Mr THWAITES — The honourable member for Mordialloc has again raised a matter that is totally unsubstantiated by the evidence. The review has demonstrated quite clearly that the assets and liabilities of the Chelsea Community Health Centre have been fully accounted for in all the correct ways. Not only that, but the chief executive officer of Central Bayside Community Health Services has also endorsed this position and indicated that Central Bayside Community Health Services is confident the reserves available from Chelsea were appropriately used on agreed purposes. That is stated in a letter dated 5 April, which I am happy to make available to the honourable member and to Parliament.

I say this to the honourable member for Mordialloc: he is the member who presided over the closure of his local hospital and now, instead of doing the right thing by his community and supporting the community health service, he is throwing mud. While he might

think it is a game to throw mud at the honourable member for Carrum, in fact it is the community health service that is suffering. People expect, perhaps wrongly, that a member of Parliament would check the facts before making allegations against a community health service, but this member does not check his facts. He gets them wrong time and again. He is an embarrassment to this side, and to the other side of politics. He should just try to concentrate on his job — he is having trouble doing it — of being the shadow Minister for Transport.

The ACTING SPEAKER (Mr Seitz) — Order! Before I call the Minister for Education I inform the house that it is a protocol of this place that honourable members who stand to raise a point of order wait until they get the call from the Chair. I know it has been a long three weeks of sitting; however, we have one more day, so I ask honourable members to observe the forms of the house.

Ms DELAHUNTY (Minister for Education) — The matter raised by the honourable member for Mitcham concerns the facilities upgrade at Laburnum Primary School. We can contrast the honourable member for Mitcham and his diligent advocacy for his schools with some members in this place who are not really concerned about improving conditions for their constituents but just hurling mud.

Last year Laburnum Primary School was announced for full planning, including the provision of new general purpose classrooms at a cost of around \$900 000. The Department of Education, Employment and Training requires full planning projects to achieve design documentation by the end of November so that the bids can be put into process. Because of the delays in working out the school's long-term enrolments, the identification of special factors and the time taken by the school to complete the documentation, it missed the deadline for November and the project did not go forward. However, there has been a sort of consolation prize.

The department and the government are keen to provide the best learning facilities possible. We are prepared to work with the school councils and the school community to ensure that any upgrades or redevelopments fit the needs of the students and accommodate projected enrolments. Now an agreement has been reached that the project cost will be approximately \$1.8 million. This is double what was originally announced but will provide a more appropriate solution to the needs of the school —

The ACTING SPEAKER (Mr Seitz) — Order! There is too much audible conversation.

Ms DELAHUNTY — The \$1.8 million, the honourable member will be interested to learn, will now include provision for general purpose classrooms, and two classrooms will be provided to meet the requirement of the 1:21 ratio for P-2 classes.

Class sizes are coming down right across the state. Primary schools are reporting class sizes plummeting under the investment of this government. We provide the additional teachers, the additional programs and, at Laburnum, we will provide the extra classrooms. There will be an art-craft classroom, a full-sized gymnasium, a canteen, a senior personnel office and a staff work space, and relocatable classrooms will be placed on site to allow the construction to begin.

The project documentation has been fully completed, and it will proceed to tender with architects fees of approximately \$110 000 — the honourable member will be pleased to know — having been provided to the school. The school now has the green light for the substantial facilities upgrade.

The diligence of the honourable member not only has provided a good outcome for Laburnum Primary School but has pulled back the shroud over the mysteries of the process of upgrades and capital improvements in schools under the previous government. The previous government misled school after school; announcements meant nothing; wish lists were nothing more than just wish lists. The government has changed the facility schedule. It is open and transparent, and at last schools understand how their capital upgrades will proceed.

I would like to congratulate the principal, Victor Brydy, who has worked very closely with the department, the school councillors and the honourable member for Mitcham. The meeting with the department's facilities division and representatives of the school convened by the honourable member for Mitcham and held last Friday was immensely successful. The meeting is a template for the way schools and the department under the Bracks government operate to serve our students.

Ms CAMPBELL (Minister for Community Services) — I thank the honourable member for Benalla for raising a matter with me concerning the important issue of minor capital works for disability services throughout Victoria. The honourable member introduced me to a number of services in her electorate, the Central Access and Dame Pattie Menzies centres. They are both excellent centres that provide —

Mr Haermeyer — On a point of order, Mr Acting Speaker, the honourable member for Sandringham seems to have been whistling ‘Dixie’ for the past 5 or 10 minutes. I find that rather distracting. I ask that you ask him to desist from doing so.

Mr McArthur — On the point of order, Mr Acting Speaker, only one party has whistled ‘Dixie’ in this place today, and that is the Labor Party.

The ACTING SPEAKER (Mr Seitz) — Order! I will not even consider the honourable member’s response to the point of order. I had not given him the call. I remind the honourable member for Monbulk that as the manager of opposition business he should know the forms of the house. I have cautioned the house before that if honourable members wish to raise a point of order they should wait until the Chair gives them the call. It is very disorderly not to do so. As a senior member of this house he should know the forms of the house. There is no point of order.

Ms CAMPBELL — I had the privilege of joining the honourable member for Benalla in visiting the Central Access and Dame Pattie Menzies centres. They provide wonderful programs for people in her electorate and surrounds. I thank the honourable member for her interest in this topic. I also want to ensure that the infrastructure for day programs provided in Victoria is of the highest standard. To that end, I am pleased to inform the honourable member that the Dame Pattie Menzies Centre in the Hume region has been allocated \$7854 for reverse cycle airconditioning, which should make life much better for the people there with disabilities and the staff. I also advise that the Central Access service in Benalla has been allocated \$20 000 for evaporative cooler upgrades. I trust the honourable member is able to give that good news to her electorate.

The matter raised by the honourable member for Bellarine goes to the heart of a very important issue — that is, the work of preschools throughout Victoria. In 1994 the former government slashed around 20 per cent of the funding to the preschool sector and then handed over the running of preschools to voluntary committees of management. Of course, as a result of that funding cut and the handover of management to the committees of management the preschool voluntary sector has had a monumental task. I am pleased to inform the honourable member that as a result of work I have undertaken since becoming the responsible minister the role of voluntary committees of management has been reviewed and additional support has been provided to them to ensure that parents are not expected to perform an unreasonable amount of work or are exposed to unreasonable financial and legal risks.

On the issue of staffing, Victoria presented a paper at the children’s services ministerial advisory council in March to ensure that work force planning is right on the agenda, not only here in Victoria but also nationally. As a result of the work undertaken, the role of committees of management has been minimised, with payroll support now being provided. The government is working with Kindergarten Parents Victoria and the Australian Education Union to ensure that more staff are available for the preschool sector.

Mr Honeywood — On a point of order, Mr Acting Speaker, I raised an issue, but it seems to have fallen through the vortex of your observations.

The ACTING SPEAKER (Mr Seitz) — Order! Touché. Enough on the point of order.

Mr Honeywood — On a new point of order, Mr Acting Speaker, this government promised it would have an open and transparent style of government. I raised an issue with the Minister for Local Government. While I understand that the ministers have been imbibing alcoholic beverages to some extent this evening, I call upon him to come into the chamber rather than flick pass the matter to a ministerial colleague.

The ACTING SPEAKER (Mr Seitz) — Order! There is no point of order. As the honourable member well knows, the Chair does not call ministers in here to answer questions — that is beyond the power of the Chair. I will ask the Minister for Police and Emergency Services, who is at the table, to respond to the matter raised by the honourable member for Warrandyte.

Mr HAERMAYER (Minister for Police and Emergency Services) — The honourable member for Warrandyte raised for the Minister for Local Government the matter of council rating policies.

Mr Honeywood interjected.

Mr HAERMAYER — The honourable member for Warrandyte is interjecting, ‘Where is he?’. I have to say when the honourable member for Warrandyte was a minister he on numerous occasions failed to attend in the house when matters were drawn to his attention. His crocodile tears ring very hollow with me, Sir, very hollow! Notwithstanding his despicable and woeful hypocrisy, I will refer that matter to the attention of the Minister for Local Government.

The honourable member for Brighton raised a matter — again a bit of a sleazy character assassination — concerning Professor Bill Russell and consultancies. Nevertheless I will refer that to the Premier, as she has requested.

The honourable member for Gippsland East raised for the attention of the Minister for Energy and Resources in another place the very serious matter of access to gas mains. I will ensure that is drawn to the attention of that minister.

Mr Leigh interjected.

Mr HAERMEYER — The honourable member for Mordialloc, in the vein raised by the honourable member for Carrum earlier tonight, has once again misused the forms of this place.

Mr Leigh — On a point of order, Mr Acting Speaker, just to ensure that we get the facts, does the minister — I know this is a church that many Labor ministers attend — attend this alleged church? If he does, could he not answer the question because I want it passed to the Treasurer.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Mordialloc well knows he cannot use a point of order to make a statement. There is no point of order.

Mr HAERMEYER — The honourable member for Mordialloc has once again in a despicable and sleazy way used the forms of this place to assassinate characters and to make a allegations he does not have the intestinal fortitude to raise outside this place. I will draw them to the attention of the Treasurer, but I am sure the Treasurer will treat them with the contempt they deserve.

Finally, the honourable member for Knox raised a genuine issue, unlike the honourable member for Mordialloc, who uses this place to character assassinate and establish his credentials as the village idiot. The honourable member for Knox raised a serious matter relating to the Royal District Nursing Service and some panel work done on its behalf. He believes the matter, which relates to Sheen Panel Service Pty Ltd, involves some allegations of improper conduct that have unfairly afflicted that panel repair operation and that the matter is the subject of some investigation by the ethical standards department of the Victoria Police.

These are very serious matters of legitimate concern. I am reluctant to comment on them tonight, not knowing their full details, but I will certainly raise them for the attention of the Victoria Police and in due course the honourable member for Knox will get a full reply to the matter he has raised in good faith.

The ACTING SPEAKER (Mr Seitz) — Order!
The house stands adjourned.

House adjourned 11.06 p.m.