

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

Book 1

16 August 2001

Bendigo

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

Lady SOUTHEY, AM

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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

CONTENTS

THURSDAY, 16 AUGUST 2001

PROCLAMATION	1	ADJOURNMENT	
BUSINESS OF THE HOUSE		<i>Country Fire Authority: volunteers</i>	47
<i>Broadcasting and televising of proceedings</i>	1	<i>Housing: Geelong</i>	47
DISTINGUISHED VISITORS	1, 6, 22	<i>Preschools: funding</i>	48
ADDRESS BY MAYOR OF GREATER BENDIGO	1	<i>Housing: Seymour</i>	48
PETITIONS		<i>Payroll tax: government policy</i>	49
<i>Women's Petition</i>	7	<i>Schools: funding</i>	49
<i>Housing: loan schemes</i>	7	<i>Bendigo: opinion polling</i>	50
<i>Libraries: funding</i>	7	<i>Employment: rural and regional Victoria</i>	50
<i>Brooke Street, Inglewood: traffic control</i>	8	<i>Forests: box-ironbark</i>	51
<i>Rail: Tullamarine link</i>	8	<i>Hume: Sunbury rates</i>	51
<i>Apple and pear industry: fire blight</i>	8	<i>Bridges: funding</i>	51
<i>Eastmoor Primary School site</i>	8	<i>Responses</i>	52
COUNCIL OF AUSTRALIAN GOVERNMENTS		<i>Parliament: Bendigo sitting</i>	59
<i>Communiqué</i>	8	MEMBERS INDEX	i
COMMONWEALTH TREATY DOCUMENTS			
<i>International treaty making</i>	9		
SCRUTINY OF ACTS AND REGULATIONS			
COMMITTEE			
<i>Alert Digest No. 8</i>	9		
PAPERS	10		
ROYAL ASSENT	11		
MEMBERS STATEMENTS			
<i>Wild dogs: control</i>	11		
<i>Parliament: Bendigo sitting</i>	11, 13		
<i>Preschools: funding</i>	12		
<i>Stella Webster</i>	12		
<i>Ambulance services: community officers</i>	12		
<i>Rural and regional Victoria: tenders</i>	13		
<i>Member for Mordialloc: conduct</i>	13		
<i>Nurses: industrial dispute</i>	13		
<i>Planning: outer north-west corridor</i>	14		
VOLUNTEERS: CONTRIBUTIONS.....	14		
QUESTIONS WITHOUT NOTICE			
<i>Employment: rural and regional Victoria</i>	22		
<i>Essendon Airport: sale</i>	22		
<i>Rail: regional links</i>	23		
<i>Bendigo Health Care Group</i>	23		
<i>Employment: Bendigo</i>	24		
<i>Rail: freight containers</i>	25		
<i>Water: Wimmera-Mallee pipeline</i>	26		
<i>Workcover: management</i>	26		
<i>Gaming: regional machine caps</i>	27		
<i>Water: sustainable management</i>	27		
DRUGS, POISONS AND CONTROLLED			
SUBSTANCES (AMENDMENT) BILL			
<i>Second reading</i>	28		
CRIMES (VALIDATION OF ORDERS) BILL			
<i>Second reading</i>	31		

BENDIGO**Thursday, 16 August 2001**

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 11.05 a.m. and read the prayer.

PROCLAMATION

The SPEAKER — Order! I have received the following message from the Governor:

WHEREAS:

- A. By proclamation made on 7 October 1999 by Sir James Gobbo, AC, then the Governor of the state of Victoria, pursuant to section 8 and section 20 of the Constitution Act 1975, fixed 3 November 1999 at 11.00 a.m. as the time for the commencement and holding of the first session of the 54th Parliament of Victoria for the dispatch of business, at the Parliament houses, Melbourne.
- B. Pursuant to section 8(1) of the Constitution Act 1975 the Governor is empowered to vary and alter the places fixed within Victoria and the times fixed for holding every session of the Legislative Council and of the Legislative Assembly.

I, John Michael Landy, AC, MBE, Governor of the state of Victoria, acting under section 8 and section 20 of the Constitution Act 1975 and all other powers vested in me:

1. hereby vary and alter the place for holding the first session of the Legislative Council which would otherwise have been held in the houses of Parliament, Melbourne on Thursday, 16 August 2001, to the Ballarat town hall at 219–231 Sturt Street in the city of Ballarat and thereafter, when the Legislative Council has completed its business on that day, to the houses of Parliament, Melbourne, on the next day of sitting appointed by the Legislative Council.
2. hereby vary and alter the place for holding the first session of the Legislative Assembly which would otherwise have been held in the houses of Parliament, Melbourne on Thursday, 16 August 2001, to the Bendigo town hall at 189 Hargreaves Street in the city of Bendigo and thereafter, when the Legislative Assembly has completed its business on that day, to the houses of Parliament, Melbourne, on the next day of sitting appointed by the Legislative Assembly.

Given under my hand and the seal of the state of Victoria at Melbourne, this third day of August 2001.

John Michael Landy

Governor

By His Excellency's command

It therefore gives me great pleasure to declare open this session of the Legislative Assembly of the Parliament of Victoria at the Bendigo town hall.

BUSINESS OF THE HOUSE**Broadcasting and televising of proceedings**

The SPEAKER — Order! I advise the house that due to the historic nature of today's sitting, I have approved the additional provision of cameras and lighting in the chamber.

DISTINGUISHED VISITORS

The SPEAKER — Order! Pursuant to a previous resolution of the house I now ask the Serjeant-at-Arms to escort Cr Barry Ackerman, the mayor of the City of Greater Bendigo, to the floor of the chamber.

Mayor escorted into chamber by Serjeant-at-Arms.

The SPEAKER — Order! It is my pleasure to also welcome to the gallery today representatives and councillors of the City of Greater Bendigo: I welcome Cr Laurie Whelan, Cr Willi Carney, Cr Ann Jones, Cr Maurie Sharkey and Cr Daryl McClure.

We also have with us from neighbouring municipalities Cr John Brook, the mayor of the Shire of Loddon; Cr Peter Williams, mayor of the Shire of Campaspe; Cr David McCullough, mayor of the Shire of Mitchell, and Cr Geoff Austerberry, mayor of the Shire of Mount Alexander. I welcome those local government representatives from the region.

Honourable Members — Hear, hear!

The SPEAKER — Order! It gives me particular pleasure to also welcome to the gallery former members of this house who have represented Bendigo in previous parliaments: the Honourable Michael John, who served between 1985 and 1999; Mr David Kennedy, who served between 1982 and 1992; and Mr Daryl McClure, who served between 1973 and 1982. I especially welcome Mr David Lea, who served the Parliament as the member for Sandringham between 1985 and 1992 and who is now a resident of Bendigo.

I welcome you all, and I hope you find today's proceedings enjoyable as well as informative.

ADDRESS BY MAYOR OF GREATER BENDIGO

The SPEAKER — Order! Pursuant to a previous resolution of the house it gives me great pleasure to

invite Cr Barry Ackerman, the Mayor of the City of Greater Bendigo, to address the Legislative Assembly.

Cr ACKERMAN — Mr Speaker, Mr Premier, the Honourable Steve Bracks, the Leader of the Opposition, the Honourable Denis Napthine, the Leader of the National Party, Mr Peter Ryan, and honourable members, this is an historic day — the centenary of statehood. On behalf of the people of Greater Bendigo I welcome you all to this wonderful, newly restored venue and to our city — a city born 150 years ago next month in the gold rush that built a nation.

Twenty-two million ounces of gold came from the Bendigo field, way above the rest of Victoria combined. It was largely Bendigo gold that created the marvellous Melbourne of fine buildings and streetscapes.

Bendigo has been home to many great Australian traditions: in retailing, the Myer empire, whose first store opened here in 1900; Bendigo Bank's enormously successful community bank network; the recently re-opened Bendigo stock exchange; and the world's oldest and also the longest imperial Chinese dragon. We are even home to the Chico roll!

Bendigo has also been home to some notable Australians, like Sir John Quick, who ended the deadlock over federation at the historic Corowa convention, and Billy Hughes, who was the federal member for Bendigo for much of his term as Prime Minister. In fact some 66 people have represented Bendigo in the Victorian Parliament, yet only one of these has been a woman, Jacinta Allan, the current honourable member for Bendigo East.

Gold is history, but it will also play a part in our future, with plans by Bendigo Mining NL to return the goldfield to production very soon. This project is Victoria's North West Shelf, unmatched in economic potential.

We note and welcome the renewed focus on regional affairs by all honourable members. We are pressing a range of ideas in talks with government and others. They include employment initiatives such as providing incentives for superannuation funds to invest in regional infrastructure; regional enterprise tax zones as a special regional development incentive to industry; the relocation of government departments to regional areas; the fast train proposal; upgrades to our airport and the regional road network; and better communications technology for each regional town.

At a state level we value what is happening to redevelop infrastructure and to address regional

disadvantages. That brings me to my main message for today, which is about developing a statewide strategy so our two tiers of government work together to achieve these and other goals for those we serve.

To quote the government, there is now a focus on developing working partnerships with local government and on local communities working together to plan, to anticipate needs, and to identify and remove impediments to success. I want to stress that local government is ready to play its part.

In Victoria we now have a structure that is more like regional governance — able to lead locally, to influence regional economy and to make a difference on social issues. In every poll our residents say the single most important task for council is to stimulate economic growth and jobs.

We see the next step in forging this partnership as this. The council, the community and honourable members must work together to develop a strategy which details the delivery of all state and local government services, which sets out plans and priorities for infrastructure and economic development and which identifies the social issues and how we intend to address them.

We must build on the strategy for the Melbourne initiative and have a strategy for the whole of Victoria, a strategy that plans to spread our population more evenly over the whole of the state.

I know that planning takes place every day in every corner of government, but let us do it together with a transparent process that invites the community and council to participate, just as Parliament requires every council to do. I commend this strategy plan to you, Sir, as a way forward for state and regional governments.

Finally, Mr Speaker, in welcoming you and the Parliament to Bendigo, I note that the last time members of Parliament convened away from Spring Street was to make way for a new commonwealth Parliament. That temporary move lasted 26 years. We would be delighted to have you stay on in Bendigo for a similar period!

Mr BRACKS (Premier) (*By leave*) — I thank the house for granting me leave to respond to the mayor of the City of Greater Bendigo, Cr Barry Ackerman. I respond initially by congratulating the City of Greater Bendigo for the work it has done in preparing for this parliamentary sitting — it is second to none. I know that the clerks and the staff of the Parliament join me in congratulating the councillors, the officers of the council and all those who cooperated to make sure that this sitting of Parliament is truly historical and

meaningful as well. Your words today, Mr Mayor, indicate the importance you place on this meeting in preparing and working in partnership with the state government and having a vision for regional development. I thank you very much.

The state government is pleased to have contributed to the refurbishment of this magnificent building. When I walked in here I thought I was in the Legislative Assembly of the Victorian Parliament in Spring Street. It resembles the architecture with the friezes and the gold work that has been picked out and painted. It also strongly resembles the atmosphere of the Legislative Assembly in Spring Street.

I am pleased the government has played some part in the refurbishment through cooperating with the council and contributing through the Minister for Planning's department a \$900 000 heritage grant, of which \$600 000 has already been spent on this renovation. All members of Parliament can see that it has been money well spent, because this great building has been restored to what it was. It has been restored as a building of great national significance that will be preserved for many years to come. Again I thank the mayor of the City of Greater Bendigo and all those involved for their cooperation in supporting this sitting of the Victorian Parliament.

Mr Speaker, this is the first time the Victorian Parliament has sat outside Melbourne, and I am very pleased that Bendigo was selected as the venue. The Bendigo area was instrumental and fundamental in the move to democratic traditions in Victoria. If you look back 150 years ago and see the sort of state and regions we had at that time you would note that we were still part of the colony of New South Wales. It was 150 years ago that Victoria was separated from New South Wales. That move for statehood, or a separate colony, was driven on the goldfields of Bendigo and Ballarat. That spirit of democracy was garnished by people from different countries — that is, immigrants from China, Germany, Italy and Irish prospectors — who all carried the spirit of democracy. It is a good reason to be here.

The other important reason for being here is that this is the centenary of our nationhood, our federation. Again Bendigo played a big part in that 100 years ago. The miners and prospectors not only helped to ensure Victoria overwhelmingly voted for Federation for the first time in our history but they also spread the word in other states of Australia in places such as Kalgoorlie. They moved interstate saying that they needed a nation and influencing workers in other parts of Australia to vote for Federation. We should not forget that it was a

very close vote. Some states, including Western Australia and Queensland, almost voted not to join a federated Australia. It was the work of prospectors and miners and the democratic spirit that was here in Victoria that influenced that outcome to the point that we can now celebrate our centenary of Federation.

The third reason for being here is the government's clear objective of making sure that it governs not just for the central business district of Melbourne but for the whole of Victoria; that is certainly its aim. That is why the government has community cabinets going out to regional Victoria, it is why it has held this sitting in Bendigo in regional Victoria, and it is why, I am very pleased to say, in a bipartisan move, the Legislative Council is sitting concurrently with this house in Ballarat today.

I congratulate the Legislative Council on making that move and having a concurrent sitting in another major provincial centre in Victoria. I note that its agenda is similar to our agenda today — a vigorous question time, an adjournment debate where ministers will be asked questions, and legislation to be debated. The times for the sitting of the Legislative Assembly here are being replicated in the sitting of the Legislative Council as set down by the President, Mr Chamberlain, in Ballarat. I welcome that bipartisan view on the importance of Parliament sitting in regional centres.

I conclude by saying that Bendigo has made an enormous contribution to the formation of the nation. In 1893 Sir John Quick, the son of a Bendigo miner and a favourite son of Bendigo, went to the people's convention at Corowa, which will be re-enacted later this year. He framed and won support for a constitutional conference and a plebiscite for members of that conference which ultimately led to the formation of the constitution of the Commonwealth of Australia. The contribution of Sir John Quick and the people of Bendigo to the formation of our nation was enormous.

Bendigo has had a rich and strong part in the history of what has been formed. Also, we can look forward to a bright future for Bendigo, as the mayor eloquently pointed out in his address. I reply to the mayor by saying that the government takes seriously its commitment to working in partnership with local government. As the mayor would testify, the government has regular annual summits of mayors from around Victoria that are attended by ministers. Provincial mayors meet regularly with the Treasurer, the Minister for Local Government and me. We are working in partnership.

We want to advance that partnership further, and our vision for the state of Victoria is similar to the vision Cr Ackerman has for his region, a vision of provincial centres — Ballarat, Bendigo, Geelong and the Latrobe Valley and the regions that surround them — linked up with better transport access, such as fast rail links, and better communication links, so that populations can move out of Melbourne and incomes can be derived from Melbourne by people locating, residing and spending in regional centres.

It is a unique opportunity. The four major provincial areas are very close to Melbourne and therefore we have the opportunity to look at Melbourne and the regions as a whole, as occurs in some vibrant areas of Europe. On behalf of the state government of Victoria and the Labor Party I say to the mayor, Cr Ackerman: ‘You have our commitment to work in partnership. You have our commitment to pursue growth and employment opportunities for this region’.

Bendigo has had a great past and has a bright future. I am pleased to be here at this historic occasion, which is the first sitting of a Victorian Parliament outside Melbourne. Thank you.

Dr NAPHTHINE (Leader of the Opposition) (*By leave*) — I also thank the mayor of the City of Greater Bendigo, Cr Barry Ackerman, for his generous welcome to all members of Parliament to Bendigo and to the region. I acknowledge the councillors from the City of Greater Bendigo, the councillors from adjoining municipalities and, indeed, all our special guests.

I congratulate Cr Ackerman on his leadership of this great city, and I acknowledge the enormous contribution councils have made in recent times and in the past to the city of Bendigo. I believe the city of Bendigo recognises that the amalgamation of a number of municipalities into a city of Greater Bendigo has been one of the great strengths and driving forces of the recent development of this area. It is a privilege to be in Bendigo, and I certainly welcome that privilege.

On behalf of the Liberal Party I acknowledge the Dja Dja Wrung people, who welcomed us this morning, and I acknowledge that we are on their original lands. I also thank the Chinese community and the lion dancers for their very noisy welcome to Bendigo. Certainly Guy Fawkes did not get as close to Parliament with his fireworks as they did today!

As the Premier has said, and all of us would agree, Bendigo has an enormously rich and diverse history, but it also has a very exciting future. The people of Bendigo have been very much to the forefront in

turning the city’s rich history and culture into an exciting future as they move into the 21st century.

I would like to acknowledge the fact that much of the wealth of Victoria, much of the history of Victoria, started here on the goldfields of Bendigo. We as Victorians appreciate that and need to acknowledge it.

I would like to comment on some of the images that I and many others associate with Bendigo, such as the Central Deborah goldmine. I remember coming here as a child, and I strongly associate the talking tram with Bendigo, Rosalind Park, the Chinese gardens and the great architecture of the post office, the art gallery, the town hall — and this magnificent renovation does justice to some of those architectural delights.

I would like to say how pleased I am to see the renovations to the art gallery, which were started in 1996 under the previous government and have been completed under this government in partnership with the local community through their local municipality and through enormous support from philanthropic organisations.

Other aspects of the rich history of Bendigo include the history of Eaglehawk. As children every one of us would have heard about Eaglehawk and the famous character that came out of it, Mulga Bill — Mulga Bill from Eaglehawk — who is one of the great characters of my youth and one of the great characters of our history. We have the wonderful fountain, the Queen Elizabeth II Oval and Pall Mall; we have a whole range of features that we associate with the richness of Bendigo.

Bendigo is not just buildings, it is people. As the Premier said, Sir John Quick is one of the most revered citizens of Bendigo. He was not just a lawyer, a journalist and a judge, he is also recognised as one of the founders of the Federation of Australia. It is absolutely appropriate that during the centenary of Federation we are here in Bendigo, the home of Sir John Quick.

We also associate with Bendigo the Chinese community and its enormous contribution to this wonderful and rich city. Indeed, as was said last night, Bendigo was a successful multicultural community long before the word was invented. We have seen evidence of that today, and it is also evidenced by the fact that the Chinese community in this city has the oldest and longest dragon, which participates in the enormously successful Bendigo Easter Fair. Certainly the Chinese community is an integral part of this community.

I would like to acknowledge George Lansell, the quartz king, and I would particularly like to recognise the pioneering women, who are often forgotten in the development of our state and the development of Bendigo. The pioneering women were obviously the backbone of many families and they obviously worked hard in the mines, but they also created in this community a culture of caring and concern for the people in our society that spread from Bendigo right across Victoria. One of the great strengths of Victorian society and Bendigo society has been built on the work of pioneering women.

The mayor also mentioned Billy Hughes, who, as the federal member for Bendigo, spent much time here. Sidney Myer made his start here, and some of the more recent characters of Bendigo are also well known. When I ask about Bendigo, one of the names that is mentioned regularly is Jack Lockett. Who could forget the inspirational vision of Jack Lockett at the age of 108 carrying the Olympic torch? It brings tears to your eyes just thinking about it.

One of the other inspirational people of Bendigo, I hope he will not mind my mentioning his name, is Rob Hunt, who is the driving force behind the Bendigo Bank. He is one of our the new heroes of Bendigo and Victoria.

I turn to our sporting heroes. I wish the Bendigo Diggers well with their resurgence up the Victorian Football League ladder, as I do the Bendigo Braves, the Lady Braves and the Bendigo Madison. Bendigo has a rich sporting history.

We also think of Kristi Harrower, a silver medallist with the Olympic basketball team. Many VFL and Australian Football League footballers have come from Bendigo — unfortunately Bendigo is linked to Carlton, so many of them played for Carlton — including 'Diesel' Williams, Geoff Southby and the Sextons. That is not to forget the legend of bush football, the Honourable Ron Best, who some would say is the best footballer never to play VFL.

But while Bendigo is built on gold, it has much more than that in its rich tapestry of life today. It has a very strong retail sector. I am pleased to say the suit I am wearing today was bought on a recent trip to Bendigo. The Bendigo Livestock Exchange has been one of Bendigo's great success stories, building on the agricultural wealth of this area in livestock, cereal cropping and the more recent magnificent developments in the wine and viticultural industry.

Bendigo has a very strong and integrated educational sector, both in primary and secondary schools,

La Trobe University and a magnificent new TAFE facility. It has a proud record of a community service system. I believe the amalgamation of health services here has been a very successful one and a model for many other communities to follow. There is a great tradition of volunteerism here in Bendigo, and we will be debating this later today. These are the things that Bendigo has as its great strengths.

Into the future Bendigo will build on its manufacturing base with exciting new developments. As I mentioned, the Bendigo Bank is a very exciting development providing real leadership in this community. The Bendigo Community Telco is another exciting development. With the reopening of the Bendigo Stock Exchange, I understand, Mr Mayor, only a week ago the very first new listing took place on the exchange. I believe it will be the first of many, and it is a great tribute to the Bendigo Stock Exchange. We have call centres. Bendigo 2, which provides high-speed, low-cost, broadband access right across regional Victoria, is based in Bendigo. This is a magnificent and exciting development.

Bendigo, of course, will not be without its traditions in mining. Bendigo Mining is once again redeveloping and having a real resurgence in mining in this community. That is providing jobs and opportunities for Bendigo.

Mr Mayor, you gave a challenge to us that we should work in partnership with local government and with local communities. I give you a commitment on behalf of the Liberal Party that we are prepared to work with you. We are prepared to work hand in hand with local government and local communities so that we can grow communities right across the state of Victoria. We are prepared to work with you on projects that have been identified to us as key tasks in developing Bendigo, such as the Calder Freeway — an absolutely essential piece of infrastructure for Bendigo — and also improving water quality.

Honourable members who have been staying here for a couple of days recognise that there is a genuine need to improve the quality of water in Bendigo. There is a need to expand and diversify the employment base and to genuinely look at the cost of employment in regional and rural Victoria. The airport requires upgrading and needs to be made a feature of the region. Rail services need to be improved. We must build on the great strengths of this area in terms of tourism and the tertiary education sector.

Mr Mayor, in conclusion, let me say once again thank you very much for your warm welcome. On behalf of

the Liberal Party, we take up the challenge you have put to us. We are prepared to work with you in close cooperation, hand in hand, as we move together, Bendigo and the Liberal Party, to develop growth and opportunity here in Bendigo, to build on its rich and diverse history as we move into an exciting 21st century for the people of the City of Greater Bendigo.

Mr RYAN (Leader of the National Party) (*By leave*) — I join with the Premier and the Leader of the Opposition in expressing to you, Mayor Barry Ackerman, and the councillors our thanks for your warm welcome to your beautiful city. For me, of course, it is a homecoming. I spent five years in Bendigo in the gipsy existence that I have lived throughout my life, which seems to be continuing to this very day. The latter part of my education was in Bendigo at the hands of the Marist Brothers, that great body of men — educationalists supreme — and I will have the honour this afternoon of hosting the principal of the college in attending these very proceedings.

It is a great city, and it is a great pleasure to be here once again. It has a magnificent history, and those matters have been well canvassed by the Premier and by the Leader of the Opposition in their contributions.

I heard them touch upon the issue of sporting backgrounds. I must confess that I had the great pleasure when I was at school here to play in a football team of some repute. It was the Marist Brothers under-15 side. It comprised — —

Mr Bracks interjected.

Mr RYAN — I will tell you in a moment, Premier, just wait on. The team included such luminaries as Geoff Southby, who played at centre half-forward, Brian Walsh, Trevor Keogh, Kevin Sheehan, Kevin Higgins, Trevor McGregor — who was in the year ahead of us, I think — Tony (Bluey) Southcombe, and several others. I think nine in that side went on to play league football. My place in the side — —

Mr Hulls interjected.

Mr RYAN — The Attorney-General should also wait! My place in the side was very important: my role was to take my man out to the boundary and to play as little part in the game as possible! Geoff Southby played centre half-forward in that team, and my role was to stay out on the boundary and to clap as Southby kicked goals. That was my primary function!

I enjoyed those years of education here. My mother taught for the Marist Brothers while she was in

Bendigo, and ultimately taught for them for some 28 years. To this day they have been a big part of my life and who I have been.

The City of Greater Bendigo, as we now know it, has been pivotal in the fortunes of Victoria for a long time. As I said to some of the councillors this morning, it was only when I looked at some facts and figures relevant to the motion on volunteers soon to be before the house that I fully understood the significance of this great city in terms of gold production in Victoria. Of course, it is known generally how it has contributed to the wealth of this magnificent city but the comparison with what was produced in Ballarat may not be known. Ballarat produced a mere 150 tonnes of gold while some 685 tonnes were produced in Bendigo. As has been remarked, it is the great centre for gold production, certainly in this state and also throughout the nation.

The National Party is represented in this area very proudly by the Honourables Ron Best and Barry Bishop in the other place. They have been dispatched to Ballarat today for other reasons. We recognise the significance of Bendigo in the scheme of things, particularly in Victoria's fortunes. It is a great centre; it has a magnificent past and it has a brilliant future. We are delighted to be here today to be part of these proceedings and we thank the City of Greater Bendigo so very much for hosting us.

DISTINGUISHED VISITORS

The SPEAKER — Order! I advise honourable members that earlier we were privileged and honoured to have had in the gallery Her Excellency Lady Marigold Southey, Lieutenant-Governor of Victoria.

I now ask the Serjeant-at-Arms to escort the mayor to the Speaker's Gallery.

Mayor escorted to Speaker's Gallery by Serjeant-at-Arms.

The SPEAKER — Order! Before calling on formal business, I advise honourable members of the slightly different speaking conditions for today. It would be appreciated if for the balance of the day members sitting in the second row would speak from the four podiums provided so their comments can be properly recorded.

PETITIONS

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

Women's Petition

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 women desire a just and inclusive nation in which the voices of all its people and its many cultures are heard and respected;

that it is an inalienable right of all women to participate fully and equally in shaping our nation and have their contribution valued;

that we acknowledge and respect Australia's indigenous peoples' spiritual connection with and custodianship of the land and its waters. We recognise past hurt and we will work together to achieve justice and equity.

Your petitioners therefore pray that the government delivers for and with Victorian women and communities:

equal representation of women in all areas and levels of decision making;

a plan ensuring safety for women and children in the home, workplace and the community;

economic independence and security for all women, genuine equal pay for equal work, fair and family-friendly working conditions and access to quality child care;

high-quality, lifelong and affordable education relevant to the diverse needs of all girls and women;

an accessible, well-funded community-based public health network which includes specific services for women and girls;

environmental sustainability to improve and protect the quality of our air, land and water;

presentations of women in the media and advertising which are positive and non-exploitative;

a society where caring and unpaid work are valued and shared.

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

By Mrs MADDIGAN (Essendon) (172 signatures)

Housing: loan schemes

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

The humble petition of the following residents of the state of Victoria sheweth state government-sponsored home loan schemes under the flawed new lending instrument called capital indexed loans sold since 1984-85 under the subheadings Capil, deferred interest scheme (DIS), indexed repayment loan (IRL), home opportunity loan scheme (HOLS), shared home opportunity scheme (SHOS), are not fit for the purpose for which they were intended.

We the undersigned believe these loans are unconscionable and illegal and have severely disadvantaged the low-income bracket Victorians the loans were meant to assist.

Your petitioners therefore pray that:

1. the existing loans be recalculated from day one in a way as to give borrowers the loans they were promised 'affordable home loans specially structured to suit your purse';
2. the home ownership be achieved within 25 to 30 years from date of approval;
3. the payments to be set at an affordable level (i.e. 20-25 per cent of income for the duration of the term for all the loan types);
4. past borrowers who have left the schemes be compensated for losses that have been incurred by them being in these faulty structured loans;
5. any further government home ownership schemes be offered in a way as to be easily understood by prospective loan recipients;
6. the interest rate will be at an affordable rate (i.e. flat rate of 3 per cent per annum or less for the length of the term of the loan) geared to income;
7. capital indexed loans be made illegal in this state to protect prospective loan recipients.

We ever pray that we may lead a quiet and peaceable life in all godliness and honesty (1 Tim 2:2).

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

By Mr HARDMAN (Seymour) (10 signatures) and Mr MAUGHAN (Rodney) (49 signatures)

Libraries: funding

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 respectfully requests:

That the Victorian government immediately invest substantially more in public library services for the benefit of all Victorians.

That the Victorian government increase funding to public libraries for the purchase of books.

That the Victorian government increase funding for the purchase and maintenance of mobile library services to ensure the removal of the barrier to access by Victorians in rural and remote areas.

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

By Mr LUPTON (Knox) (1019 signatures)

Brooke Street, Inglewood: traffic control

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

The humble petition of Inglewood Development and Tourism Committee Inc. and the undersigned citizens of the state of Victoria seeks amendments to the traffic conditions in Brooke Street, Inglewood, to slow the traffic and install a pedestrian crossing.

Your petitioners therefore pray that the speed limit in Brooke Street, Inglewood, is lowered to 40 kilometres per hour as soon as possible and that a pedestrian crossing is installed.

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

By Mr STEGGALL (153 signatures)

Rail: Tullamarine link

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

The humble petition of we, the undersigned citizens of Victoria, sheweth that we strongly oppose the proposal to develop an airport rail link along the Broadmeadows rail corridor to the Melbourne Airport because of unacceptable safety, noise, vibration, environmental, traffic, social, community and other impacts on the communities along the Broadmeadows rail route including those of Kensington, Flemington, Ascot Vale, Moonee Ponds, Essendon, Strathmore, Pascoe Vale, Oak Park, Glenroy, Broadmeadows, Attwood, Meadow Heights and the Broadmeadows Valley, among others.

We the petitioners therefore pray that the Broadmeadows corridor option be excluded from considerations to develop a high speed airport rail link.

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

By Mrs MADDIGAN (1439 signatures)

Apple and pear industry: fire blight

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

The humble petition of we, the undersigned citizens of the state of Victoria, sheweth that the Australian apple and pear industry be protected from the disease fire blight by prohibiting the import of fruit from areas subject to this disease.

Australian apples and pears at present are free of fire blight, which if introduced to our orchards, has the capacity to cause enormous damage to these industries thus affecting our export trade. The Australian Quarantine Inspection Service must ensure that fruit from affected areas not be allowed into Australia, and that any action taken be as a result of our quarantine requirements.

Your petitioners therefore pray that the import of apples and pears from New Zealand be prohibited.

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

By Mr DELAHUNTY (Wimmera) (457 signatures)

Eastmoor Primary School site

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 the proposed Department of Human Services (Housing) planned development for a facility for older persons at risk of being or being homeless at the Eastmoor site in East Bentleigh is strongly opposed by local residents.

Your petitioners therefore pray that the Victorian government will:

1. Not use the Eastmoor site or any part thereof, for community housing of homeless men and women which would be detrimental to the area and inconsistent with abutting educational and youth facilities and services, including schools, child-care centre, kindergarten, traffic school, autistic school and sporting clubs.
2. Any proposals for the Eastmoor site or any part thereof, be consistent with planning guidelines of the City of Glen Eira and the Victorian state government planning policies.
3. Inappropriate development not be allowed to proceed.

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

By Mrs PEULICH (Bentleigh) (438 signatures)

Laid on table.

Ordered that petition presented by honourable member for Bentleigh be considered next day on motion of Mrs PEULICH (Bentleigh).

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

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

COUNCIL OF AUSTRALIAN GOVERNMENTS**Communiqué**

Mr BRACKS (Premier) — By leave, I move:

That there be presented to this house in accordance with the government's response to the third report of the former Federal-State Relations Committee, *Federalism and the Role of the States — Comparisons and Recommendations (1999)*, the communiqué issued by the Council of Australian Governments meeting held on 8 June 2001.

Motion agreed to.

Laid on table.

COMMONWEALTH TREATY DOCUMENTS

International treaty making

Mr BRACKS (Premier) — By leave, I move:

That there be presented to this house in accordance with the government's response to the first report of the former Federal-State Relations Committee, *International Treaty Making and the Role of the States (1997)*, the following treaty documents:

A schedule of the multilateral treaty action under negotiation or consideration by the Australian government;

Mutual recognition agreement on conformity assessment between Australia and the Republic of Singapore;

Agreement between Australia and the United Kingdom of Denmark for the reciprocal protection of classified information of defence interest, Copenhagen — 27 September 1999;

Agreement between Australia and the Republic of South Africa for the reciprocal protection of classified information of defence interest, Canberra — 11 May 2000;

Air services agreements between Australia and the kingdoms of Denmark, Norway and Sweden — 27 February 2001;

Agreement between Australia and the Islamic Republic of Pakistan relating to air services, Islamabad — 7 February 1998;

Agreement between Australia and Samoa relating to air services, Apia — 11 August 2000;

Agreement establishing the Pacific Islands Forum Secretariat, Tarawa — 30 October 2000;

Constitution of the International Labour Organisation Instrument of Amendment, 1997;

Asia-Pacific Postal Union: second additional protocol to the constitution of 4 December 1985, as amended, and the additional protocol to the general regulations, Tehran — 18 September 2000;

Amendments to the Treaty on Fisheries between the governments of certain pacific island states and the United States of America — 2 April 1987, Koror, Palau — 30 March 1999;

Films co-production agreement between Australia and the Federal Republic of Germany, Canberra — 17 January 2001;

Agreement on social security between Australia and New Zealand, Canberra — 28 March 2001;

International Labour Organisation conventions:

No. 15 — Convention fixing the minimum age for the admission of young persons to employment as

trimmers or stokers, Geneva — 11 November 1921;

No. 21 — Convention concerning the simplification of the inspection of emigrants on board ship — 5 June 1926;

International Labour Organisation conventions:

No. 57 — Convention concerning hours of work on board ship and manning, Geneva — 24 October 1936;

No. 76 — Convention concerning wages, hours of work on board ship and manning, Seattle — 29 June 1946;

No. 93 — Convention concerning wages, hours of work on board ship and manning (revised 1949), Geneva — 18 June 1949;

No. 109 — Convention concerning wages, hours of work on board ship and manning (revised 1958), Geneva — 14 May 1958;

Protocol amending the convention on limitation of liability for maritime claims — 19 November 1976, London — 2 May 1996;

Agreement on the conservation of albatrosses and petrels.

[The documents listed have been circulated and are in the hands of honourable members.](#)

Motion agreed to.

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 8

Ms GILLETT (Werribee) presented *Alert Digest No. 8 of 2001* on:

Corporations (Ancillary Provisions) Bill
Country Fire Authority (Amendment) Bill
Crimes (Validation of Orders) Bill
Fundraising Appeals (Amendment) Bill
Gas Industry Bill
Judicial College of Victoria Bill
Transport (Further Amendment) Bill

together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Section 17DA Order granting under s. 17D a lease by the Bayside City Council

Financial Management Act 1994 — Report from the Minister for Post Compulsory Education, Training and Employment that she had received the 2000 Annual Report of the International Fibre Centre Ltd

Interpretation of Legislation Act 1984 — Notice under s. 32(4)(a)(iii) in relation to Statutory Rule No. 66

Melbourne City Link Act 1995 — Statement of Variation No. 2/2001: Detailed Tolling Strategy

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

- Ballarat Planning Scheme — Nos C31, C34 Part 1, C35 Part 1, C37
- Bass Coast Planning Scheme — No. C10
- Campaspe Planning Scheme — Nos C15, C16
- Cardinia Planning Scheme — No. C17
- Casey Planning Scheme — No. C34
- Darebin Planning Scheme — No. C1
- Glen Eira Planning Scheme — No. C18
- Glenelg Planning Scheme — No. C3
- Greater Bendigo Planning Scheme — No. C15
- Greater Dandenong Planning Scheme — No. C22
- Greater Geelong Planning Scheme — Nos C13, C20, C22
- Greater Shepparton Planning Scheme — No. C9
- Golden Plains Planning Scheme — Nos C5, C7
- Hepburn Planning Scheme — Nos C5, C7
- Hobsons Bay Planning Scheme — Nos C11 Part 1, C15
- Knox Planning Scheme — Nos C12, C24
- La Trobe Planning Scheme — No. C2
- Loddon Planning Scheme — No. C2
- Macedon Ranges Planning Scheme — No. C7
- Manningham Planning Scheme — No. C17
- Maribyrnong Planning Scheme — Nos C7, C15
- Maroondah Planning Scheme — No. C23
- Melbourne Planning Scheme — Nos C11, C24, C41, C42
- Monash Planning Scheme — No. C5
- Moonee Valley Planning Scheme — No. C22
- Moorabool Planning Scheme — Nos C8, C13
- Moreland Planning Scheme — No. C18
- Mornington Peninsula Planning Scheme — Nos C12 Part 2, C29, C30
- Surf Coast Planning Scheme — No. C4
- Wangaratta Planning Scheme — No. C3 Part 2

Warnambool Planning Scheme — No. C16

West Wimmera Planning Scheme — No. C1

Whitehorse Planning Scheme — Nos C28, C32

Wodonga Planning Scheme — No. C6

Yarra Planning Scheme — No. C24

Yarra Ranges Planning Scheme — No. C9

Public Lotteries Act 2000 — Licence pursuant to s. 32(b)

Statutory Rules under the following Acts:

Associations Incorporation Act 1981 — SR No. 69

Building Act 1993 — SR No. 66

Corporations (Ancillary Provisions) Act 2001 — SR Nos 62, 63

County Court Act 1958 — SR No. 77

Equipment (Public Safety) Act 1994 — SR No. 54

Foreign Judgements Act 1962 — SR No. 73

Gaming Machine Control Act 1991 — SR No. 60

Juries Act 2000 — SR Nos 73, 74, 75, 77

Magistrates' Court Act 1989 — SR Nos 58, 67, 68

Mineral Resources Development Act 1990 — SR No. 71

Occupational Health and Safety Act 1985 — SR No. 53

Pay-roll Tax Act 1971 — SR No. 64

Petroleum Products (Terminal Gate Pricing) Act 2000 — SR No. 72

Police Regulation Act 1958 — SR No. 70

Prevention of Cruelty to Animals Act 1986 — SR No. 65

Private Agents Act 1966 — SR No. 76

Racing Act 1958 — SR No. 61

Road Safety Act 1986 — SR Nos 56, 57

Supreme Court Act 1986 — SR No. 73

Tobacco Act 1987 — SR No. 55

Zoological Parks and Gardens Act 1995 — SR No. 59

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rule Nos 58, 59, 73, 75, 77

Ministers' exemption certificates in relation to Statutory Rule Nos 53, 54, 57, 59, 64, 69, 70, 72, 76.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 3 November 1999:

Business Registration Acts (Amendment) Act 2000 — Sections 3 and 9 on 30 July 2001 (*Gazette* G29, 19 July 2001)

Co-operative Schemes (Administrative Actions) Act 2001 — Whole Act on 2 August 2001 (*Gazette* G31, 2 August 2001)

Corporations (Commonwealth Powers) Act 2001 — Whole Act on 21 June 2001 (*Gazette* G25, 21 June 2001)

Electricity Industry Acts (Further Amendment) Act 2001 — Section 10 on 28 June 2001 (*Gazette* G26, 28 June 2001)

Financial Sector Reform (Victoria) Act 1999 — Remaining provisions on 15 June 2001 (*Gazette* G24, 14 June 2001)

Mineral Resources Development (Amendment) Act 2000 — Remainder of Act on 31 July 2001 (*Gazette* G30, 26 July 2001)

Nurses (Amendment) Act 2000 — Sections 3 (other than paragraphs (a) and (c)), 22, 25, 30, 31, 34, 37 and 44 on 1 August 2001 (*Gazette* G28, 12 July 2001)

Petroleum Products (Terminal Gate Pricing) Act 2000 — Whole Act on 1 August 2001 (*Gazette* G30, 26 July 2001)

Road Safety (Alcohol and Drugs Enforcement Measures) Act 2001 — Remaining provisions (other than section 9(1) on 28 June 2001 (*Gazette* G25, 21 June 2001)

Statute Law Amendment (Relationships) Act 2001 — Whole Act (except sections 4, 5 and 7, items 1, 2, 3, 6, 9.1, 9.2(b), (c), and (d), 9.4, 9.5, 9.6 and 13 of Schedule 1, Schedule 2, Schedule 3, item 2 of Schedule 4 and Schedule 5) on 28 June 2001 (*Gazette* G26, 28 June 2001)

Transport Accident (Amendment) Act 2000 — Remaining provisions except section 23(1) on 1 August 2001 (*Gazette* G27, 5 July 2001)

Urban Land Corporation (Amendment) Act 2001 — Whole Act on 1 July 2001 (*Gazette* G25, 21 June 2001).

ROYAL ASSENT

Messages read advising royal assent to:

19 June

Building (Single Dwellings) Bill
Gas Industry Bill
Gas Industry Legislation (Miscellaneous Amendments) Bill
Health (Amendment) Bill
Post Compulsory Education Acts (Amendment) Bill
Racing (Racing Victoria Ltd) Bill
Whistleblowers Protection Bill

27 June

Agricultural and Veterinary Chemicals (Victoria) (Amendment) Bill
Appropriation (2001/2002) Bill (*Presented to the Governor by the Speaker*)
Appropriation (Parliament 2001/2002) Bill (*Presented to the Governor by the Speaker*)
Constitution (Metropolitan Ambulance Service Royal Commission Report) Bill
Co-operative Schemes (Administrative Actions) Bill
Corporations (Administrative Actions) Bill
Corporations (Ancillary Provisions) Bill
Corporations (Consequential Amendments) Bill
Corrections (Custody) Bill
Duties (Amendment) Bill
Racial and Religious Tolerance Bill

State Taxation Acts (Taxation Reform Implementation) Bill
Transfer of Land (Amendment) Bill
Victorian Managed Insurance Authority (Amendment) Bill.

MEMBERS STATEMENTS

Wild dogs: control

Mrs FYFFE (Evelyn) — Next week I will be tabling on behalf of the people of Upper Yarra a petition with more than 1000 signatures calling on the government and the Minister for Environment and Conservation to take action against wild dogs. Domestic dogs that were dumped in the forest have evolved over time into fierce beasts with powerful jaws and strong bodies which kill and maul both farm livestock and wild animals. They do not attack for food alone, and they attack as a pack even in broad daylight. If they do not kill outright they inflict horrendous injury, and often the suffering animal must be put down.

On 13 July last year a report on weed and vermin control commissioned by the minister was received by her department. On 15 September — two months later — the minister received the report. On 6 July 2001 — 12 months after the report was first received — the minister released a draft report calling for more consultation, with a closing time of December 2001 — that is, 18 months after the first report.

We need more doggers in Victoria. We need fast and effective control of the rapidly expanding fox population. We also need to control noxious weeds, and we need to do it now — this year — not next year or the year after. These farmers are not wealthy people. They work off farm to support their farm incomes. These are genuine farmers.

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

Parliament: Bendigo sitting

Ms ALLAN (Bendigo East) — It is with great pleasure and pride that as the honourable member for Bendigo East I welcome everyone — Mr Speaker, the Premier, my colleagues and, importantly, the parliamentary staff who have made today happen — to Bendigo on this important and historic occasion.

It is particularly appropriate that Bendigo was chosen as the centre to hold this historic meeting of the Legislative Assembly. As we have already heard today, gold was the foundation on which our state was built,

and most of that wealth came from Bendigo's goldfields and its diggers from 1851 onwards.

The Legislative Assembly is the people's house, and this sitting in Bendigo is about bringing democracy to the people of central Victoria. We have big television screens outside to show the people of Bendigo and central Victoria the proceedings of the chamber. Likewise there is a screen in the library theatre for the school groups that are coming through.

With today's historic sitting we are honouring the contribution the Bendigo region has made to Victoria, to its statehood and to the strong democratic institutions we have today.

The state is playing an important role in the development of Bendigo and other regional and rural centres. The Bracks government has a strong commitment to investing in the future of country Victoria and in the future of Bendigo. It has shown that vision and is realising that commitment through initiatives such as the \$180 million Regional Infrastructure Development Fund (RIDF), the fast rail link to Bendigo and our commitment to complete the duplication — —

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

Preschools: funding

Mr MAUGHAN (Rodney) — It is universally accepted that the early years of a child's development are of crucial importance to their later development and behaviour. It is also very well documented that there are substantial social and economic benefits from investment in the early years of a child's education and development.

Victoria's preschool sector is in crisis. Preschool teachers are poorly paid, they have no career structure and little if any peer-group support, and most are dependent on ever-changing voluntary committees of management for their salaries and benefits.

In this the International Year of Volunteers, voluntary committees of management — mainly comprising young mothers who are trying to juggle raising a family, work, fundraising and the ever-increasing burden of preschool administration — are being pushed to the limit. The government currently funds only 50 to 60 per cent of the cost of running a kindergarten. Given the vital importance of early childhood development to our society, we need to attract — and retain — the best and the brightest teachers to the preschool sector.

I call on the government to give the preschool sector the recognition it deserves, to considerably increase funding for preschools, to immediately adopt the recommendations of the Kirby report, and to transfer the administration of preschools from the Department of Human Services to the Department of Education, Employment and Training.

Stella Webster

Ms ALLEN (Benalla) — It is with great pleasure that in this the International Year of Volunteers, and on the auspicious occasion of this historic sitting, I am able to talk about a wonderful lady from Alexandra by the name of Stella Webster.

Stella Webster epitomises the meaning of the word 'volunteer'. Stella is now 77 years old and has recently retired from public life, but over the years since 1949, during which she has lived in Acheron, near Alexandra, she has participated in an extraordinary number of voluntary activities. For 40 years she was a member of the Acheron branch of the Red Cross; for 15 years she was a committee member of the Acheron Primary School; for 25 years she was a member of the Alexandra amateur swimming and lifesaving club; and in the 1970s she was promoted to regional superintendent of the Royal Lifesaving Society in the federal electoral district of Indi.

She instigated and taught the Vicswim program in Alexandra for 12 years, and she was made regional coordinator of Vicswim in 1976. She was elected a councillor of the Shire of Alexandra in 1985 and held that position for four years. She was also a board member of the Kellock Lodge nursing home for 12 years and was appointed a life governor of the Alexandra and District Hospital in 1990.

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

Ambulance services: community officers

Mr PLOWMAN (Benambra) — The issue I raise while the Legislative Assembly is meeting in this magnificent building in Bendigo in the heart of rural Victoria is the extraordinary service given in our more remote areas of the state by the volunteers who act as community ambulance officers. There are 350 highly trained community ambulance officers spread around the state who provide an essential service to their communities.

I proudly wear a badge which recognises the value of volunteers through all fields of service throughout Victoria. However, I was appalled to read a bulletin

issued by the Ambulance Employees Union entitled 'The battle begins' in which these volunteers were described as scabs. In this issue the union said that these people should not be paraded before unsuspecting communities looking like counterfeit ambulance paramedics.

These volunteers do not deserve this type of treatment, and I call on the government to denounce the union for its appalling behaviour towards a very proud group of volunteers who provide such an important service to the residents of the more remote areas of country Victoria.

Parliament: Bendigo sitting

Mr CAMERON (Minister for Workcover) — I pay tribute to the Parliament for its preparedness to come to country Victoria, something that has never happened before and could only happen under a Labor government.

This year we celebrate the 150th anniversary of the discovery of gold and the centenary of Federation. Bendigo was at the forefront of both. The discovery of gold changed the lives of so many immeasurably. For some it was poverty or the miners lung disease; for others it meant living in a new land or gaining material wealth. Many districts in central Victoria were changed immeasurably depending upon the outcome of gold. Where gold endured there was left behind the grand architecture of grand cities. This is Bendigo's past.

I pay tribute to the faith, energy and belief in central Victoria as it is at the present time. Building and planning for the future is going apace and the state is keen to have been and to remain a key participant and a leader. This town hall is a symbol of our golden past. Its restoration is a sign of the renewed confidence that we have as we go forward into a golden future.

Rural and regional Victoria: tenders

Mr VOGELS (Warrnambool) — I call on the Bracks Labor government to have another look at its policy regarding the tendering of goods and services to rural and regional Victoria, because it makes sure that many small country businesses are left out in the cold. I will give a good example of that. The education department is calling for tenders for 23 000 computers and the only people who can tender for these are the computer vendors in the city. This means effectively that suppliers in Bendigo, Ballarat, Warrnambool, Bairnsdale, Wonthaggi, Mildura and so on are out of the game before it even starts. The department will save some money, but we should look at the bigger picture.

At present schools have considerable choice in where they purchase their computers. The education department provides them with competitive prices, and country suppliers already have to compete with city suppliers. Most important is the direct impact this policy will have on services and businesses in country Victoria.

Not only will the proposal to tender out the 23 000 computers to be supplied from the capital city kill the opportunity for small businesses to participate, but of equal significance is the fact that schools will not be able to get a local IT serviceman to fix problems when they arise. The value of those services cannot readily be quantified.

Member for Mordialloc: conduct

Mr BATCHELOR (Minister for Transport) — I call on the honourable member for Mordialloc to resign. If he will not do the right thing here in Bendigo today, he ought to be sacked. He was present; I do not know where he has fled to. Nevertheless, he should resign from his position as shadow Minister for Transport.

Mr Speaker will recall how members of the Liberal Party and St Albans shopkeepers disrupted V/Line passenger train services to Bendigo on one occasion. Later on those shopkeepers came to Bendigo and apologised for their foolish, disruptive and dangerous behaviour. The only person who has not apologised is the honourable member for Mordialloc, and he has the opportunity today in Bendigo to apologise to the people of Bendigo for delaying and disrupting that train service, causing problems, opposing the regional fast rail project, undermining the upgrade of the Calder Highway and trying to undermine the reintroduction and extension of rail services to rural Victoria.

Today is the ideal opportunity for the honourable member for Mordialloc to apologise to the people of Bendigo. If he does not do so, the Leader of the Opposition should make him.

Nurses: industrial dispute

Mrs SHARDEY (Caulfield) — The Victorian nurses dispute has raised grave concerns about the care of the sick and people with urgent health needs. It has also raised awareness of the desire of nurses to be appropriately reimbursed for their greatly needed services. The people who appear to have been forgotten are the frail aged in the community, who in many cases are suffering terminal illness and living out the final days of their lives, or people who need urgent

rehabilitation in order to achieve physical independence.

The effect of the dispute on these patients was recently brought to light in Bendigo at the Anne Caudle Centre, where a bitter row between the Australian Nursing Federation and the Bendigo Health Care Group over the admission of aged patients in urgent need gained media attention. The incompetence of the Labor government in managing this dispute has been monumental. While the Minister for Health plays legal games, the frail aged in the Bendigo community are suffering.

It is high time the government accepted its responsibility and dealt with the dispute to bring an end to the suffering of the sick and frail aged in our community.

The SPEAKER — Order! The honourable member for Gisborne has 30 seconds.

Planning: outer north-west corridor

Ms DUNCAN (Gisborne) — I also welcome the people who came up the Calder Highway and travelled through my electorate this morning. I am sure they will have noted that it is a unique part of the world. We have been involved in an outer north-west regional planning forum to make sure that that unique part of Victoria remains a unique part of Victoria, that development along that corridor is planned, that the community has an input into that process and that what is now in place will not become the urban sprawl so often seen —

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

VOLUNTEERS: CONTRIBUTIONS

Mr BRACKS (Premier) — I move:

That this house notes that this year is the International Year of Volunteers and expresses its sincere gratitude for the tireless efforts and contribution of Victorian volunteers across all areas of our society, including the special contribution and role of volunteers in rural and regional Victoria.

I have great pleasure in moving this motion. Yesterday I also had the pleasure of accompanying the Minister for Aged Care on a visit to the Anne Caudle Centre, where some 300 volunteers were present.

Those volunteers had given something like 4000 hours of respite care a year in aged service delivery in the Bendigo region. Their achievement — some had contributed continuously over 20 to 30 years — was

outstanding, was second to none and enhanced the quality of life of people in aged care facilities and their families, who needed respite and support. That has been done well for many years. It is an example of the commitment of Bendigo, regional Victoria and Victoria to volunteerism, which is second to none.

Examples of Bendigo's commitment to volunteerism include the Country Fire Authority. What better example could we have of people assisting and supporting our community by giving up hours and hours of their time in periods of emergency and difficulty than those who volunteer for the Country Fire Authority. In recognising and acknowledging the work done by CFA volunteers the Minister for Police and Emergency Services and I were pleased to increase tangible support for Country Fire Authority stations around Victoria to meet the need for basic amenities that are so important to the continuation of that service.

It was one of the biggest one-off contributions the community has made to amenities such as toilet facilities, training facilities, accommodation for fire and other vehicles and increases in equipment and support. Most honourable members would join with me in saying that Country Fire Authority volunteers do a fantastic job in protecting our community in times of great need.

Other examples in the Bendigo community include those who work with young people. There is currently a proposal to house youth services in the one location in Bendigo. The proposal has been advocated by the two members representing Bendigo, the honourable members for Bendigo East and Bendigo West. It has been prosecuted by the council, which has an application pending in the community support fund; and it is potentially one of 10 pilot schemes under the community building program, which has been promoted by the government as an example of how communities can help themselves. It reflects the great contribution that many local people have made to support young people and to ensure that youth services are second to none in this region.

Community visitors are part of a very important project which Bendigo stars and shines in. Protecting Bendigo's heritage sites and preserving its oral, written and physical history are both very important. Volunteerism is a key part of the work done by local environment and Landcare groups, which the area is vigorous in and for which there is great support among many.

The list of volunteer activities in Bendigo is a long one. The history of volunteering, as we have heard today in

the presentations by the mayor and other speakers, goes back some 150 years to the formation of Victoria and to the goldfields in this region as well.

It is also important to note that Victoria makes a greater contribution to volunteerism than any other state in Australia, which we should all be very proud of. According to Australian Bureau of Statistics figures for 2000, something like 1.1 million adult Victorians volunteer their services in any one year. That is an indication of the great support volunteers have given to many walks of life in our community. That represents about 33 per cent — one in three Victorians — who volunteer their time to support others in our community. It is a great record of achievement, and it is significantly higher than the level in the other states.

However, if you look more broadly and go to the regions in Victoria, you see that the percentage is even higher. Something approaching 50 per cent of regional Victorians are giving up their time and volunteering to support others — that is, one in two. It is a remarkable number and a remarkable level of achievement. If you take the work done by the 1.1 million volunteers, you are looking at a contribution to Victorian society of some \$340 million in unpaid work each year. That is the sort of irreplaceable contribution that has been made in Victoria and in an even greater way in some of our regions.

For all of us volunteerism was highlighted last year at the Sydney Olympics. It was one of many examples of what volunteers can achieve and how they can perform. I had the pleasure and privilege of being at several sessions of the Sydney Olympics last year. It was one of the greatest Olympics ever held — probably the greatest since the 1956 Olympics held in Melbourne, and probably as good as the 2006 Commonwealth Games are going to be! When walking to events and activities at the Sydney Olympics I felt great pride when many volunteers came up to me, as Premier, and said, 'I am from Victoria. I have been up here already for two weeks. I have forgone a salary. I have taken my annual leave. I am here for the duration of the Olympics and I am staying afterwards as well'. They were giving up their time, their salaries and their holiday periods to volunteer to support the nation in putting on the best Olympics since the 1956 Melbourne Olympics.

That is the great spirit that needs to be captured in this International Year of Volunteers, and the Sydney Olympics was the great springboard for that. I said to those volunteers who spoke to me, 'Congratulations. It is great to see you up here as Victorians making a contribution to the national effort. We look forward to you registering your interest for 2006 and making sure

we have a record of you for that occurrence, which will be an outstanding Commonwealth Games in Victoria'.

In acknowledging the International Year of Volunteers and our contribution to it as a community, I would like to read into *Hansard* part of the universal declaration on volunteering adopted earlier this year. It sums up what this motion before the house is all about. It reads:

Volunteering is a fundamental building block of civil society.

It brings to life the noblest aspirations of humankind — the pursuit of peace, freedom, opportunity, safety, and justice for all people ...

At the dawn of the new millennium, volunteering is an essential element of all societies. It turns into practical, effective action the declaration of the United Nations that 'We, the Peoples' have the power to change the world.

That sums up the spirit we have in Victoria and our regions and the spirit which is enshrined in the International Year of Volunteers.

I pay tribute to the minister responsible for the year of volunteers, the Minister for Community Services. She has done an outstanding job this year in recognising and acknowledging the contributions that volunteers have made to our community. I have been involved in numerous ceremonies to give recognition certificates and acknowledgment to many people who have volunteered in our communities — people who are often very humble and shy who do not necessarily want their contributions noted or put in lights. But to see other people recognise their contribution is a great pleasure and something we should all support.

I finish by saying that it is not only in Australia that people are volunteering to support others in our community. We are very proud of the funding we have provided for an initial pilot program of 10 Victorian public servants to serve in East Timor. Those that are selected from the many public servants who will apply for these positions to give service in East Timor will be applying to forgo their wages and to live at basic subsistence levels in East Timor. They will be giving of themselves to support people in East Timor in the rebuilding of that country. If successful — and I believe the pilot will be successful — we will see many more public servants and others in the community also give up their time for that great service. I suspect and hope that the private sector will also make some contribution to that because the rebuilding of that country — one of our dearest neighbours which is suffering under Third-World conditions — is very important in the long term not only for that nation but also for our influence in our region as well.

I pay tribute to the many millions of volunteers in Victoria and the many hundreds and thousands of volunteers in our regional centres. They do us proud. We could not have such a vibrant quality of life as we have now without the support of volunteers in our communities. On behalf of the Parliament, I have much pleasure in moving this motion and paying tribute to volunteers, particularly those volunteers who have served us for many years in regional communities.

Dr NAPTHINE (Leader of the Opposition) — It is my great pleasure to second the motion before the house today.

Volunteers make the community in which we live a real community. Volunteers are the glue that keeps society together. They enrich society and make it better for everybody to live in, whether they be young or elderly or whether they are advantaged or have some special needs. It is the volunteer spirit that enriches our society and makes it stronger and makes us a real community.

I am pleased that, although many volunteers do not seek recognition, and indeed most do their voluntary work because they simply want to make a contribution and make the world a better place for their being volunteers and making that contribution, in the International Year of Volunteers it is appropriate that we recognise and say thank you to those volunteers. As part of that process it is important that Parliament recognise volunteers.

In researching the role of volunteers I came across a book called *The Gift Relationship* by Richard Titmuss. The book is quite old; it was written in 1970. It studies and compares the systems of blood collection and distribution in a number of countries. It examines the United Kingdom system, which relies on a rich system of volunteers, similar to what we have in Australia, for blood donations. Many of the blood collectors and others involved in our blood donation and transfusion system are volunteers.

The book compares that to the United States system, which relies largely on people being paid for blood donations — indeed, over 50 per cent of the blood donations in America have involved payment. It also compares those systems in the 1950s and 1960s to the system in the then Soviet Union, where people were conscripted to donate blood. It was semi-compulsory, and blood donations were collected from people as required.

After studying the three different systems the conclusion the author comes to on all aspects of the analyses — cost efficiency, effectiveness and the

quality of and support for the blood donation systems — is that, hands down, the best and most effective system is the volunteer system.

I think that says something, based on a scientific analysis, about the richness of volunteerism in our communities. You cannot replace it with financial reward; you cannot replace it with compulsion. There is something unique about volunteerism that enriches and makes society better and makes people feel part of the community. While it is a bit of a dry read at times, the book provides a very good example of what volunteerism does in our community.

When I was thinking about what to say about volunteerism I realised that a great problem is that there are so many volunteers in so many capacities throughout our whole society and life that somebody who makes a significant contribution will always be forgotten, and I apologise in advance for that. But one of the ways I thought of to deal with that was to talk about people's journey through life and to look at how volunteers play a very positive role all the way through life's journey.

For example, let us look at pregnancy, including even the earliest stage, conception. There are pregnancy support groups and volunteer groups to help people even with infertility problems. During the birthing process there are volunteers in hospitals who assist midwives, and of course what was well known formerly as the Nursing Mothers Association and is now called the Australian Breastfeeding Association, has a unique system of volunteers who assist mothers to breastfeed and later rear their children. As children get older they are often involved in playgroups and child care, which rely on volunteers for assistance.

People have already spoken about our kindergarten system, which very much depends on a great voluntary contribution, with volunteer committees of management and volunteer fundraising.

As children grow older they move into our school system. It does not matter whether they are government, Catholic or independent schools, they depend on volunteers on the school council, at school working bees, in the tuck shop, listening to reading and being involved in computer education, physical education and the school sports programs. In every aspect of school life volunteers work alongside paid teaching staff and make schools better places for our children. Indeed, without volunteers the Victorian school system would not be nearly as effective in providing education for Victorian children.

Organisations like youth groups, scouts and guides, which provide a whole range of activities for young people, are built on a system of volunteers. Young and mature-aged people are involved in the sporting system, and sporting groups — whether they be netball, football or basketball — rely on volunteers for umpires, committees of management, event organisers, football trainers and coaches. All those are built on a unique volunteer system, particularly in regional and rural Victoria.

In every aspect of life we have a great volunteer system that provides a network of services for people in our society. There are also the more formal voluntary structures that look after the arts, culture, heritage and other such matters in our society, where volunteers do untold amounts of work in ensuring our society is rich and rewarding.

In the area of community safety you cannot get a stronger or more effective organisation, particularly in country Victoria and outer suburban Melbourne, than the Country Fire Authority. I am proud that my father was a member of the CFA — and in my turn I was a member of the CFA in a number of brigades. It is a unique organisation that does an enormous amount to protect our community. Volunteers in particular put themselves at risk to protect the community when there are grass fires and the like. The state emergency services are made up of volunteers for the most part who put themselves at considerable risk at times and go out at all hours of the night to provide important lifesaving services. As the honourable member for Benambra said, the ambulance people in more remote communities deserve our thanks and praise, not condemnation and attack by union officials.

The Neighbourhood Watch programs make our communities safer. We also have a network of service clubs. Australia is renowned as the home of the Apex Club, which was founded in Geelong. We also have the Lions Club, the Rotary Club, the Zonta clubs, the Soroptimist clubs, the Kiwanis and the professional businesswomen. I should point out when talking about women's service and voluntary organisations that the Country Women's Association is one of the strongest and most effective networks — as is the National Council of Women — in supporting women and families in country Victoria.

Volunteers help many people in great need. Many older Victorians benefit enormously from the Meals on Wheels service, which provides meals delivered by volunteers. People from Do Care regularly ring older people to check on their safety; they provide that wonderful human connection and visit and assist them.

As Minister for Community Services in the previous government, I am aware of the huge network of people who provide assistance to the disabled, whether they be vision or hearing impaired or intellectually disabled. They are involved in Interchange and holiday programs and in assisting people with psychiatric disabilities. A range of volunteers look after people in need in our community.

I pay special recognition in this International Year of Volunteers to a group of people who I believe are very special — the foster carers in our community. They take on the care and support particularly of children and teenagers in our society who for various reasons unfortunately cannot live at home with their natural families. Foster carers are special people who deserve our special praise and thanks.

Volunteers right across Victoria make an enormous contribution to the hospital and community health system and to palliative care services, including membership of their boards of management. They visit, provide help and support, and conduct fundraising. They do an enormous job in providing an excellent quality of health care in many places right across Victoria.

But the spirit of Victorian volunteerism is not confined just to Victoria itself. Many organisations such as the Red Cross are both local and international in their service. The Salvation Army and churches of all denominations do an enormous job in providing services and care in a voluntary capacity for those in need. Australia has a rich history of providing volunteers to work in overseas countries to assist people in times of crisis and developing and improving opportunities for them to care for themselves.

In the brief time available to me I have touched only the tip of the iceberg in referring to volunteerism in the community. Victoria has a rich history of volunteerism, a history that should be encouraged, developed and promoted. Volunteers should be thanked for their enormous contribution to the towns, cities and communities in which they live. As I said at the start of my speech, although it is thoroughly deserved volunteers do not seek thanks or recognition.

On behalf of the Liberal Party and the Parliament of Victoria I record my thanks to the volunteers. Their service is appreciated and they are encouraged to continue that service. It is recognised that volunteers enrich our community and make it stronger, more caring and a better place in which to live.

Mr RYAN (Leader of the National Party) — In this the International Year of Volunteers it is my great pleasure to support the motion before the Legislative Assembly. The notion of volunteers and volunteerism is one of the great egalitarian aspects of the Australian nation. It is not confined to Victoria but is pertinent to every jurisdiction across our great country.

At first blush my initial thoughts about volunteers go back as far as Gallipoli and beyond to where most people associate the contribution of Australians of all backgrounds and dimensions to the interests of the country. Since that time many other organisations have blossomed, all of which are supported by volunteers. In their respective contributions both the Premier and the Leader of the Opposition have touched upon many of them.

When one looks at the statistics on volunteers across Australia — and Victoria in particular — as a percentage of the population, one sees that most come from country regions. For example, 44 per cent of country Victorians are involved in volunteer work, whereas in metropolitan Melbourne it is only 29 per cent. I should like to think that the government of the day and other parties would in a bipartisan sense encourage people in metropolitan Melbourne to make the same contribution as that made by country Victorians to volunteerism and volunteer organisations generally.

It is not surprising that a high percentage of country Victorians are involved, because some of the great institutions underpinned by volunteer contributions are based in country Victoria. The Country Fire Authority (CFA), which may truly be said to be one of those great institutions, was founded in 1945. It now comprises some 64 000 volunteers across Victoria. Some of the authority's origins lie in Bendigo, because back in the days of the goldfields at Bendigo, Ballarat and Creswick fire was a constant threat. It was important for mechanisms to be available to fight fire. Many stories exist of volunteer brigades that were formed on an ad hoc basis to accommodate its threat. Bendigo ultimately had a part to play in the formation of the CFA.

Many other organisations have blossomed over the years. The State Emergency Service makes a fabulous contribution across the state. Another is the Rural Ambulance Service, which has some 700 effective full-time staff members. In addition, 350 volunteer community ambulance officers are spread across the state, and they also contribute magnificently. Bendigo is an important base for the Rural Ambulance Service.

Whether it be in the areas of aged care, school councils or community service clubs of various sorts, people everywhere are making a valuable contribution to those organisations, particularly in country Victoria.

I note from my examination of the records that the Rotary Club of Bendigo was chartered on 30 July 1925. On my calculations, that would make the rotary club one of the oldest in Victoria and one of the oldest outside metropolitan Melbourne. It is another area in which Bendigo has contributed much to the state's sense of community development.

I have been informed by Ros Manning, who is the public relations officer for the City of Greater Bendigo, that some 500 volunteers contribute their efforts to the many services the city provides for its citizens. They include Meals on Wheels, social support and a transport program, and the volunteers give their time at the Bendigo Art Gallery, the Capital Theatre, the visitor information centre and the cultural development and events department. The many people who contribute so much to those services here in Bendigo are representative of the effort that is made across all parts of the state.

I am told that one of the great volunteer champions of the City of Greater Bendigo is Mr Allan Holmes. This afternoon I will have the pleasure of hosting him in the public gallery, where he will be part of today's activities. I understand Mr Holmes has done a lot of volunteer work for the Bendigo RSL, local churches and nursing homes, and in a variety of other areas. He is another Bendigonian who continues to make the sorts of contributions for which country Victorians are famous.

However, all is not as well as it might be. As I travel across Victoria I hear from a lot of people in volunteer organisations that it is becoming difficult to attract volunteers to their ranks. We have to face up to the fact that the population of country Victoria is diminishing. It is interesting to reflect that as a result of the most recent redrawing of the boundaries of the Parliament's 88 Legislative Assembly electorates, only 16 seats will be devoted to areas other than Melbourne, Bendigo, Ballarat and Geelong. Volunteers are important in country Victoria, but it is becoming difficult to find sufficient numbers to fill the various positions.

This difficulty was recently brought to my attention by a gentleman named Mr Murray Ross at a forum in Tongala in which I was involved. Murray is the president of the Tongala Traders. As we sat around the table talking about the concerns of the people of that region, the issue of volunteers was raised as one with

which the community needs assistance. As a result of the discussion I had that day with Mr Ross and the community of Tongala, I wrote to the Premier on 17 July suggesting that the issue of volunteers and volunteerism is one that the Family and Community Development Committee could properly consider under a reference from the Minister for Community Services.

It would be a laudable approach to have that committee undertake an examination of volunteerism in this state. The examination could include not only the history of volunteerism in Victoria but also its current structure, where volunteers will be drawn from in time to come, what organisations are dependent upon volunteer assistance, how people are able to engage in and be part of volunteer organisations, and how government can assist in the management and funding of volunteer organisations to ensure the best outcomes for country Victorians in particular.

It is somewhat disappointing that the Premier has not yet responded to the invitation which I extended to him on 17 July — almost a month ago. I invite him to give my invitation favourable consideration, because it is something that country Victorians would embrace. It is an invitation he could readily accept on their behalf, unlike such difficult decisions as to whether to apply level 1 water restrictions in Melbourne. It would not involve him having to worry about whether people in Melbourne can wash their cars or hose down their driveways!

It is not one of those hard decisions. I would urge him to get away from the notion of appearing on the television saying, 'Save three buckets of water a day and have a 2-minute shower'. I know those things are important, but with a little bit of grit he could decide today that we could get on with it and apply those restrictions in Melbourne — and country Victorians would be happy about that also.

Volunteerism is something I believe the Premier could adopt as an issue that is very important to the lives and times of country Victorians. I ask him, therefore, to give consideration to the matters I raised with him in that letter of 17 July. It is something the committee could properly examine to the great benefit of all Victorians, and country Victorians in particular.

I finish on this note: let there be absolutely no doubt that in the functioning of the state in its various aspects the contributions so selflessly made by our volunteers in so many forums are absolutely vital to the future of Victoria. I therefore support with great pleasure the motion before the house.

Ms CAMPBELL (Minister for Community Services) — It is with pleasure that I rise to support the motion. The International Year of Volunteers (IYV) marks a watershed in our recognition of volunteers. In declaring this the International Year of Volunteers the United Nations has enabled governments, communities and organisations to recognise, celebrate, encourage and strengthen volunteers throughout the world.

We have worked very hard with local councils, community organisations and the corporate sector to ensure that volunteers are recognised throughout Victoria. As the minister responsible for the IYV it gives me much pleasure to say thank you in very many ways to our volunteers on behalf of the citizens of the state.

Volunteers provide their time, energy and resources to a whole range of community organisations. Their diverse range of skills and contributions extend from tourism to prisons, hospitals to environmental groups, and sporting clubs to welfare organisations. About 25 per cent of the state's voluntary work is done within my portfolio of community services. It is work that enables families to be strengthened, individuals to be enriched and communities to grow.

The state government and many local councils and not-for-profit organisations in the corporate world have recognised and celebrated volunteers. The government, through its community grants program, encourages participation from every sector in the community. The emphasis of our work in the community grants program is on ensuring there is a lasting legacy from the International Year of Volunteers that extends beyond the one year declared by the United Nations.

Another way we are doing this is through the promotion of our heroes. We have government heroes awards, where local community organisations can nominate the kinds of people that have been described in the house today. I look forward to announcing the winners of those heroes awards on International Volunteers Day in December.

Victoria is also recognising the achievements of volunteers from different cultural and linguistic backgrounds. With the first Victorian multicultural volunteer awards, over 200 nominations were received from around the state. I was pleased to join with my parliamentary colleagues in recognising over 200 people from a diverse range of multicultural communities, including the Greek, Italian, Turkish, Vietnamese, Burmese, Afghan, Polish, Maltese, Eritrean, Chinese, Serbian and Jewish communities, to name just a few.

One of the components of the IYV is encouraging people to be volunteers. It is a unique opportunity for the wider community, not just governments, to do that. From research that has been undertaken it is clear that people volunteer because they are asked to, and they are generally asked by a volunteer they admire and respect.

So incumbent on the many people who give voluntarily is the need to devote some of their time to encourage new volunteers. Many of us live by the adage that if you want a job done you ask a busy person, but it is important that more people are asked to do the challenging roles that the community needs them to do.

The government has also worked to strengthen volunteers through its skills and governance work in community organisations. Many organisations have a lot of people of goodwill who give of their time willingly, but often they lack measures for good governance. Through a government research project, governance models are being developed that will allow Victorians to ensure that their organisations grow and do not founder.

Honourable members have provided statistics today that indicate there are far more volunteers in communities in rural and regional Victoria. I pay particular tribute to them, but lest people think volunteer numbers are dropping, I point out that over the past four years volunteers have increased in Victoria from a quarter to a third of the adult population. Country volunteers are providing far more hours than their city colleagues. Through a range of voluntary organisations and networks from Warrnambool to Shepparton, Leongatha and Geelong, Australia has been put on the international map. The Geelong Volunteer Resource Centre through its work with the orange and blue ribbon project has used the ribbons to signify the International Year of Volunteers. The IYV provides Victoria with an opportunity to celebrate, encourage and strengthen Victoria as the place to be for volunteers, particularly if you are from regional or rural Victoria.

Mrs ELLIOTT (Mooroolbark) — In supporting the motion on the International Year of Volunteers I wonder what it is that sends a middle-aged woman, leaving family, husband, children and grandchildren, to work in an orphanage in Ulan Bator in Mongolia for four months and to describe it as a period of self-discovery but also one of the loneliest times of her life. What is it that drove a parliamentary librarian, Jon Breukel to spend three years getting together a CD and a CD-ROM called *Mantra Mix* to support Tibetan refugees, including monks and nuns, and which gave

him the courage to get international stars such as Madonna to contribute to the CD?

What is it that drives one of my constituents called Dave who has been unemployed for several years to volunteer for the Mooroolbark Country Fire Authority, not just to fight fires but to spend most of his time keeping not only the station but all the rigs in the most immaculate order?

What is it that compels people from the City of Greater Bendigo — and these are only a few among many — to give their time, their talent and their commitment to the community? Mr Ken Briggs works for Habitat for Humanity and undertakes dam-building projects in developing countries in Africa. Mrs Dot Wilde and her friend Mrs Joan Pierce are community fundraisers for sudden infant death syndrome. Mrs Mary Preston works for sporting community organisations and various parent clubs. Mr Barry Cooper works for ROMAC, the Rotary Overseas Medical Aid for Children, and Bendigo is the home of ROMAC. Ms Audrey Dreschler has been involved in farming organisations, salinity programs, Landcare and the Country Woman's Association amongst many other causes. Mr Kevin Riley is involved with the organ donor register project and Mr Leon Scott is working in the rebuilding of East Timor project. I also refer to the Japonica Women Self-support Group for Breast Cancer led by Mrs Tanya Lea, who is present in the chamber today.

They are only a few of the many volunteers who walk guide dogs, foster children, work for the scouts or guides, or give their time as volunteers at the gallery here in Bendigo. As the shadow Minister for the Arts I pay particular tribute to volunteers in galleries throughout Victoria. It is not an easy job, and they almost need a PhD in art to do that work! The magnificent new Works on Paper exhibition at the Bendigo Art Gallery, which was opened this morning by the Premier and for which funds were contributed by the previous coalition government and the Myer family, will no doubt make great use of volunteers.

What is it that drives these people? It is the desire to help and to give back to the community; it is the desire to feel, 'I have received, therefore I have an obligation to give'. As other speakers have said, the statistics tell it all: more than 1 million Victorians give of their time as volunteers in various causes. They give untold hours of their time, and if their work were costed out it would represent many millions of dollars. They give because they feel they should. Country Victorians do more than city Victorians, and women do more than men. But there is a warning sign: women who are not in the paid

work force are more likely to volunteer, and it is likely that the pool of volunteers will start to diminish unless active steps are taken to counteract that.

In particular I pay tribute to the volunteers who over the past 10 weeks, during which the Health and Community Services Union has been taking industrial action in disability facilities throughout the state, have stepped in to take care of people with profound intellectual and physical disabilities. They have given a great deal — and a great deal has been asked of them — throughout a dispute which this government and this minister have been unable to resolve.

It is appropriate that at this time the house should pay tribute to the work of volunteers throughout Victoria and Australia and to those who heed the call in overseas countries, where the need is often so much greater. In particular I pay tribute to our soldiers in East Timor. It is worth noting that Australia's military forces have been built on volunteers, not on conscripts. They make and have made a magnificent contribution in times of war and during international skirmishes overseas.

We are proud of our volunteers. At various times of my life I have been a volunteer, particularly with the Girl Guides movement. It is significant and appropriate that we pay this tribute to volunteers. I have pleasure in supporting the motion.

Ms ALLAN (Bendigo East) — I am pleased to join the debate on this important motion. It is appropriate that during this historic sitting in Bendigo — we have already heard this morning about how wonderful it is to be here — we honour the volunteers who give so freely of their time to our community. Today I would like to particularly honour the volunteers who give freely to our community in Bendigo.

Bendigo people, like many people across country Victoria, volunteer to work in many organisations across our hospital and aged care facilities, emergency services, schools and sporting and cultural organisations. The fundamental driver of all volunteer organisations and the people in them is their belief in what they are doing and what they can achieve as a group working for their communities. It is not about personal gain, personal status, power or wealth; it is about what they think is the right thing to do.

We see this and know this as we honour them — as many of us have done throughout the year. When these volunteers are honoured they are often reluctant to be publicly thanked for the work they do and they invariably share the honour with the members of their group.

This week, here in Bendigo, we have had just two examples: the Premier and the Minister for Aged Care presented certificates to representatives of 12 volunteer organisations at the Bendigo Health Care Group. They were representing their organisations and were keen to share the honour with the other members of their groups. On Monday I was pleased to be able to present certificates to volunteers at the Bendigo Special Development School and volunteers who work for the Riding for the Disabled Program at the Bendigo showgrounds.

In particular, the Riding for the Disabled Program relies on those volunteers to get the horses to the grounds for the students to ride. It also relies on school students to come along in their own time to help students with disabilities go through their paces on the horses at the showgrounds. All the volunteers were pleased to be publicly thanked. However, they do not do it for the recognition; they do it because of their dedication and commitment to the community.

Volunteer organisations also play an important role in bringing people together. It is a social opportunity for people to come together and get fulfilment in doing something together as a group. I give my own example of the brass band community. The Leader of the National Party spoke about his involvement with the Marist Brothers. I am a member of the Marist Brothers Brass Band and we get together every week. We share our music and give freely of our time. We put on performances for the public and attend competitions, but we could not get to the public performances or the competitions if we did not have the volunteers, whether they are parents or spouses, coming along and supporting members of the band.

Indeed, many honourable members would not be sitting in the chamber today if not for the many hundreds of volunteers throughout the state on which all parties rely for their election, whether that be handing out how-to-vote cards on election day or other things. The Labor Party and the trade union movement particularly rely on volunteers. People have committed their whole lives to what they believe in and what governments can achieve. It is appropriate that they are acknowledged today.

Finally, I acknowledge the role of parents as volunteers. Parents are the quintessential volunteers because they become involved in their children's lives. Certainly I have benefited from the commitment my parents have given me, and my brother continues that involvement with the local Special Emergency Services. In concluding, I commend the Parliament for putting the

motion today and commend the minister for recognising volunteers.

Mr HONEYWOOD (Warrandyte) — More than 10 per cent of Victoria's self-governing schools came from the Bendigo area. Why was that so? It was because parents as volunteers wanted to run their own schools. They wanted to run the affairs of education here in the Bendigo community. They did not want to be directed by Melbourne's head office, but they had the rug pulled from underneath them because they wanted to run their own children's education programs.

Importantly, at the start of the school year, some seven local primary schools which had ordered portable classrooms had no classroom delivered on time. So here in Bendigo, it was the volunteer parents who did the working bees to ensure that, given the lack of classrooms available in Bendigo primary schools, classrooms were put in order for the children to start school a week after the normal starting time.

Importantly, it is the volunteers at schools such as Camp Hill Primary, Bendigo Special Development School, Kennington Primary School, Violet Street Primary School and Flora Hill Primary School who give of their all with reading programs, volunteer literacy programs, the canteen volunteer program and indeed with attempting to ensure that their children, the most precious asset of any community, are provided with world-class education given the lack of government resources provided to the local community.

It is in the area of education that volunteers show that they are determined to ensure that their children receive the best education in the world, and here in Bendigo they are leading the way by ensuring that they want self-governance, they want to be masters of their own destiny.

Debate interrupted pursuant to sessional orders.

Motion agreed to.

Sitting suspended 1.01 p.m. until 2.12 p.m.

DISTINGUISHED VISITORS

The SPEAKER — Order! It gives me great pleasure to welcome to the gallery the Honourable Steve Gibbons, the federal member for Bendigo. It gives me particular pleasure to welcome Mr John Lechte, the former member for Oakleigh, who served in the Victorian Parliament between 1947 and 1950 and who provides a very important link between history and today.

QUESTIONS WITHOUT NOTICE

Employment: rural and regional Victoria

Dr NAPTHINE (Leader of the Opposition) — I refer the Premier to today's Australian Bureau of Statistics employment figures, which show that for the first seven months of this year 36 100 full-time jobs have been lost in regional Victoria, including 3600 jobs in the Barwon–Western region, 13 000 in the south-eastern region, 9000 in the Loddon–Campaspe–Mallee region, 5900 in the Goulburn–Ovens–Murray region and a staggering 19 000 full-time jobs this year alone in the Central Highlands Wimmera region. When will the Premier's actions begin to match his continual rhetoric, and when will he do something about the jobs disaster facing country Victoria under his government?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. Let me give a very simple figure in retort. When we came to government in October 1999 the unemployment rate in country Victoria was 7.3 per cent. The figures out today show that the unemployment rate in country Victoria is down to 6.2 per cent. Unemployment in country Victoria is less now than it was when we came to office in October 1999.

I add to that that Victoria now has the second lowest unemployment rate in the country. We have had the strongest employment growth of the year of any state. All other states, except Western Australia, have had job losses; we have had job growth. We have had the strongest growth over the last year. We have also had a record number of apprentices and trainees. I say 'Good on you' to the Minister for Post Compulsory Education. She has done a great job because we now have more than 100 000 people in training and apprenticeships. That is a record high.

We have young people coming through the system in record numbers, we have a lower unemployment rate than what we inherited, we have the biggest job growth in the country and we have the second-lowest unemployment in the country. Look at any of the figures on economic growth and job growth — Victoria is a shining light in Australia.

Essendon Airport: sale

Mr RYAN (Leader of the National Party) — My question is also to the Premier. I refer to confirmation last week of the sale of Essendon Airport, securing its future as a commercial facility. Will the Premier now confirm that, in the interests of country Victorians, the

government will finally abandon its longstanding efforts to close Essendon Airport and convert it to a housing estate?

Mr BRACKS (Premier) — I thank the Leader of the National Party for his question. The interesting thing about the decision the federal government made on the sale of Essendon Airport — it is its property; it sold it — is that we had a different view, as the Leader of the National Party knows. Our view was that if it was purchased by the Victorian government, which we sought to do, we would close that airport and relocate that business to Tullamarine and other airports and would seek to have a residential housing development on that site. The interesting thing about the decision of the federal government is that it tries to do both. Not only is it selling the airport as a going concern as an airport; it is also adding on extra housing on that site.

This is a good long-term measure, isn't it? This is a great long-term measure! That effectively means that the intrusion of housing on that airport is greater and its ability to operate as a regional airport is reduced. Essentially this is a hybrid decision that will please no-one. This has been decided by the federal government; it is its property. Nevertheless, this government will work with it to get the best out of it.

I think it is a second-rate decision. It is not one the National Party sought. It is a compromise, which means that land is extracted for property value, retail and residential. That will mean further intrusion on the airport and further problems with that regional airport —

Mr Ryan — On a point of order, Mr Speaker, on the question of relevance, could the Premier simply answer the question: are they going to keep trying to close it or not?

The SPEAKER — Order! I do not uphold the point of order.

Mr BRACKS — As I said, this is a second-rate decision and is not one that is preferred by this government. I expect and predict that down the track there will be problems because of this intrusion of residents onto Essendon Airport.

Rail: regional links

Mr MAXFIELD (Narracan) — Will the Premier inform the house of the response from the private sector to the government's call for partners to deliver upgraded communications infrastructure to regional Victoria using Victoria's new fast rail links?

Mr BRACKS (Premier) — I thank the honourable member for his question and for his continued interest in regional fast rail services — along with all provincial and regional MPs and the regional councils, who are behind and with this government in getting fast rail services from the regions into the city.

As we heard during the presentation by the mayor of Greater Bendigo, the vision that regions have is to be closer to Melbourne and to have those incomes coming out and being spent in regional centres. The government shares that vision. It wants the population distributed more equally in Victoria; it wants the spending power of those incomes to come to regions, and it wants their populations to grow. The regional rail lines in the four provincial areas will increase jobs by some 9000 — that is, 9000 new jobs in those four regions.

One of the pleasing by-products of this project is that we will also tender out a contract — an expression of interest is currently out, in which there is enormous interest — to lay optic fibre alongside the tracks into these four regional centres. That means they will be not only fast rail links but also fast communication links. The benefit for the private sector organisation that successfully tenders for this arrangement is that it will have the ability and capacity to onsell the optic fibre that is laid into those communities and to sell its products there. The state will get an upgraded signalling system with optic fibre for almost nothing, as the tenders that will come in will show.

This is a great deal for the government and for regional Victoria. It will have fast rail links and fast communications. Communications and transport are the keys to unlocking jobs in regional communities. We are committed to growing regions and not closing rail lines but opening rail lines. This is the biggest investment in the Victorian rail grid in 100 years — and the biggest investment in country rail has been made under the new Labor government in Victoria.

Bendigo Health Care Group

Mr DOYLE (Malvern) — Noting that the Bendigo Health Care Group has recruited 89 nurses but has been promised funding for only 39 of them, will the Premier now guarantee providing ongoing funding beyond the next 12 months for the other 50 nurses recruited by the Bendigo Health Care Group?

Mr BRACKS (Premier) — The Bendigo Health Care Group has had something like a 30 per cent funding increase, or \$16.5 million extra, which has been contributed by this state government over the

previous government; plus we have funded a \$10 million radiotherapy unit and recruited an extra 76 nurses. Those extra nurses are for two things: to assist the nurses in the job on ratios, and to treat more patients. They are the two reasons we employed those nurses.

Employment: Bendigo

Ms ALLAN (Bendigo East) — Will the Minister for State and Regional Development inform the house of the latest action taken by the government to boost employment in regional Victoria, particularly the Greater Bendigo region?

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Bendigo East for her question. I was in Bendigo yesterday with her, the honourable member for Bendigo West and the federal member for Bendigo where I was able to announce on behalf of the Bracks government the provision of a further \$400 000 from the Regional Infrastructure Development Fund towards the further upgrading of the Central Deborah goldmine. This was extraordinarily well received by the Bendigo community, which has been trying to get this funding for a number of years.

The government that delivered the funding was the Bracks government, and its source was the Regional Infrastructure Development Fund. I am also delighted to say — —

Honourable members interjecting.

Mr BRUMBY — The opposition hates good news. Today it picks some obscure monthly statistic from the Australian Bureau of Statistics — —

Dr Napthine interjected.

The SPEAKER — Order! The Leader of the Opposition should cease interjecting.

Mr BRUMBY — Since October 1999 — —

An honourable member interjected.

Mr BRUMBY — I am happy to talk about the ABS statistics!

Since October 1999, 35 000 new jobs have commenced in regional Victoria. Which government delivered them? The Bracks government! The government and the people of Bendigo remember the former government and its attitude to country Victoria — including its description of country Victoria as the toenails of the state. The Bracks government has put

policies in place to govern truly for the whole of the state.

Some of the initiatives introduced were referred to earlier by the Premier. They include the fast rail program, the black spot program, the fibre optics, the Regional Infrastructure Development Fund and rail standardisation. Parliament is here today in this magnificent venue at Bendigo with its history built on gold, but it has a rail network that has been massively neglected for more than 100 years. Which government is fixing it up and standardising it? The Bracks government!

In terms of the Regional Infrastructure Development Fund, I am delighted to say that as of 31 July 29 projects have been announced with a contribution from that fund of \$52.4 million. Those projects are estimated to gear up total investment of more than \$121 million, a ratio of better than 2 to 1. In Bendigo \$3.2 million was announced for the information technology centre of excellence in partnership with La Trobe University, the council and Ericsson Australia; \$250 000 for the centre for sustainable development at La Trobe University; the Central Deborah goldmine, which I referred to yesterday; and \$400 000 for industrial infrastructure works to encourage an expansion by Parmalat in Bendigo, which will result in some 50 new jobs. That is a great record for both the fund and investment in Bendigo.

I am delighted to announce today that the Bracks government will provide a \$1.65 million grant to Coliban Water that will allow Castle Bacon, which is the region's largest employer, the security it needs to plan for future growth. It is significant that Parliament is here today and that Castle Bacon, established in 1905, is now the largest private sector employer in the region, employing more than 1200 people. In conjunction with Coliban Water, the grant will ensure \$4 million of investment in waste-water treatment that will enable the company to expand its investment in the future.

I also acknowledge in particular the representations made by the honourable member for Bendigo West, who is also the Minister for Workcover and the Minister for Local Government.

Mr Ryan interjected.

Mr BRUMBY — It is the largest private sector employer in the region — 1200 jobs — and the honourable members for Bendigo West and Bendigo East have been fighting to ensure that the company succeeds and the investment takes place. It has been

secured today — \$1.65 million — as part of a \$4 million investment in waste-water treatment. Once again — —

Mr Ryan interjected.

Mr BRUMBY — You hate good news.

Again this shows that the Bracks government is getting on with the task of building jobs in regional Victoria.

Finally, today at the Federation function as the Premier was speaking and the lunch was being served, we all appreciated the quality of the produce provided, which I assume was from Castle Bacon — and if it was not, I will blame the opposition!

The SPEAKER — Order! I ask the minister to conclude his answer.

Mr BRUMBY — I am concluding, Mr Speaker. As I bit into my sausage and sauce and bread today, I knew in that first bite that it had to be a sausage manufactured by Castle Bacon!

Rail: freight containers

Ms DAVIES (Gippsland West) — My question is for the Minister for Transport. Double stacking of containers on rail freight transport has the potential to add huge efficiencies to the rail freight system, yet the previous coalition government was so contemptuous of Gippsland that it made no provision — —

Honourable members interjecting.

Ms DAVIES — The previous coalition government made no provision for sufficient clearance — —

Honourable members interjecting.

The SPEAKER — Order! The honourable members for Mordialloc and Tullamarine!

Honourable members interjecting.

Ms DAVIES — Calm, kiddies — calm down!

The previous coalition government made no provision for sufficient clearance for double-stacked containers under the new Federation Square structure.

I ask the minister to give his guarantee that this government will be different and to make sure that all new structures over our Gippsland and South Gippsland rail lines will be built to allow sufficient clearance for double-stacked containers, as per the new national code of practice for railways, so that his government is not

creating further impediments to Gippsland's rail efficiency into the future.

Mr BATCHELOR (Minister for Transport) — The honourable member for Gippsland West well knows the contempt that the previous Kennett government had for rail matters in her part of Victoria. In fact they were happier closing down rail lines. South Gippsland in particular was one of those areas that suffered with the passenger services there, and we will be reopening that line.

As the honourable member for Gippsland West rightly pointed out, when the previous government started work on the Federation Square project it failed to acknowledge that this was an important rail freight route, not only to the south-eastern suburbs but also out into Gippsland. It is not possible to bring double-stacked containers through that particular corridor. This is a real tragedy because the experience that has been demonstrated from rail freight across to Perth has been that double stacking provides huge efficiencies and has provided the ability to transfer an enormous amount of freight from road to rail.

This government has a very determined policy not only to restore passenger services to country Victoria but also to make sure that the rail freight network in Victoria is brought up to standard and made competitive and efficient. In fact, just recently in a meeting the Deputy Prime Minister, John Anderson, praised the Victorian government's attitude towards rail reform.

Honourable members interjecting.

Mr BATCHELOR — John Anderson, the Deputy Prime Minister, has said this on numerous occasions: that of the Australian states Victoria is way out in front in upgrading the rail networks, both freight and passenger, within the state and also for facilitating interstate rail movement.

As the Treasurer has said, not only are we concerned with passenger services, we are also concerned with our intrastate freight services. We have proposals to spend almost \$100 million on standardising most of the country rail freight within Victoria.

In terms of the Victorian network, I will undertake, where possible, to ensure that in future all new construction contracts that are called for will provide that the new national clearance standard of 7.1 metres is available for future double-stacking requirements.

In addition to that there is a huge task in retro-fitting the existing network. We have identified interstate freight

tracks as the priority at the moment, and we have proposals before the Australian Rail Track Corporation and the federal government for priority investment for upgrading the interstate rail track between Melbourne and Sydney. To upgrade just the area around the South Dynon, Footscray and Albion precinct to provide for double stacking would cost about \$80 million. We have already raised that issue with the federal government. One would expect in light of the congratulatory comments that the federal Minister for Transport and Regional Services, John Anderson, has made that he will look favourably on that request and on our request for assistance to help with the standardisation process, because we need the commonwealth to get on board with that important project.

Water: Wimmera–Mallee pipeline

Mr McARTHUR (Monbulk) — I refer the Premier to the feasibility study that has recommended replacing the ageing Wimmera–Mallee channel system with pipelines. As somebody who spent 40 years in the Mallee, I know how important that recommendation is. I note that the 100-year-old channel system loses approximately 103 000 megalitres of water every year, which would be much better used in agricultural production, providing township supplies and boosting environmental flows in our heritage river systems.

Will the Labor government now immediately match the Liberal Party’s commitment and guarantee to provide Victoria’s share of funding for this important project?

Mr Brumby interjected.

The SPEAKER — Order! The Treasurer shall cease interjecting.

Mr BRACKS (Premier) — I thank the honourable member for Monbulk for his question. Before answering it, I join with the honourable member for Wimmera in saying that it is a region that has been hard hit by drought. Reservoir capacity is down to 11 per cent, which is a problem that needs urgent attention and assistance in the future. I understand that, and I acknowledge that the motion given notice of earlier by the honourable member for Wimmera is entirely appropriate on that basis.

The government is a big supporter of the northern Mallee pipeline, and that has been made clear in the past. It has also undertaken a feasibility study with the federal government, the local shires, Powercor and the Wimmera-Mallee Rural Water Authority to produce the report we are now debating. The government stands ready to work in cooperation with the federal government, because it has to be a national, state and

local government, and water authority solution. There is no doubt that it is a very important national project for Australia and for the region. That whole food belt can be enhanced enormously if we get things right in the future and stop evaporation and seepage.

The government will have discussions with the federal government on appropriately scheduling support for this project in the future, but it is important that we have a cooperative effort to achieve it.

Workcover: management

Mr LONEY (Geelong North) — The Minister for Workcover must indeed be proud of the warm welcome his community of Bendigo has given the state Parliament today.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition! The house will come to order. I ask the honourable member for Geelong North to ask his question.

Mr LONEY — I ask the minister to inform the house of the recent financial results of the Victorian Workcover Authority and how they will benefit rural, regional and metropolitan Victorians.

Mr CAMERON (Minister for Workcover) — Indeed Bendigo is very proud that Parliament has visited it today.

I have some historic news to report to the house, meeting today in this great town hall, about the Workcover scheme. For the first time ever in the compulsory workers compensation scheme in this state we have seen a write-down in liabilities. This is the first time we have seen a write-down in liabilities as a result of good management without reducing benefits.

Honourable members interjecting.

Mr CAMERON — They hate good news!

What the government has had to do is face the enormous mess and challenge it was confronted with because of about \$1 billion in Liberal liabilities. We have seen a reduction in liabilities to \$692 million. That is important.

An honourable member interjected.

Mr CAMERON — No, not at all. Unfunded liabilities inherited from the Kennett government — and the Liberal federal government as a result of the

GST — when we came to government were \$1 billion, and we have been able to reduce them.

A fortnight ago the former Minister for Workcover in the former Liberal government, a cabinet colleague of the Leader and Deputy Leader of the Opposition, offered his congratulations on this dramatic turnaround. That is good to see.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Transport!

Mr CAMERON — It is good to see that some people have some understanding, even if the Leader of the Opposition does not. Cleaning up the legal management has been an enormous task. That is work we started in week 1 of government, and we are now seeing the results. Businesses and workers in metropolitan, regional and rural Victoria benefit as a consequence of this solid management and turnaround because businesses benefit as a result of the scheme coming under control and the move back towards the black, something that had not occurred in the previous five years.

We now see that working people across the entire state can be offered a common-law scheme provided it is managed well. The government has this year stabilised premiums — something that has been applauded by employer organisations like the Victorian Employers Chamber of Commerce and Industry. It is good news and something we are pleased to be able to do that the other lot never could!

Gaming: regional machine caps

Mr BAILLIEU (Hawthorn) — I ask the Minister for Gaming when the government will implement a regional cap on gaming machines in Bendigo, Ballarat and Geelong, as Labor promised in its press statement of September 1999?

Mr PANDAZOPOULOS (Minister for Gaming) — I thank the honourable member for Hawthorn for his question. The first thing we should ask is what is the opposition's gambling policy? Why did it not implement regional caps when it was in government? Why did it not have any responsible gambling measures? Opposition members are great commentators on gambling now, but they do not have any solutions. The government has said that it will not rule out putting further caps in the five cap regions of Victoria that cover 10 per cent of Victoria's population. Two of those regions are in regional Victoria: Bass Coast and the Latrobe Valley.

Regional caps are about targeting those areas that have a combination of the highest concentration of gaming machines, the highest turnover of gaming machines and the lowest socioeconomic areas. The government has created five cap regions, and so far those regions are in the top five. The government has said it will review caps in any possible next round. The government introduced caps only a number of months ago. It is a world first. Victoria has had to create a system to protect those communities that are being harmed more than other communities.

The government does not rule out further caps but it will not jump to do things just because it seems a lot of issues have been raised. This government is doing things to ensure responsible gambling in this state. It is tightening the regulation of industry and it is extracting more money from the industry that will go back to the community rather than to corporate profits. That did not happen under the administration of the previous government.

I also indicate that I am almost dead certain that every gaming centre in the communities referred to by the honourable member for Hawthorn were introduced under the term of the previous government.

Water: sustainable management

Mr HARDMAN (Seymour) — I ask the Minister for Environment and Conservation to inform the house of the action the government is taking to promote the sustainability of water resources across the state?

Ms GARBUTT (Minister for Environment and Conservation) — The government understands the role water plays in community development in regional economies, in jobs, in sustainable agriculture as well as in the environment. It is committed to sustainable water resource management.

The government's \$30 million program Water for Growth, money that the previous government never came near to spending for the management of water, is aimed at unlocking the potential of our water resources for our farms. Already \$9 million has been allocated under the program for increasing water efficiency on farms, for increasing efficient irrigation practices such as promoting reuse dams that are good for the environment and very good for farmers, for regional economies and for growth.

Today I am delighted to announce more good news in sustainable water management that will benefit farmers as well as the environment. I indicate that \$2.9 million is being allocated for a range of water management initiatives across the state that will make Victoria the

national leader in managing water. The new funding is aimed at improving management of ground water resources in the Wimmera, Western Victoria, Port Philip and Gippsland. As well, \$1.9 million of that program will go to 20 stream flow management committees to assist their planning across Victoria.

The funding will go to King Parrot Creek and to the Yea River in the Goulburn–Broken catchment. Recently I met with the honourable member for Seymour and the stream flow management planning committees for these areas. The committees do a fantastic job. They undertake analysis of water needs, current uses and environmental flows. They address difficult issues in a professional manner, and I congratulate them on the work they do.

In addition to funding for those two rivers, money will be allocated for the Kiewa River, the Upper Ovens River, the Moorabool River, the Mitchell River, the Upper Loddon and others. The funding will allow these stream flow management committees to carry out hydrology and environmental flow investigations, undertake community consultation about the issues, talk with farmers about their use of water and their needs and deal with some technical project management issues. It will allow them to establish rules for the management of that water flow and water use in those catchments.

They are important initiatives. They will allow the government to fast-track water management and water resource issues across the state. The money is being delivered now.

Mr Perton interjected.

Ms GARBUTT — If the honourable member for Doncaster is not seeing it, it is because he is not looking. He is not out in regional Victoria often enough!

The funds and the work the committees do will encourage further opportunities for investment in high-value irrigated produce and water management. It is very good news for regional Victoria. It is a key part of the government's response to the farm dams report, and it is a major part of the recommendations the government has accepted. We are already implementing them and providing funding to enable the stream flow management plans to continue.

DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The Bracks government pre-election policy called 'A safe and just society' included a proposal to introduce tougher penalties for convicted commercial level drug traffickers.

At the joint Parliamentary sitting held on 21 March this year, Parliament was informed about, and debated, the effects of drugs in our society and additional strategies which could be developed to effectively address the wide-ranging, pervasive effects of drugs. The importance of a comprehensive drug strategy was discussed. Whilst there is a clear need for effective prevention, education and treatment strategies and services, it is also essential to stem the supply of drugs.

Large-scale drug traffickers peddle in death and misery, affecting hundreds of individuals and families. The Drugs, Poisons and Controlled Substances (Amendment) Bill will enable the full force of the law to be brought to bear on such drug traffickers by:

introducing a new offence of trafficking or cultivating a large commercial quantity of drugs, punishable by a maximum penalty of life imprisonment; and

enabling drugs to be combined in the one offence so those drug traffickers will be sentenced for the true extent of their drug trafficking and its harmful effects in our community.

New offences

The history of the development of the offences of drug trafficking and cultivation of narcotic plants reflects the increasing importance that the community and successive governments have attached to punishing those involved in the drug trade. Initially, drug trafficking and cultivation offences applied regardless of the quantity of drugs involved. However, in 1983 new penalties were introduced which distinguished between those who trafficked a commercial quantity of drugs and those who trafficked in a lesser amount. In 1997, higher penalties were introduced for trafficking less than a commercial quantity of drugs to a child.

However, it has become apparent that the current regime for drug trafficking and cultivation offences is inadequate. Because of the changing nature of the drug

trade, new offences are required to provide higher penalties for larger quantities of drugs and to close loopholes that exist for those who trade in a range of drugs.

With this series of changes, the new offences cover a variety of circumstances. This government has taken the important step of restructuring the offences of trafficking and cultivation of drugs of dependence to enable the offences to work simply and effectively in a wide range of circumstances.

There has been uncertainty concerning whether the existing provisions create one offence or a number of offences. To remove this uncertainty, the bill makes it clear that there are general offences of trafficking and cultivating and additional more serious offences apply where substantial amounts of drugs are trafficked or cultivated or where drugs are trafficked to a child.

Life imprisonment

The new offence of trafficking in a large commercial quantity will attack the Mr Bigs of the drug trade, who operate at the top of the manufacturing and distribution hierarchy and who make large profits from trafficking in drugs. It is not directed at drug addicts who peddle drugs in order to obtain money to feed their own drug addiction.

At present the longest sentence of imprisonment that can be imposed for drug trafficking in Victoria is 25 years. This penalty applies to trafficking in any drug above a set amount. In the case of heroin it is 250 grams. Cases have arisen in Victoria of trafficking in several kilograms of heroin. The maximum that can be imposed for such cases is 25 years imprisonment.

Large-scale commercial trafficking is defined in this bill as any amount more than 750 grams of pure heroin, cocaine or amphetamines. Quantities have also been set for a range of other drugs, including cannabis, according to the commercial value of the drug.

In addition to imprisonment, the maximum fine for this new offence is \$500 000. This is double the maximum fine applicable to the existing offence of trafficking in a commercial quantity.

Similar maximum penalties have been set for cultivating a large commercial quantity of cannabis plants.

The new maximum penalty of life imprisonment reflects the community's abhorrence of large-scale drug trafficking and cultivation and will warn potential

offenders of the price they could pay for engaging in this illicit trade.

Aggregation of drugs

The second measure the government is introducing is designed to close a loophole that currently allows some drug traffickers to escape being charged with commercial level drug trafficking offences.

Currently separate parcels of different drugs cannot be added together, so that if a drug dealer has amounts of drugs, each of which is less than a commercial quantity, that drug dealer cannot be charged with trafficking in a commercial quantity.

For example, the commercial quantities for heroin, amphetamine and cannabis are 250 grams, 250 grams and 1 kilogram respectively. The police might apprehend a large-scale drug dealer who is in possession of 200 grams of heroin, 200 grams of amphetamine and 800 grams of cannabis. Each of those quantities is below the commercial quantity specified for the individual drugs, and yet taken together the aggregate street value of the drugs in the trafficker's possession is in excess of \$100 000.

The inability to aggregate such parcels of different drugs means that large-scale traffickers can avoid the highest penalties and tougher confiscation regimes by ensuring that they do not have a commercial quantity of any single type of drug.

Difficulties have also arisen in cases where the trafficker deals only in one drug, but the drug is in different forms, and each form is less than the specified commercial quantity. For example, a person may be dealing in 80 cannabis plants and 800 grams of cannabis resin. Each of these quantities is less than the specified commercial quantity for the particular form of the drug (100 cannabis plants or 1 kilogram of cannabis resin), and yet it should clearly be possible to treat the total amount of the drug as a commercial quantity.

This bill closes this loophole by enabling drugs to be aggregated for the purpose of establishing whether they are a commercial quantity or a large commercial quantity. Instead of being subject to a maximum penalty of 15 years imprisonment, such drug traffickers will be liable to a maximum penalty of:

twenty-five years imprisonment for trafficking in an aggregated commercial quantity of drugs; or

life imprisonment for trafficking in an aggregated large commercial quantity of drugs.

National problem

The scourge of drugs is not confined to the Victorian community. It is a national problem. The new offences of trafficking or cultivating large commercial quantities of drugs and enabling the aggregation of drugs to determine commercial and large commercial quantities are based on recommendations of the Model Criminal Code Officers' Committee, a national committee that reports to the Standing Committee of Attorneys-General, in its comprehensive report *Serious Drug Offences*, which was released in 1998 following Australia-wide consultation.

By introducing the maximum penalty of life imprisonment for large-scale drug trafficking Victoria's laws will be consistent with those in most other Australian jurisdictions including the commonwealth, New South Wales, South Australia, the Northern Territory and the Australian Capital Territory. Until now some drug traffickers may have thought that it was better to traffic in drugs in Victoria than in New South Wales or South Australia because we have a lower maximum penalty. This bill makes it clear to those drug traffickers that they are just as unwelcome in this state as in any other state.

Confiscation of profits

Victoria's confiscation laws are among the toughest in Australia. The toughest procedures under the Confiscation Act are known as automatic forfeiture and civil forfeiture. Automatic forfeiture applies to a limited number of serious offences. If a person is charged with an automatic forfeiture offence, all of their property can be restrained to prevent its disposal. Following conviction, all of the restrained property will be automatically forfeited unless the defendant can prove that the property was lawfully acquired and was not used for any unlawful purposes. Civil forfeiture has similar reverse onus provisions but applies where the offence is proved on the balance of probabilities rather than beyond reasonable doubt, as occurs in criminal proceedings.

This bill provides that automatic forfeiture and civil forfeiture processes will be available for the new offences of trafficking in a large commercial quantity of drugs and trafficking in a commercial quantity of drugs (which now includes where drugs have been aggregated).

The application of these confiscation processes to the new offences provides a significant deterrent by ensuring that those who engage in drug trafficking will not profit from their criminal activities.

Bail Act

The Bail Act currently provides that if a person is charged with trafficking in a commercial quantity of drugs, the court must not grant bail unless it is satisfied that exceptional circumstances exist. The bill also expressly provides that a person who is charged with the new offences of trafficking in a large commercial quantity of drugs, a commercial quantity of drugs (which now includes where drugs have been aggregated), or the offence of cultivation of a large commercial quantity of drugs must also be refused bail unless the court is satisfied that exceptional circumstances exist.

Sentencing Act

The Sentencing Act currently provides that if a person is convicted of trafficking in a commercial quantity or cultivation of a commercial quantity of drugs, that person may be regarded as a serious drug offender. If a serious drug offender commits another serious drug offence, then in fixing the sentence the court:

must regard the protection of the community as the principal purpose of the sentence;

may impose a sentence that is longer than is proportionate to the gravity of the offence committed; and

must impose a sentence to be served cumulatively upon any other sentence of imprisonment unless the court orders otherwise.

This tougher sentencing regime will be extended to those who are convicted of the new offences of trafficking, whether in a large commercial quantity of drugs, a commercial quantity of drugs (which now includes where drugs have been aggregated) and the offence of cultivation of a large commercial quantity of drugs.

Unanimous verdicts and majority verdicts

Consistently with this government's approach to other offences, this bill provides that:

if the offence is punishable by life imprisonment, the verdict of the jury must be unanimous; and

for any other offence, the verdict of the jury may be by a majority in accordance with the provisions of the Juries Act 2000.

This approach is consistent with the government's approach in the Juries Act 2000, which provides that a person may only be found guilty of an offence

punishable by life imprisonment by a unanimous verdict of a jury.

Jurisdictional issues

It is currently possible for the Magistrates Court to hear charges of trafficking in a commercial quantity of drugs. In recent years there have been a number of instances in which such serious charges have been heard in the Magistrates Court. If an offender is sentenced in the Magistrates Court the maximum term of imprisonment that can be imposed is three years. This government considers that offences involving large commercial quantities and commercial quantities of drugs are too serious to be heard in the Magistrates Court. These charges must be heard in the Supreme Court or the County Court. This bill provides that the Magistrates Court will no longer have the jurisdiction to hear and determine charges involving such large quantities of drugs.

Conclusion

The comprehensive range of amendments provided in this bill are an important symbol of this government's determination to introduce new and effective measures to address the scourge of drugs in our society.

I commend the bill to the house.

Debate adjourned on motion of Dr DEAN (Berwick).

Debate adjourned until Thursday, 30 August.

CRIMES (VALIDATION OF ORDERS) BILL

Second reading

Debate resumed from 7 June; motion of Mr HULLS (Attorney-General).

Dr DEAN (Berwick) — I am sure the people of Bendigo will be pleased to know that this Parliament is now entering a period where the opposition and the government agree. Just as Parliament has its conflict and adversarial side, which has been viewed through question time — and that is an appropriate way that democracy operates, without restraint — there are other occasions on which legislation is introduced when both the government and the opposition agree that it is good for the people of Victoria.

One of the reasons the opposition agrees this is good legislation for Victoria is that it ensures the legislation introduced by the previous government for DNA testing and the taking of DNA samples from prisoners works correctly.

It is worth noting that today we are witnessing history, comparing the way things were 100 years ago with the way they are today. What better example could we have in legislation than a measure that demonstrates that difference in such an extraordinarily exciting and focused way!

One hundred years ago fingerprints were the science of the day in trying to catch criminals. Fingerprinting was regarded as the state-of-the-art method by which forensic scientists and police could catch crooks. Here we are today debating legislation that enables DNA samples to be taken from the scene of the crime to catch crooks. You could not have a better example of how science and technology develops over time to enable us to do a whole lot better.

The difficulty with fingerprints has always been that once the scene of the crime has been left fingerprints can be washed away and disappear with the course of time. If there is no surface on which fingerprints can be shown or left, as in the case of a vicious crime such as rape that happens outside, there is no capacity to find them. And if you do not find the person involved, you cannot get the fingerprints and therefore cannot prove the crime. So with fingerprints there are great gaps as to whether or not they will lead you to solve quite vicious crimes. If the criminals decide to wear gloves, fingerprinting becomes irrelevant as a tool to catch them because it is not able to be used at all.

But in comes DNA — and what a fabulous example of science this is! It provides the capacity to go to the heart of a cell and take out the DNA structure, that strand of DNA cell which winds around like a twisting ladder.

An Honourable Member — The helix.

Dr DEAN — Thank you — the helix. Every single one of us has a separate DNA helix. It provides the capacity, therefore, to pick up a DNA sample from the most minute physical evidence, whether it be a hair, saliva or a piece of skin, at the scene of a crime — and I shall provide some examples in due course of where this has been used. It can then be put in a cupboard; and, say, 14 years later when you finally come up with a strand of hair from a person you think may have committed that crime, you can go back to that cupboard, take out the sample and match it up — and you have your crook. What a fabulous tool for the police to be able to use! It is quite recent.

Mr Maclellan interjected.

Dr DEAN — Yes, and it enables the innocent to be proved innocent. What better capacity or opportunity is there for someone who has been focused on by the

police and who the police allege has committed a crime than to be able to say, 'Take a piece of my hair, go to the scene of the crime, get the DNA sample and match it up, and that will prove me innocent.'?

Here are some examples that have occurred as a consequence of people being able to do that very thing. I might say that as the technology advanced the legal community did not actually keep up with it. It was only the previous government and the former Attorney-General, Jan Wade, who introduced legislation to ensure that the databank of DNA kept pace with this fabulous technological advantage.

At the time it was amazing because change is always a problem for people who are, if you like, set in their tracks. It was amazing to hear the number of people who argued against both the legislation and the amendments because they thought it was not a good thing to do. I will shortly return to quotes from the Attorney-General, who is sitting opposite me, when he said he had grave fears about the legislation. I am pleased the Attorney-General has not only changed his mind but is now introducing legislation to ensure the legislation works better, which is important. The Attorney-General might be surprised that we agree on that, but we do!

I turn now to some of the examples that demonstrate how extraordinarily important DNA sampling is and where it is likely to go in the future. The former government introduced legislation to enable prisoners to be tested for DNA and a databank to be built up. Without a databank there is nothing. DNA is all about catching criminals many years down the track when everyone has given up hope. Unless there is a DNA databank one can hardly match up something from the crime scene to the DNA bank.

Shortly after the legislation was introduced the *Age* reported that the police responded in the following way:

Police will review more than 200 unsolved murders dating back 50 years in an attempt to identify cases that may be solved by using DNA technology.

Hairs, cigarette butts, body fluid samples and fingernail scrapings that have been kept in exhibit files in a police warehouse for decades may be tested in a bid to solve some of Victoria's most baffling murder mysteries.

Detective Senior Sergeant Jack Jacobs, of the homicide squad, said 215 unsolved cases, dating back to 1946, when murder files were first kept, will be reviewed for human traces that can be examined for DNA testing.

...

In one case, a single human hair taken from a murder scene 18 years ago will be examined to see if it came from the suspected killer.

It should be remembered that the police often suspect who has committed a murder. In their own minds they are fairly sure of the guilty party but because of the inability of forensic medicine to prove the case that person goes free. The report continues:

In Canada, a murder was solved earlier this year after a pet hair found at the scene was traced to the killer's family cat.

Detective Senior Sergeant Jacobs said the new technology gave police a realistic chance of identifying murderers in cases that had seemed beyond solution.

He went on to talk about some of the cases the legislation would enable the police to solve. I apologise for the horrific nature of some of these examples, but they are some of Victoria's worst crimes. He said that the cases to be checked would include:

Maria Theresa James, 38, who was stabbed 68 times in her Thornbury bookshop in June 1980. She was on the telephone to her former husband, John, when attacked. Senior Sergeant Jacobs, one of the original investigators in the case, said one unidentified human hair was found at the scene that may be from the killer.

Faye Ellaway, 33, shot dead in her Prospect Street, Glenroy, home in October 1972 in front of her 19-month-old son. Her diamond engagement ring and gold watch were stolen. Police have kept one unidentified fibre from the house.

Mrs Margaret Christine Tapp, 35, and her nine-year-old daughter, Seana Lee, strangled in their Ferntree Gully home in August 1984. Detective Senior Sergeant Jacobs, who investigated the case, said samples taken from the girl's bedroom could track the killer through DNA.

The examples go on and on. There are examples of the police in England deciding to go into a village where a murder had occurred and saying to the entire population of men in that village, 'We would like you to volunteer to give DNA samples'. Of course, all the innocent volunteered and the guilty person thought to himself, 'What am I going to do about this, because all the people in the village are volunteering?'. That person said, 'Of course I'll volunteer', and he did. He was caught for a vicious murder as a consequence of that one tactic.

There are examples of the police starting to collect various samples where they knew that the technology would soon reach a certain stage. The Victorian Chief Commissioner of Police at that time, Neil Comrie, estimated that the new powers allowing police to apply for DNA samples from criminals would triple burglary arrest rates. You can imagine what an extraordinary impact this sort of thing can have!

There have been more exotic examples. How could we forget the President Clinton–Monica Lewinski saga, in which a person acting as a friend of Ms Lewinski at the time advised her to keep in a cupboard a dress that might have had some incriminating evidence on it. I am not sure whether it was ever tested later for DNA, as I never got to the end of that saga.

An honourable member interjected.

Dr DEAN — I am told it was tested.

What does DNA testing do? It tells the truth. It gets to a point where the truth comes out.

An Honourable Member — It protects the innocent.

Dr DEAN — It protects the innocent, because the innocent also have a defence that can be used in that way. There are people who are concerned that if, for example, DNA samples were taken from everyone at birth and kept somewhere, it would start the Big Brother process depicted in George Orwell's book *1984*. I would be very keen to see the DNA process kept within the sphere of criminality that operates within our community. However, I would like all honourable members to think of this: 100 years ago we had absolutely no inkling that this technology would be available and that it would operate in a way that would enable the truth to be determined so accurately. What happens when 100 years from now — I regret to say I will not be here and that no-one in this room will be here, and I am sure the Attorney-General will also — —

Mr Hulls — Where will you go?

Dr DEAN — I might stay here just to spite you!

What improvements will exist 100 years from now? Is it possible, for example, that when some form of genetic DNA sample is found and collected at the scene of a crime all sorts of things will be able to be determined from that one sample? I am talking about not merely matching a DNA sample with existing samples but also taking the sample and being able to determine from it the characteristics of the person from whom it came. If you are worried now about Orwell's *1984* syndrome, think about the possibility of taking a DNA or genetic sample and being able to determine from it how tall the person was, whether they were male or female and what they looked like. If you really want to stretch your minds into the future, you may well envisage a situation where in goes a piece of DNA and out comes a complete picture of the person whose DNA it is or was.

Mr Rowe interjected.

Dr DEAN — My colleague laughs, but let me tell him that had I stood here 100 years ago and said it would be possible to go to the scene of a crime, take a piece of DNA, match it up and prove who had been there, the laughter would have been even louder. Exciting things are happening!

But the point I want to make is this, and it is an important point: the notion of privacy is going to be tested even more as we go on than it is now. Do not kid yourself that, just because we have got to this stage and are going through this process, the process has stopped. We are going to have to make some very important decisions about how we store the identities of people in research facilities and when we take those samples.

We all know that right now every time a person is born a blood sample is taken. That sample is taken to ensure that they do not have genetic diseases or other things wrong with them that can be corrected. Even now, at this very time, there exists in the banks of the hospitals throughout this land plenty of material that would enable DNA to be matched up to personalities for the rest of time. That is a very important matter to take into account.

It is also exciting from the point of view that we are now becoming enabled to determine from DNA certain characteristics of people. Let me take you again on a quick journey to 100 years from now. If it is possible for us to determine from genetic material whether a person has certain characteristics or not, it will be possible for us to tell whether a person has criminal characteristics or a genetic tendency to be a criminal. The point is, what are we going to do with that information?

Today, as we bolster the legislation to ensure that we can use DNA as it ought to be used, we are beginning a journey that will only increase exponentially and will only put upon us more and more decisions about how we protect people's privacy and at the same time ensure that we catch the criminal.

This legislation covers an area that is quite important. When it was introduced it was necessary for any prisoner — and this brings me back to the rights of the individual and the privacy aspect — who was to undergo a DNA test and have a sample put in the databank to be able to go before a court and argue that the DNA sample should not be taken. That is the situation. The prisoner, the individual, has a right to say, 'If you are going to take part of my hair or whatever for a DNA sample and I don't think you

should, I want to be there to argue against it'. Then a judge can make the decision.

I do not know whether that is necessary, and that will be a debate for another day. Certainly, however, it is an important right at the moment. Under the present legislation, because it is now being used to such an extent, there have been about 3000 applications by the police to have DNA samples taken. As a consequence of that the courts have been snowed under, so the magistrates have said, 'We cannot open up a court every time we want to do this. We will do it in chambers' — chambers meaning the magistrate's own room, not a court. In would go the policeman, the application would be made, and if the prisoner wanted to be present they would be in the room as well and the decision would be made.

Under the Magistrates' Court Act, however, there is a provision that says everything must be done in open court. The criminal mind is quite often a clever mind, and a clever criminal came along with his or her barrister and said, 'Hang on a tick. You did that in chambers. It should have been done in open court. Therefore, the application to take my DNA sample is invalid, so you cannot have it'.

As a consequence of that there was a risk that something like 1000 determinations where applications had been made and orders granted could be void because they were done in chambers and not in court. This legislation retrospectively validates all the orders given by magistrates on DNA samples to ensure that even though the orders were given in chambers they are valid.

I am disappointed that the government, in ensuring that it validates the past, has not ensured whether it is appropriate for these matters to be heard in chambers. I am disappointed that there is no provision in the legislation to allow these matters to be heard in chambers because there are literally thousands of applications of this type. A problem with the bill is that each time an application is made there will be a requirement to have a full and open court. If legislation were introduced to enable it to be done in chambers, that could occur so long as the applicant had the right to be present.

As time goes by and the number of applications increases, I ask the government to look at the notion of applications like this being dealt with in chambers so long as the applicant has the right to be present; otherwise the system could get so clogged that we may find that this fabulous tool to enable the police to detect

murderers becomes so burdensome for the courts that it cannot operate effectively.

In conclusion, I am pleased that the government has adopted the previous government's legislation regarding the capacity to obtain DNA samples from prisoners. I am also pleased that it has introduced legislation relating to difficulties with chambers and the open court to enable the Magistrates Court to work more smoothly. I also note that this is simply the tip of the iceberg and that the Parliament and the community will have to make decisions in the future as technology gets more intrusive about how we balance the issue of privacy against the capacity to catch criminals.

Mr RYAN (Leader of the National Party) — It is my pleasure to join the debate on this important legislation. I do so in circumstances where the National Party supports it and where the honourable member for Berwick has canvassed a lot of the historical aspects of DNA so I do not need to go through those aspects again. However, I have with me the judgment that led to this legislation being introduced and debated in this place. I refer to the judgment in the Supreme Court of Justice Gillard dated 22 December 2000. It comprises 76 pages and 484 clauses. Although I did consider reading the decision it may be better if I refer to some of the essential features of it, which will give the background for the necessity of the legislation.

The whole process of DNA samples being taken from prisoners is endorsed by the National Party, because it was part of the previous government which introduced the legislation that enabled it to happen. In fact, the current legislation arises from some amending legislation to the Crimes Act which was passed in 1997 and which was introduced, therefore, by the former government. In the judgment His Honour sets out completely a number of factors which are the foundation to what eventuated; it examines all the legal issues and concludes with the reasons for His Honour's judgment.

I had the pleasure and the honour to work with Justice Gillard when he was at the bar. I had the pleasure to brief him many times over many years and his judgment is indicative of the great care with which, as is his wont, he extended to the matters before the court — and I say that with the greatest of respect.

In short, the essence of the factual background was that there was an amending piece of legislation called the Crimes (Amendment) Act passed in 1997. On page 2 of the judgment His Honour goes on to say:

One of the purposes of the amending act was to extend the range of offences for which a person could be compelled to

undergo a forensic procedure and to enable a member of the police force to apply to a court for an order authorising the taking of a forensic sample.

Furthermore, one of the new procedures was the authority given to a member of the police force to apply to the Magistrates Court for an order directing a person to undergo a forensic procedure for the taking of a sample. The type of sample could be intimate or non-intimate, its terms being defined by the legislation.

The amending bill took effect on 1 July 1998. From that time members of the Victoria Police made application to the Magistrates Court for an order that a person who, firstly, had committed what was known as a forensic sample offence and, secondly, was serving a term of imprisonment be ordered to undergo the forensic procedure — namely, to provide a sample commonly termed a DNA sample. After the passage of that amending act in 1997 the police formed a forensic procedures implementation team, whose task was to take the samples.

Unfortunately the amending act did not provide a procedure for applications to the Magistrates Court, and that meant that from 1 July 1998 the members of the special team that had been formed by the police were making applications to the court in circumstances where a precise mechanism by which they could be done had not been set out. For the purposes of the bill that became the focal aspect of the judgment that was delivered by Justice Gillard in December 2000.

Apart from the issue that now occupies the attention of the Parliament, set out at page 18 under clause 120 of the judgment are the eight areas about which in summary applications were being made to the court to set aside the orders that had been made in the Magistrates Court against the three individuals who were the plaintiffs in the case. The aspect that is now the subject of this bill, that being whether the application should have been heard and determined in open court or whether it was enough that applications could be heard in chambers, was only one of the eight that brought the application before Justice Gillard. As I said, I am pleased that the bill deals only with that one, and that therefore it is all we need to concentrate on.

I pause to say that where there is no prescribed method of application, magistrates are placed in a somewhat invidious position. That is because the police — and this is no reflection on them — had developed a mechanism whereby they would go to a magistrate in chambers on the basis of an application which they adapted from various other forms within the Magistrates' Court Act. They would support it in what I might term rather rudimentary terms by way of

affidavit or otherwise, making it as part of perhaps sometimes 50 applications that were made simultaneously, and the magistrate would then sign off on the orders. It therefore meant there was no formal hearing.

The other pertinent issue is that more often than not those applications were made *ex parte* — that is, they were made in the absence of not only the prisoner who was the subject of the application but any knowledge on the part of the prisoner that the application was even being made. In the case of the three prisoners who ultimately made applications, their first knowledge of the orders having been made was when they were told after the event.

In the case of prisoner Lednar, an order was made in March 2000. Prisoner O'Brien was the subject of an order on the same day, and in the case of prisoner Hill, an order was made on 5 November 1999. The issue therefore became one of whether it was appropriate for these matters to be dealt with in chambers. One can well understand that magistrates, faced with enormous workloads and trying to organise the business of the court, were quite prepared to hear these applications and deal with them on the basis of their being accommodated in chambers rather than in open court, because as the house has heard, as at the date of this judgment literally thousands of applications had gone through the system.

On the other hand, the concept of all those having been the subject of a hearing in open court makes one pale when you think of the amount of energy and resources which would need to have gone into that. The magistrates continued to hear these applications until the judgment was made on 22 December 2000. These forms of application were made after I had completed practising law. Earlier today, Mr Connelly, SM, former magistrate of the court in Gippsland who then moved to Bendigo to preside as magistrate, was here witnessing today's proceedings.

He had the dubious pleasure, or otherwise, of giving determinations in relation to many of the applications I made over the years in various other aspects of not only the Crimes Act but legislation generally. Over the years I saw that he was an able and competent magistrate, very learned in his ways, and that he fulfilled his tasks very well. That was particularly evident when he accepted the applications which I made to him; he was at his best when he was in agreement with me! There were some instances when he did not agree with me and they were not necessarily his best displays of knowledge of the law, but such is life.

The key question for consideration by Mr Justice Gillard was whether it was appropriate that these applications be heard in chambers or whether they should go to the open court. At page 62 of his judgment Mr Justice Gillard considered the issues pertinent to that key point, and that entailed an examination of section 125 of the Magistrates' Court Act. After having considered the terms of that particular provision, His Honour found that there was no mechanism under the Magistrates' Court Act as it was then structured which would enable this form of application to be made in chambers. He eventually ruled in the course of his judgment. It appears at page 67, under clause 421:

In my opinion each plaintiff is entitled to have the order made against him quashed on the ground that the order was made in breach of s. 125(1) of the Magistrates' Court Act.

The terminology used by His Honour is important, and it also relates back to the bill before the house. What His Honour was saying was that the order could be quashed so that if anybody challenged it, it could be set aside. As the second-reading speech suggests, it was voidable. It was not void; it was voidable. If someone made an application to set it aside it could potentially be set aside. So it became necessary that the legislation be enacted because it specifically says in clause 3 that all orders of this nature are validated if they were made on or before 22 December 2000 — that being the date of the judgment being delivered by Mr Justice Gillard.

On behalf of the National Party I support the legislation. As the second-reading speech indicates, the bill validates orders made by magistrates in chambers prior to the decision of His Honour. The bill will affect some 1064 orders which were made and executed, and a further 1384 orders which were made but which have not yet been executed. Something of the order of 2450 orders are the subject of the validating legislation. The prospect of all those orders having to be undertaken again would mean that in 2450 instances we would see the expense of resource and endeavour on the part of all concerned to achieve an end result which is present already because of the orders which exist to this day and as of the date that His Honour ruled on the matter on 22 December 2000.

The bill will preserve those orders and make sure that the whole tenor of the legislation is given effect, and so it is that the National Party supports the bill.

Mr WYNNE (Richmond) — I take the opportunity to thank the city of Bendigo for the fantastic hospitality we have received here today in this beautiful chamber and to say that the opportunity for us as city members to enjoy the hospitality of country Victoria is very much appreciated.

I support the Crimes (Validation of Orders) Bill, and in doing so I indicate that it is part of the government's continuing strategy to provide a comprehensive response to law-and-order issues. Indeed, as was indicated by the second-reading speech of the Attorney-General on the Drugs, Poisons and Controlled Substances (Amendment) Bill, this government is serious about cracking down on the most insidious crimes in this state, such as drug trafficking. A bill that will be debated at a later date by this chamber will seek the support of both sides of Parliament to impose life sentences on drug traffickers. I believe by any measure this government's response to law-and-order issues is balanced, sustainable and widely supported by the community.

The Attorney-General, through the release over the past couple of days of his sentencing review, which has been widely and very positively reported in the community, has provided another manifestation of how this government seeks to go out to the community with important documents. The sentencing review, which goes to the question of involving the community more actively in sentencing, is an excellent initiative, and I believe the Attorney-General should be applauded for it. I encourage honourable members to debate that important discussion paper at community forums.

In relation to the Crimes (Validation of Orders) Bill, as I have indicated, the government is committed to ensuring that the police have the necessary investigative tools to detect and investigate crimes and that the public has confidence in the criminal justice system.

On 2 December 1997 the Crimes (Amendment) Act amended the Crimes Act 1958 to extend the range of offences for which a person can be compelled to undergo a forensic procedure. The amendment enabled a member of the police force to apply to a court for an order to authorise the taking of a forensic sample from persons found guilty of certain offences. Applications were then made to the Magistrates Court for orders for persons who had committed what are known as forensic sample offences and were serving terms of imprisonment to undergo a forensic procedure known as taking a DNA sample.

The samples would be the subject of DNA testing and the information recorded on a DNA database. From the database comparisons could be made with DNA samples found at the scene of crimes. The amending act assented to in December 1997 did not provide any procedures for the application to the Magistrates Court, and a procedure was adopted whereby applications were not determined in open court. The procedure was adopted to process a large volume of applications.

As at December 2000, 1063 orders had been made and executed and a further 1364 had been made but not yet executed. The new procedures had resulted in a number of successful matchings of samples with samples identified at various crime scenes. Results recorded from December 2000 show that the DNA samples had been matched in 157 offences, including 7 murders, 17 armed robberies and 6 rapes. Fifty applications are being filed with the Magistrates Court each week.

As the honourable member for Berwick said, a legal challenge to the procedure of hearing applications in chambers rather than in open court was brought before the Supreme Court in December 2000. The Supreme Court ruled in that matter that the hearing of these applications for the taking of forensic samples in chambers did not comply with the requirements of the Magistrates' Court Act, and all proceedings should be heard in open court.

Indeed, it is a hallmark of this government that that be required. Honourable members may recall the PERIN court legislation debated in the house last sessional period. We insisted that before somebody who is convicted of failure to pay traffic fines is imprisoned the matter should be brought before a magistrate in open court so the matter can be challenged. This is a further manifestation of the government's commitment in that area.

The bill now brings certainty to forensic procedures and validates those orders made by magistrates in chambers prior to the decision of the Supreme Court. The bill importantly validates the orders considered by the magistrates to be lawful at the time they were made. If these are not validated, valuable DNA information may have to be removed from the computerised database.

As a result of the Supreme Court decision, convicted offenders can apply to the court to have the order for the taking of a forensic sample declared invalid. Police may have to apply for these orders again, and obviously subject prisoners to further DNA sampling.

As we know, DNA is a form of genetic fingerprinting.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask the honourable member to wait for a moment. There is too much audible conversation in the house. I ask honourable members to be quiet so people in the gallery can hear the speaker.

Mr WYNNE — DNA is a form of genetic fingerprinting which serves as a very important

investigative tool not only to convict criminals but also to clear persons wrongly accused of crimes.

Prior to 1990 it was impossible for the Victoria Police to take body samples from crime suspects for the new science of DNA testing. The passage of the Crime (Blood Samples) Act through the Victorian Parliament in 1990 changed that and police were able to use, with some constraints, genetic or DNA tests to match evidence from a crime scene with the distinctive genetic profile of a suspect.

DNA profiling or fingerprinting is the most significant breakthrough in forensic science since the discovery of fingerprints as an investigative tool and can be used to identify a person, to distinguish one person from another, or to help establish relationships between people. DNA is the molecule that encodes the entire hereditary information about each individual in almost every cell of the body. With the exception, of course, of identical twins, the DNA of every individual is absolutely unique.

There is not and has never been controversy about its ability to eliminate suspicion in cases where the suspect's DNA does not match the evidentiary sample. Forensic DNA testing also serves as an investigative tool obviously not only to convict criminals but also, as I indicated before and most importantly, to clear people wrongly accused of crimes.

An Honourable Member — It does not lie.

Mr WYNNE — Indeed, it does not lie. It can help determine the identity of victims or crime suspects from the past. For instance, forensic scientists were able to establish that bones from a person drowned 13 years earlier were those of Josef Mengele by comparing his DNA with that of his son.

One of the earliest examples of DNA profiling in the law occurred in 1987 in England, when a 17-year-old boy was accused of the rape and vicious murder of two young girls. DNA fingerprinting revealed that while the girls were killed by the same person, it was not this boy.

A case closer to home, known at the time as the Gun Alley Murder, which was committed in December 1921 and resulted in the arrest, conviction and subsequent hanging of Colin Campbell Ross, was reopened in 1998. Samples of the hair found at the scene of the crime were found in an archive box. As the Victorian Institute of Forensic Medicine was one of only few laboratories in the world that could attempt a specific type of DNA testing on such old and obviously dry samples, Kevin Morgan continued his efforts to

have the hair samples identified. It was eventually discovered through microscopic examination that the original finding was wrong because the hairs did not come from the same head.

The forensic technology now exists to clarify these instances of circumstantial evidence. It is critical that we provide the police with the tools available to solve these crimes and provide the public with the confidence that we are utilising the best available techniques. A sample as small as one cell can now be obtained from the oil, sweat and skin flakes found in fingerprints.

On 2 December 1997 the Crimes (Amendment) Act amended the Crimes Act 1958 to extend the range of offences for which a person could be compelled to undergo a forensic procedure. This amendment enabled a member of the police force to apply to a court for an order authorising the taking of a forensic sample from a person found guilty of certain offences. Obviously the samples can be the subject of DNA testing, and importantly, the information must be recorded on the DNA database. From that database comparisons will be made with DNA found at crime scenes.

Through this bill we are clearing up an inconsistency or uncertainty that has arisen from a Supreme Court decision about DNA samples from a large number of people currently incarcerated in prisons that have been taken through the Magistrates Court. It is important to maintain the integrity of the sample collection process and the database itself.

DNA testing is a powerful investigative tool that is available to the police. As I said earlier in my contribution, it also plays an important role in ensuring that only those who are guilty of offences are ultimately further charged. DNA is ultimately the best defence available to people who are not guilty of an offence but who potentially run the risk of being charged. The bill contains important checks and balances to ensure that all matters are heard in open court — that is, they will no longer be heard in chambers. That is also a hallmark of the Bracks government, which is an open and accountable government. In that respect I applaud the Attorney-General for quickly bringing this matter, which has arisen from that Supreme Court decision, before the house for rectification.

I welcome honourable members' bipartisan support for the proposed legislation. I point out again that this is part of a broad sweep of reforms introduced by the Bracks government. The Attorney-General and his department have led the way in making these reforms. I very much welcome the discussion that will occur about the sentencing report that was released a couple

of days ago, which is a further manifestation of this government's commitment to a balanced policy in the justice portfolio. I commend the bill to the house.

Mr McIntosh (Kew) — I am pleased to join this debate on the DNA bill now before the house. The most important thing about it is that it recognises the importance of DNA in crime solving and, in many cases, in the elimination of suspects.

The technology and the process have gained academic acceptance. We have heard some fine speeches from a variety of people who have provided notes, including the honourable member for Richmond, whom I am very pleased to follow in this debate. I was disappointed that he was unable to tell us the actual meaning of DNA — and I certainly will not do so in my short contribution. Perhaps it was that he needed assistance, because it seemed to be a read speech!

Although I support the bill, I will adumbrate several points that need to be addressed. Firstly, there are the declared rights of individuals who have already had those rights determined by the court. The bill specifically excludes Lednar and two other parties to the proceedings from the operation of this bill. In essence, a precedent would be set in that up to 2500 prisoners — many of whom may have served their time and been released — would have a declaration of somebody's rights that would be applicable precisely to themselves.

It is dangerous for Parliament to deprive any individual of any right. It is particularly onerous when Parliament deprives a person of those rights that have already been declared by a court. The particular circumstances here must be weighed up against the public good. The opposition has come to the same conclusion as the government: in deciding the right of the general public for the use of this facility — based on the fact that the magistrates themselves had made a mistake or that their misunderstanding of the act was the basis of the mistake — clearly, the onus falls slightly on the side of the public benefit, and the opposition is happy to support the bill.

Secondly, the government has not defined what happens now. The bill cured a problem up until 22 December last year, but there could still be a mechanism that currently operates to address this particular circumstance. If it is good enough to say that these particular matters could be dealt with in the chamber or office of a magistrate rather than in open court, what is wrong with saying that that should be the general rule that is applicable now? It would certainly enhance the administration of DNA tests.

The third matter is the case of Lednar, itself. I have not read the case in detail, but I have had an opportunity of perusing it. The most important thing that comes from that case is the horrific treatment of the three prisoners involved. The government must address the process for taking DNA samples. It involves either a swab from the mouth or, in the vast majority of cases, a pinprick with a swab of cotton wool. It is not about taking a blood sample with a needle to fill an ampoule; it is just a pinprick.

To gas prisoners in their cells and drag them out, semi-conscious, to be held down by several police officers, albeit in the presence of a doctor, seems a little draconian in the circumstances. Once those matters are addressed, the opposition will willingly support the bill. Considering that what one is doing is testing convicted criminals who have committed serious offences ranging from murder, rape and kidnapping to burglary, arson and trafficking in drugs, it is in the best interests of the community. I commend the bill to the house.

Mr HOWARD (Ballarat East) — It is my pleasure to speak on the Crimes (Validation of Orders) Bill and to take the opportunity of speaking at this sitting in one of Victoria's premier regional cities. It is not the premier regional city, because I come from Ballarat and am the member for Ballarat East. However, I commend the government for coming to regional Victoria to conduct today's parliamentary sitting.

Thus far honourable members have heard speakers with legal qualifications who have been able to illuminate the bill from a legal viewpoint. I do not have a legal qualification, but I have studied science and am very pleased to put a different perspective on the bill and illuminate the scientific aspects that are opened by it. Having appreciated teaching science over a number of years and sharing scientific knowledge with young people, I believe they have enjoyed learning that science has contributed to the quality of our lives in an enormously wide range of ways and that it continues to do so, with great work in scientific research and development continuing to take place in our country and around the world.

Honourable members know that Australia and Victoria are in the forefront of work that is continuing to be carried out in medical research and biotechnology. Victoria has a great tradition in the area, with two Australian Nobel prize winners, Howard Florey and Macfarlane Burnet, who did significant work in advancing medical research. I am pleased that the Bracks government continues to support work in biotechnology research and recently worked with people at the University of Melbourne and others to

develop the biotechnology centre that is being established in Parkville.

The bill is really about DNA, which is fascinating. DNA, or deoxyribose nucleic acid, is the chemical of life and makes up the components most commonly known as chromosomes. All living cells contain chromosomes, which are the blueprints that determine how a plant or animal will develop. Our understanding of DNA has provided us with knowledge we can use in a range of ways, both in further medical research and in dealing with plants and animals.

Perhaps one of the most outstanding bits of scientific work was completed in 1953, when Crick and Watson finally determined what DNA, which makes up chromosomes, actually looks like and how it works to determine how individuals look as they do and how they are different from others. Crick and Watson determined that DNA is a double helical molecule that contains that blueprint by a fascinating code of only four different bases, the sequence of which determine the proteins a plant or animal will create and what it looks like. Those components of the chromosomes are called genes. Crick and Watson helped to really illuminate what DNA looks like. In recent times further work has gone on through scientific studies shared across the world. In the genome project how that coding can work has been identified.

Further science work has been done on DNA. The bill illuminates one way that DNA can be used for the benefit of communities by determining who may or may not have been responsible for crimes. The bill establishes that the work that has been done on DNA can be used for further scientific research and ensures that the work that has been done can be validated by determining where samples can be taken and legitimately used.

I commend the bill to the house because it enables the knowledge about DNA to be incorporated in the legal system. I look forward to further legislation taking note of new scientific developments and incorporating them in our legislation.

Ms McCALL (Frankston) — My contribution will not embark on the area of science or on the more complex areas of the law so ably argued by my colleagues. I prefer to talk about the history of crime detection and the issues that DNA presents us with today.

Those of us who have enjoyed reading the great crime novels of the 19th century, in particular *The Mystery of a Hansom Cab*, or other interesting stories about crime

detection, might wonder what fictional detectives such as Sherlock Holmes would feel if they were here today listening to us begin the debate on DNA testing.

I will not try to explain what DNA is — I could not pronounce it, either — as I was never very good at science at school, but I will say that the contribution DNA makes to crime detection is of immeasurable value to the community. I will talk about one sector of the community that I believe will benefit enormously from the changes to the legislation being discussed today and, I hope, from subsequent changes as science progresses and our understanding of DNA changes. I refer to the women within the community who are victims of domestic violence or sexual assault — that is, those women who are finding it progressively more difficult to use the legal system to their own advantage and to bring the perpetrators of the vicious crimes against them — and against children — to justice.

This piece of legislation moves another step along the way. It will allow members of the criminal fraternity who have had samples of their DNA taken to be kept under notice in case they come under suspicion for committing other crimes. DNA testing is a two-edged sword: not only will it result in convictions, it will also, as the shadow Attorney-General mentioned, rule out people who had been under suspicion. Nobody would deny that one of the most important human rights is the presumption of innocence. If DNA research and investigation can rule out the innocent, then this bill will be a very valuable piece of legislation.

I do not know how many members of this chamber have time to watch the television, but those who do may have seen a program called *CSI: Crime Scene Investigation*, which is very much about what the bill before us deals with — that is, forensic investigation, crime detection and the use of microfibrils or microscopic parts that will enable police to detect the perpetrators of crimes and bring them to justice.

I am very conscious of the debate in the community about how far legislation should go — that is, whether there should be DNA banks and registers and whether there should be blanket DNA sampling of practically everybody and the results kept, just in case. That is a debate we are yet to have in this chamber, but the bill before us is certainly a fair piece of legislation that moves us into a brave new world of scientific investigation and crime detection. The bill will mean that those people in the community who have been victims of crime or who are family members of crime victims can have some comfort in the knowledge that someone who is already on a DNA databank may be

discovered as the person responsible for their grief and torment.

This is a good piece of legislation, and opposition members are happy to support it. We look forward to the Attorney-General bringing more of these pieces of legislation before the house until we are comfortable with the brave new world of scientific and criminal detection.

Ms DUNCAN (Gisborne) — It gives me great pleasure to speak on the Crimes (Validation of Orders) Bill. For the benefit of the gallery I indicate that this is a classic little bill and a lot of speakers have contributed to debate on it. We are really talking about one clause. The bill comprises only about a page, but it has significant effects. Some of those have been spoken about already today.

The purpose of the bill is to amend the Crimes Act 1958 to validate certain orders purported to have been made for the taking of forensic samples from offenders. It is classic in the sense that it is not uncommon in Parliament for us to be making amendments to existing legislation once a court has found a loophole or problems have been found with the existing legislation.

A lot of what goes on in Parliament is really about making amendments — often very small amendments — to existing legislation. The bill is not intended to validate the crimes that have been committed by the offender. Rather it is to validate the actions that have already been taken to obtain forensic samples from people convicted of very serious offences and who are currently serving time in prison.

The Crimes Act that this bill amends sets out the procedures for taking forensic samples. That provision states that the police must apply to the Magistrates Court for an order to obtain those samples and must give reasons why they want to obtain them. The prisoner has an opportunity to have input into that process. Recently there has been confusion about whether those hearings must be held in open court or whether they can be heard by magistrates in their chambers. We have for some time had hearings in chambers and not in open court.

Victorians have heard of the importance of DNA as a tool for fighting crime or for crime detection. It has two benefits: it allows us to know who committed the crime; and equally, it allows us to eliminate people who could not have committed the crime. It is therefore a critical piece of technology available to us. Because it is such an excellent tool a lot of orders have been made to take forensic samples from prisoners.

The bill will validate 1063 orders that have been made for samples to be taken from prisoners. Those samples are there now, but have been declared potentially voidable, which means that down the track they could be challenged in the courts. No-one wants to see that happen. The bill is about making sure the orders that have been taken already, plus those orders that have been given but samples not yet taken, and orders waiting to be made, are all properly executed and not challengeable in court down the track.

The bill acknowledges the Supreme Court ruling that hearings should be held in open court. The effect of not passing the bill would be that for each of the 2500 prisoners we would have to go through the procedure all over again — that is, that the samples would have to be taken again. Taking samples is not always accepted willingly by prisoners and some force is sometimes needed. We have seen some evidence of that recently on television. It is not a particularly pretty sight or something we like to do — and certainly not twice! We would also have to remove the information that has been gathered from the DNA database, and again no-one would want to see that happen. We would have to go through all those applications again in the courts.

For those reasons this is a critical bill inserting a short but incredibly important clause. The bill has bipartisan support. The passage of the bill means that all future applications for the taking of forensic samples will be heard in open court, and the government believes that is proper. The bill validates the orders that have already been made. It is for those reasons that I commend the bill to the house.

Mr THOMPSON (Sandringham) — The Crimes (Validation of Orders) Bill is important in the sense that it validates actions that have already been taken. Some 30 years or so ago a young couple, Gary Heywood and Abina McGill, were killed outside Shepparton. They were murdered and there was no record at the time of who committed the offence other than some fingerprints left at the scene.

A couple of decades later, owing to the excellent work of a detective, they were able to match fingerprints taken from a person who was being investigated for an offence near Albury-Wodonga, and they found that the fingerprints taken from that person in Albury-Wodonga matched fingerprints found at the scene of the crime some 20 years before. I pay tribute to the outstanding work of the Victoria Police in apprehending this serial killer, who is currently behind bars in Victoria.

Likewise, while fingerprints have been an important tool used by scientists in the detection of crime, so too has DNA (deoxyribonucleic acid) evidence. The location of a piece of hair, skin or other body sample taken from the scene of a crime can be very important in ascertaining who may have committed an offence or, conversely, who may be innocent of an offence in the light of new evidence found at the scene of a crime.

As a consequence of a legal decision where it was felt that the interpretation of the law did not allow valid samples to have been extracted, this legislation retrospectively validates the actions of police in taking samples from people pursuant to court orders that were taken out in chambers and not in open court. To that extent it is a technical piece of legislation. I was interested to note that a large number of the samples that have already been taken would, but for the legislation, require a significant number of further orders to be made to take further samples. To that extent the bill serves an important purpose.

In a wider sense the processes of justice are served not just with the police doing their work but also with the victims and the families of victims who may have lost their lives as a result of some criminal conduct having some sense of finality and resolution to particular cases. I know that the work of the Victoria Police in being able to use DNA samples to assist in their investigative work gives great hope to people who have lost family members as a result of criminal acts.

The bill is an important piece of legislation in so far as it validates the work of police in taking out orders, and the opposition is very pleased to support it.

Mr STEGGALL (Swan Hill) — It is with pleasure that I join the debate on the Crimes (Validation of Orders) Bill. I thought I would use some part of my contribution to congratulate Bendigo on its efforts today and its history. I thought as we were talking about DNA (deoxyribonucleic acid) and genetics and the rest of it, we could also talk about the history of this place and the role it has played.

As the honourable member for Swan Hill I believe people do not understand that northern Victoria was settled by the miners of Bendigo. My family were originally miners in Bendigo who went north and settled in the Lake Charm area. Had we then been able to measure DNA as we can today, history may have been a little different. Listening to the people representing Bendigo and other honourable members I have concluded that people do not understand that northern Victoria was developed by people coming from the goldfields. The reason the politics of northern

Victoria is a little different is that we came from the miners and the mining industry in Bendigo in the 1870s. When the gold ran out people went north.

An honourable member interjected.

Mr STEGGALL — Had they taken the DNA with them they would have been able to validate those orders, so it would have been better still!

When the miners went north they wanted three things. They wanted land — in those days the land was held by squatters — they wanted a vote and they wanted a gun. They are the three things they wanted, and nothing has changed.

The DEPUTY SPEAKER — Order! I ask the honourable member for Swan Hill to address the bill.

Mr STEGGALL — Had we been able to validate the DNA in those days and the orders that courts were making, it would have been a great help to history and to the legal profession of the day. I say that because today the house is debating a very simple, small bill. It is a pity that we have not had vigorous debate on some issues in the house today. However, I thought it would be interesting if we were to apply this legislation back in time. It is a validating bill and one which is important in maintaining law and order today.

Today is a special day and I want to put on the record the fact that the Bendigo area has been an important place and has played an important role in northern Victoria over many years. We appreciate the growth and development of this community and we look forward to the legal operations here improving with the court structure and the use of this legislation so that people from northern Victoria do not always have to go to Melbourne for major court issues to be heard.

In concluding, I say that the National Party supports the bill and trusts it will have a good passage through this house. One can ponder what might have been if in past eras we had had available the science and legislation of today.

Ms GILLETT (Werribee) — It is my pleasure to make a contribution to the bill. In doing so I draw to the attention of colleagues on both sides of the house and members of the broader community of Bendigo, who have been so welcoming to the Legislative Assembly today, the importance of a document that I have to declare my bias in helping to produce — that is, the *Alert Digest* produced by the Scrutiny of Acts and Regulations Committee, which it is my privilege to chair.

For people who may not be aware of its purpose, the committee examines each piece of legislation that comes before the Parliament with specific reference to whether the legislation may trespass unduly on the rights and freedoms of Victorians. Honourable members will forgive me if in my biased state — although declared — I suggest to my colleagues on both sides of the chamber and to the community at large that it is an important committee charged as it is by legislation to examine each piece of legislation presented to the Parliament of Victoria, including regulations.

When the Crimes (Validation of Orders) Bill came to it at its most recent meeting last Monday, the Scrutiny of Acts and Regulations Committee examined the bill in detail. As honourable members will be aware, the committee has been particularly concerned about retrospective provisions in bills that may provide an undue trespass on people's rights and freedoms. The issue of DNA sampling is one that goes directly to the rights and freedoms of all Victorians. Therefore, in our considerations, which are contained in *Alert Digest* No. 8 of 2001, members of the committee carefully examined the provisions of the bill. Section 464ZF of the act clearly sets out the procedure by which police can apply to the Magistrates Court for an order allowing them to take forensic samples.

In the case that has recently been discussed here, *Lednar, O'Brien and Hill v. the Magistrates Court and the Chief Commissioner of Police*, the Supreme Court ruled that the hearing of applications in chambers did not comply with the requirement of section 125 of the Magistrates' Courts Act. All this bill seeks to do, and as I say it was examined in absolute detail by the committee, is to provide for a set of circumstances where people — that is, both magistrates and the police — acting in good faith on behalf of the community of Victoria actually went through a process that was subsequently deemed to be less than appropriate. The conclusion of the committee on the important subject matter of the bill is as follows:

The committee notes the retrospective validating effect of the amendments made to the Crimes Act 1958. The amendments declare that certain orders made in chambers that were thought to have been legal when made are to be deemed to have been made in open court as required by —

the appropriate section of the act.

In those circumstances the retrospective provision appears to the committee to be justifiable.

I commend the bill to the house.

Mr ROWE (Cranbourne) — I rise to support the bill. Certainly the advent of DNA identification is a boon to criminal investigations and the capacity of police to obtain orders to compulsorily take DNA from offenders within the system and people suspected of crimes is important. Other honourable members have mentioned the progress in fingerprint evidence and the value of fingerprints in apprehending serious offenders, and the national fingerprint register has assisted in that.

I would have thought it would be in the best interests of the smooth flow of the legal system and the obtaining of these orders that enabling them to be issued without full court hearings would have been advantageous. I would have expected the Attorney-General to give consideration to that, because if every time we need to obtain an order to take DNA samples from an offender a full court hearing has to be held, it is certainly more costly and time consuming and delays the investigation of crimes. In supporting the bill I ask that consideration be given to allowing that.

In closing, I would say of anybody who objects to a national databank of DNA samples, as people objected to a national databank of fingerprints, that one would want to ask what they are hiding from, because it is only the guilty or those who have committed crimes who have anything to fear from the strengthening of the ability of police to investigate using the modern scientific methods that are available today. As the shadow Attorney-General said, it will only improve the detection of criminals.

I wholly support the bill, and I ask that consideration be given to allowing orders to be given without a full court hearing.

Ms BEATTIE (Tullamarine) — It gives me great pleasure to be in this Parliament today. I know, Madam Deputy Speaker, that you have a longstanding interest in history. This is the third parliament I have spoken in — this Bendigo parliament; our own Spring Street parliament; and before that the workers parliament, the great Trades Hall and Literary Institute building. And it gives me much pleasure to follow the chair of the Scrutiny of Acts and Regulations Committee in the debate on this very important bill in this my third Parliament.

DNA technology is a valuable investigative and evidentiary tool and one which law enforcement agencies like the Victoria Police seek to utilise increasingly. The value of DNA information lies not only in its ability to convict a person but, as many speakers have said today, in its ability to eliminate a person from suspicion.

The Crimes Act allows for the taking of forensic samples from suspects, prisoners and convicted offenders. The existing provisions also allow DNA information obtained from such samples to be placed on a computerised database for analysis against unsolved crime scene evidence. Under the Crimes Act police can apply to the Magistrates Court for an order allowing them to take a forensic sample from a prisoner convicted of a serious offence. There was some confusion as to whether the law required magistrates to hear these applications in open court or in chambers. In order to process the volume of applications, magistrates were considering these applications in chambers. That is why this bill is necessary.

As a result of a Supreme Court decision which has already been talked about by other speakers, a convicted offender can apply to the court to have the order for the taking of a forensic sample declared invalid. If no such application is made, the order will be valid. However, a problem may arise if the police seek to rely on that sample in a subsequent prosecution, as the evidence obtained from the sample may be inadmissible.

In conclusion, this is a government that is tough on crime and this is an Attorney-General who is tough on crime — and this Attorney-General will leave no stone unturned in the conviction of criminals. But for everyone there is a presumption of innocence until proven guilty. Given the toughness of this Attorney-General, criminals will be caught and prosecuted in this state, and that is why this government seeks to put the legislation through. In closing, I commend the bill to the house.

Mr LUPTON (Knox) — This bill requires the support of every member of this chamber. It is a bill which sets out to validate actions which have been taken in the past, and it is a bill which supports legislation introduced by the former government. While the Attorney-General and the Labor Party were opposed to that particular bill, it is pleasing to see that they now support the amendments to make the act watertight.

From 1996 until 1999 I was a member of the Drugs and Crime Prevention Committee, which was charged with investigating the sexual abuse of children. While it was a privilege and an honour to serve on that committee, at no time can I say it was a pleasure. We talked to people who are literally the scum of the earth. We talked to rapists and paedophiles whose abuse and mutilation of them will torment their victims for the remainder of their lives. I really do not have a great deal of sympathy for those people or their rights. However, I will do

anything in my power to ensure that the actions which have been taken in the past are validated so that the DNA samples taken from these people can be used later on.

One of the things that concerns me about this legislation is that it will still require future DNA samples to be taken in open court. I would have hoped that when drafting these alterations to the legislation the Attorney-General would have looked forward and thought to himself, 'It would be good if we still had the opportunity to hear these cases in a magistrate's room'. I fail to see why we should tie up the courts by requiring them to hear these applications, particularly when in many cases the prisoner involved does not want to be heard. I believe applications could still have been heard in magistrates' chambers. It would not have taken much to make this legislation applicable in that manner.

As I said, the people who have had DNA samples taken from them are the scum of the earth. As a committee, we interviewed many such people. I am not going to go into descriptions of them, but the things they had done to other people, including children and their own flesh and blood, defy explanation.

Honourable members who have read just the chairman's foreword to the report of the Drugs and Crime Prevention Committee will be brought into reality about what sorts of people are out in our community. Members of the animal kingdom do not do to their own type what some humans do to other humans.

It is important that this legislation receives the support of every member of this place. We must ensure that any previous loophole is closed so that those people from whom DNA samples have been taken can still face court later on. We have to give Victoria Police every power to apprehend to ensure that victims receive the greatest possible protection.

As I said earlier, I believe these particular cases should still be heard in the magistrates' chambers. Open court is appropriate, but it only ties up the court. I commend the bill to the house and ask every member of this place to support it. Victims in our community must be supported, and it is of the utmost importance that their rights are protected.

Mr STENSHOLT (Burwood) — Like others, I am delighted to be here in Bendigo. My uncle used to be the stationmaster here. Were he alive today he would be absolutely delighted at what is happening with rural and country rail here.

I support the Crimes (Validation of Orders) Bill, which aims to correct a problem which emerged in a court case last year with the process of getting orders from a magistrate regarding DNA samples. I, together with my Burwood constituents, support the appropriate use of technology in solving crimes and ensuring that criminals are brought to justice. DNA testing is now showing its worth in that samples can be matched from the sophisticated database that is being built up, enabling many crimes which previously may have seemed unsolvable to be solved.

Recently I had the good fortune to receive a briefing from the forensic service. I have nothing but admiration for the work they do and their application to advancing science and technology in their profession. I know that most people in our community, and certainly the people in my electorate, appreciate the use of such technology by the police. They appreciate what is happening in Victoria and how the police force has been revitalised by the Bracks government. They appreciate the fact that it is moving to have an additional 800 police officers and that it will transfer more police out to the stations to catch the criminals and therefore interact with the work of the forensic service.

I am told that in my own electorate in late 1999 there were 4 police officers in Ashburton, where now there are 7, and that there were fewer than 20 police officers in Camberwell, where now there are 27 — and I understand that will move to 32 in the near future. There has been an absolute revolution in Victoria, making our community safer under the Bracks government. This bill is part of that process of change. This is sensible legislation. It ensures the integrity of DNA testing, and it is part of the Victorian community being made safer. I commend the bill to the house.

Mr WILSON (Bennettswood) — I am pleased to join the debate on the Crimes (Validation of Orders) Bill. It is positive and worthwhile legislation. It is legislation that assists and furthers the administration of justice in Victoria.

The Attorney-General's second-reading speech rightly notes that DNA technology is a valuable investigative and evidentiary tool. Indeed, it is a tool that our criminal justice system should seek to employ whenever it is judged that it will help solve serious crime or prove the innocence of those accused of serious crimes.

The bill before the house is a development of previous legislation passed by this Parliament, including the Crimes Act 1958, the Magistrates' Court Act 1989 and the Crimes (Amendment) Act 1997. Over the years

applications by police to obtain orders to take forensic samples have been heard in chambers. However, only last year the Supreme Court ruled that applications in chambers do not comply with section 128 of the Magistrates' Court Act and that all proceedings should be heard in open court.

The court held that the non-compliance with the Magistrates' Court Act made voidable each of the orders in question. The bill validates those orders made in chambers and is therefore a sensible piece of legislation which corrects a loophole that previous legislators did not anticipate. The bill adds certainty to the use of DNA and protects the existing valuable DNA database. The Liberal Party supports any legislative measures that seek to solve serious crimes or indeed protect innocent people accused of committing serious crime. I wish the bill a speedy passage.

Mr LANGUILLER (Sunshine) — I am honoured to be here in Bendigo today. I first came to Bendigo — to be precise, to the Bendigo Base Hospital — as a union organiser for the Health Services Union, and I am proud to return today as the honourable member for Sunshine. The people of Bendigo have welcomed all of us very warmly, and I wish to place on record my gratitude, as well as the gratitude of every other member of the Assembly, to the people of Bendigo.

I have gained some understanding of the background to DNA from the parliamentary library, with the assistance and goodwill of our librarians, whose work must always be recognised. I understand DNA stands for — I will give it a go — deoxyribonucleic acid, which is an organic chemical of complex molecular structure. I also understand that the chemical DNA was first discovered in 1869, but its role in genetic inheritance was not demonstrated until 1943. In 1953 James Watson and Francis Crick determined the structure of DNA. So it is indeed a technology, science and instrument that has many years of background.

The first point I wish to make is that the use of DNA brings us closer to the achievement of justice. DNA tells the truth and protects the innocent. The purpose of the bill is to do precisely that. It is a step in the right direction and it is what the government is all about. It assists in broadening and makes provision for better community safety in Victoria. It helps and improves the operation of the judicial system in Victoria. It helps the police and it protects the community. For that we should commend this government for introducing the bill.

The purpose of the bill is to amend the Crimes Act 1958 to validate certain orders purported to have been

made for the taking of forensic samples from offenders. We must also be aware that although in the current context it is a technology that must be welcomed, as has been pointed out correctly and eloquently by members of both sides of the house today, it has the potential to be used in future in the determination of, for example, the characteristics of a person, whether they be physical or mental, and it can and will be used in future to identify potential characteristics of the criminal inclination of some individuals. Consequently this raises fundamental moral questions.

I am glad the bill has been introduced, because it begins to position the entire community in regard to the important debates that will occur in the future. I am sure this Parliament will play a very important role in opening up the DNA debate, taking the issue back to the community and ensuring that in the process of formulating legislation the entire community takes part and is fully aware of its use into the future.

The other point I place on record today is that DNA already has broader usage. I welcome the fact that the Parliament has introduced these measures, because it sets a precedent not only for Australia but also for other jurisdictions, including international law on the use of DNA in other countries.

Honourable members may be aware that I come from Latin America, a part of the world whose people have unfortunately suffered significant violations of their rights. Human rights organisations such as Amnesty International have welcomed the use of DNA testing, because it is beginning to assist in the identification of people involved in crimes against humanity. As an example, DNA testing is used in Guatemala, Argentina, Uruguay and Chile. It is also used in parts of Asia and Africa precisely to ensure that criminals are identified and those who claim to be innocent are found to be innocent.

I conclude by again thanking the people of Bendigo. I congratulate the Bracks government, the Attorney-General and his parliamentary secretary, the honourable member for Richmond, on a job well done. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to support this important bill. It may appear to be a small piece of legislation, but to me as a woman and to all the women in this chamber, the women of Bendigo and the women of Victoria it is extremely important. Some 90 per cent of violent crimes are committed against women, who are often placed in vulnerable positions and cannot defend themselves. Individuals often commit only one crime, but as we all know there are serial rapists and

serial attackers. It may be many years before those people are caught.

The legislation helps not only in the detection, prosecution and sentencing of perpetrators of crimes but also victims of crime. Imagine the feelings of those females who have been savagely assaulted and whose attackers have not been arrested. It would stay with them each day, possibly for years. To know that their attackers had been finally identified, finally prosecuted and finally sentenced would help those victims to move forward. Closure of crimes is needed. Not only victims of assault but their partners, parents, children, close friends and associates need that closure.

Legislation such as the Crimes (Validation of Orders) Bill has a tremendous impact on the solving of violent crimes. Knowing that they may eventually be identified even many years down the track may I hope make some perpetrators stop and think. It may take a long time, and they may get away with committing many assaults, but this technology and these advances will be a great help in their identification.

The community is horrified at violent crimes against the frail, the elderly, the young and the vulnerable, and I share that horror. Attacks on and the violation of young children are some of the most heinous crimes in society. I cannot understand what is behind someone who gains satisfaction from assaulting children. Children will often not report assaults because they are frightened that they will not be believed. Their attackers often tell them that because they are children no-one will listen to them.

As the community's knowledge of the importance of DNA testing grows, I hope some of our young people will have the courage to speak out and say that they have been assaulted and are able to identify the perpetrators. It is important for them to know they will be supported by DNA testing and that their word will not be doubted. I do not know how people who have been assaulted as children grow up knowing that that has happened to them. I do not know how they go on and survive those adolescent years.

I have worked with people in my electorate who have been assaulted. I have listened to some of their stories, and I have been horrified. I am not ashamed to say that I have cried along with some of these people as they have told me about having to cope with their own sexuality as they reached adolescence and grew into adults. What they have gone through is unimaginable to me, and I support any legislation that helps to identify, prosecute and sentence these criminals — who I think

are worse than animals — and enables their victims to move on.

The bill will also help convict people who have committed murder. We all know that some people have committed several murders, and this legislation may help the people who are left behind — the parents and children of victims — to find the closure they need by solving crimes and giving them finalisation. On behalf of the women of Victoria I am pleased to support this legislation and commend it to the house.

Mr INGRAM (Gippsland East) — It is a privilege to speak on the Crimes (Validation of Orders) Bill, especially in regional Victoria at the Bendigo town hall, which is a beautiful spot. Others will correct me if I am wrong, but I believe I have travelled the greatest distance to be here today, having come from far East Gippsland. I ask the Premier to ensure that the next time Parliament visits country Victoria it comes to my side of Melbourne. Mallacoota would be a beautiful spot for the next sitting of Parliament in country Victoria. We would probably need a new town hall in Mallacoota to accommodate Parliament, but that would be fine.

Although this bill is extremely small — some members of the public gallery may be thinking this is a lengthy debate for a small bill — it deals with a serious issue. It basically validates DNA samples taken under previous legislation which, according to a court of law, were not legally obtained. We need to ensure that samples have been taken legitimately and that further samples can be taken. It is essential in today's society that the community believes in the ability of law enforcement agencies to solve crimes and apprehend criminals, as well as prove the innocence of persons who have not committed crimes.

Society has to recognise the victims of criminal activity — that is, those who have had crimes committed against them or their families and friends. It has to acknowledge that those people can suffer enormous amounts of distress and uncertainty about the ability of the police to solve these crimes, some of which are solved as a result of obtaining very small pieces of information.

The police do a wonderful job, and they have to be able to use all the tools available to them. DNA testing has become an increasingly important tool in the solving of crimes, and the government has to make sure that, where evidence is available, it is useable. The taking of DNA samples and the keeping of a database of DNA evidence are important and will become even more so in the future.

A court has found that it is a breach of the Magistrates' Court Act to hold DNA evidence. That is what this bill is addressing, and I thank the Attorney-General for bringing it in. I also congratulate both sides of Parliament for the bipartisan support they are giving this bill. Some people in the gallery may not be aware that a large part of the legislation goes through Parliament with both sides arguing in support of it. It is only when contentious legislation is introduced or during question time that the community sees and hears debate in which opposing views are expressed.

A large amount of legislation like this goes through the Parliament. I think it is important that we had non-contentious legislation to debate in the Bendigo sitting because our room is well out the back and across the street, and I do not know whether we would have heard the bells if there had been a division. Thankfully there were no divisions.

Debate interrupted pursuant to sessional orders.

The SPEAKER — Order! The time being 5 o'clock, in accordance with the resolution passed by the house on 14 June I am required to interrupt the business of the house for the adjournment debate.

The honourable member for Gippsland East will have the call the next time this matter is before the Chair.

ADJOURNMENT

Country Fire Authority: volunteers

Mr WELLS (Wantirna) — I raise with the Minister for Police and Emergency Services a matter of grave concern — namely, the unionisation of the Country Fire Authority, especially in the area of training. Over the past 12 months we have spent a lot of time travelling Victoria and meeting with many of the CFA brigades. No matter where you go, whether it be Mildura, Bairnsdale, Warrnambool or Maryborough, the no. 1 concern of the volunteers is the threat of unionisation and the lack of support by the Bracks Labor government to protect the volunteers.

This all came about when the Bracks Labor government forced the CFA to sign the enterprise bargaining agreement (EBA) and cut out the volunteers' participation entirely. This is coming back as an unworkable arrangement for the training of CFA volunteers. Before the EBA the best qualified trainer would train the volunteers. That person would, in many cases, themselves be a volunteer. Now such a person has been cut out of it and can no longer deliver paid training.

When I went to Avoca just last week brigade members mentioned it again; at Sedgwick a couple of months ago it was their no. 1 priority; and at Woodend a few months ago the no. 1 concern was the unionisation of CFA training. The situation remains that a volunteer can no longer deliver paid training to other volunteers. The only people who can deliver training are those who are covered by the United Firefighters Union (UFU) and the EBA. This is another step by the Bracks Labor government towards failing the volunteers — in the International Year of Volunteers! — and, particularly, failing to protect them against the might of the UFU.

The opposition has given a strong commitment to CFA volunteers that when we are writing policies we will first seek to ensure that volunteers are protected.

Housing: Geelong

Mr TREZISE (Geelong) — I raise for action by the Minister for Housing the fact that, given that the cost of private rental in the electorate of Geelong has increased by more than 5 per cent over the last 12 months, the provision of public housing is a very important issue to many people in the electorate as well as to people in other regional areas such as Bendigo. Initiatives such as the social housing innovations project announced by the minister in April this year are important.

The action I seek, therefore, is to have the minister explain the steps being taken to deliver the outcomes of the social housing innovations project. That project was warmly welcomed by the community housing sector. It is a significant step forward in the provision of social housing and is a unique partnership between the Bracks government, community organisations and the private sector. It will provide many new housing projects throughout Victoria as well as providing many jobs in the construction industry, which will obviously be welcomed by workers in that industry.

I am pleased tonight that one such partnership is currently under way in Geelong. The partnership, which is between the Bracks government and Ecumenical Community Housing, will see the construction of a quality housing project in Newtown, an area of Geelong. I met recently with representatives of the Noble Street Uniting Church, which donated the land. It is quality land situated close to the city centre of Geelong and literally within 50 metres of Cardinia Park. I could not think of a better place to live than 50 metres from Cardinia Park!

The plans reveal quality housing for families and elderly people and will be welcomed as it is much needed within the City of Greater Geelong. The social

housing innovation project is an important initiative for people reliant on community housing. The project, combined with other initiatives such as the abolition of the much despised rental market test — people in desperate need of housing were required to present themselves to five real estate agents and receive five rejections before they were even considered for public housing — will ensure a much fairer and more equitable housing sector. As I have said — —

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

Preschools: funding

Mr DELAHUNTY (Wimmera) — I raise for the attention of the Minister for Community Services the urgent needs of country preschools. I ask the minister to focus her mind and that of her department on preschools in the Wimmera electorate. Preschools play an important part in the foundation of the lives of children in developing good social skills and learning abilities.

Last month my colleague the honourable member for Rodney and I met with many preschool voluntary committees, local government, parents and teachers who were incensed that the government had put money and resources into education but had provided no support for preschools and their teachers. The major concerns were the salaries of teachers, who are poorly paid and have no career structure. They have little if no peer group support and are dependent on the ever-changing voluntary committees. The pay deal announced last week is the first step in the right direction, but it will not solve the problem of isolation in country preschools.

There is a lot of concern, particularly in country Victoria, about the workload placed on voluntary committees by the management and administration of preschools. Other concerns raised concerned capital grants for schools, the centralised pay system and, importantly, the changes for capital funding for schools.

Their frustrations came out at a forum. The voluntary committees in small country towns are suffering burn out, just like the minister, who has not turned up this afternoon. They are concerned that their children are not receiving the minimum one year of preschool education. Local government is telling me that the state government is shifting costs onto it. The Hindmarsh shire is holding public meetings in four towns with the possibility of withdrawing from running preschools. They do not see it as part of their core business. Currently the government funds only 50 to 60 per cent

of the cost of running preschools. Small towns are finding it almost impossible to raise funds to keep their preschools open.

I have received many letters and I will focus on a couple of them today. One is from the Minyip preschool, which states:

This year in particular, we have had two separate fee rises, and with the salary shortfall and running costs have approximately \$11 000 to be made up by parents.

The letter goes on to state that the preschool currently has 16 enrolled students, so it works out approximately at \$185 per term.

The Rupanyup preschool kindergarten states in a letter dated 28 July:

Firstly, we would like to express our concern about the excessive amount of voluntary time that is required to manage a kindergarten.

...

Secondly, we believe that government funding should, at the very least, cover our wages ...

The Rainbow kindergarten committee also states that it is concerned qualified teachers are being paid 25 per cent less than similarly trained primary school teachers. It goes on to state:

... we find it impossible to attract qualified staff to our kindergarten.

This is a major problem in rural areas.

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

Mr McArthur — On a point of order, Mr Speaker, honourable members have raised important issues and concerns for rural Victoria, and I am surprised and disappointed to note that the Minister for Community Services is not present to listen to those concerns and respond to them.

The SPEAKER — Order! I do not uphold the point of order raised by the honourable member for Monbulk.

Housing: Seymour

Mr HARDMAN (Seymour) — I ask the Minister for Housing what action she is taking to ensure that the most disadvantaged people in the Seymour electorate are provided with affordable and appropriate housing.

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order so I can hear the honourable member.

Mr HARDMAN — The Seymour electorate includes part of the City of Greater Bendigo, the part that was the forcibly amalgamated Shire of McIvor, and it includes communities such as Costerfield, Heathcote, Mia Mia and Red Castle, all of which are in the City of Greater Bendigo and are part of the old shire of McIvor, which was forced to amalgamate by the Kennett government.

I have been approached by many constituents, both as individuals and representative groups, informing me of the need to provide affordable housing for disadvantaged people across the electorate, especially to those who suffer from intellectual disabilities. I congratulate the minister on the social housing innovations project, a \$94.5 million Bracks government initiative. This commitment will help to redress the seven cold, heartless years of Kennett government neglect of rural and regional Victoria and disadvantaged people in our communities.

Recently the ministerial advisory committee visited Seymour to look into women's housing issues. I congratulate the honourable member for Ballarat East and the minister on seeking information on how accommodation can best be provided to women.

The SPEAKER — Order! The honourable member has 1 minute, in which he needs to ask for some form of government action.

Honourable members interjecting.

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

Mr HARDMAN — I ask the minister to outline the action she will take to provide housing in the Seymour electorate, particularly with regard to intellectual disability housing. There is a great need for housing in the electorate and I would like to be informed of any progress being made to date in this important area.

Payroll tax: government policy

Ms ASHER (Brighton) — I raise an issue with the Treasurer. In light of regional employment figures released today, the action I would like him to take — not bluster about — is to match the Liberal Party's half a per cent cut in payroll tax announced last week. The Australian Bureau of Statistics labour force statistics were released today and this house heard the Treasurer refer to those statistics on the labour force as obscure. He called the ABS figures obscure!

He can bluster as much as he likes, he can bury his head in the sand and he can rant and rave when he gets up to answer this question, but the fact remains that 36 100 full-time jobs have been lost in seven months in regional Victoria. More than 36 000 people in regional Victoria have lost their jobs. In question time it has already been outlined that 19 000 jobs have been lost in Central Highlands Wimmera, 9000 jobs have been lost under this government in Loddon Campaspe Mallee, and on and on the list goes. In manufacturing there has been a net loss of 19 400 full-time jobs since November 2000. The construction industry is down 11 700 jobs. Unemployment is now up to 6.4 per cent.

The Treasurer's bravado does not match his budget forecast, nor does it match the fact that the Minister for Post Compulsory Education, Training and Employment has clearly walked away from her 5 per cent unemployment promise, as has the Premier walked away from that so-called promise at the last election. The tax cuts in the last budget were Clayton's tax cuts. The populace received three successive budget cuts in payroll tax under the Kennett government. Payroll tax is down to 5.45 per cent, but we will not receive another payroll tax cut until 2003.

I call on the Treasurer to cut payroll tax now, not in 2003, to assist businesses and to stop job losses in Victoria.

Schools: funding

Ms OVERINGTON (Ballarat West) — I raise a serious matter with the Minister for Education that is a concern for every parent of students in the state school system, and that is school budgets. Parents need to be given assurances that their children and their schools receive fair and equitable budget funding.

The action I ask the minister to take is to repair the damage done by the previous Kennett coalition, which took millions and millions of dollars from our school budgets. The neglect in my own electorate of Ballarat West mirrored that right across Victoria and was devastating to our school communities. Humffray Street Primary School and Queen Street Primary School were closed, teachers were sacked and welfare resources were removed from schools. What else? Class sizes were huge, and attempts were made to privatise our schools. Wasn't that the easy way out!

Schools and parents were under enormous pressure in trying to keep their school communities operating. In a lot of cases school councils had no option but to introduce fees and levies that parents could not afford. What happened? Education in the state declined to its

lowest level ever. But what is happening now? We have the Bracks Labor government, which has made improving education the top priority in this state. Part of that has come through the recent budget announcement, when my electorate of Ballarat West received a much-needed \$6 million.

An honourable member interjected.

Ms OVERINGTON — I said \$6 million, and \$11 million for Ballarat in total.

I will quickly mention the Delacombe Primary School, whose school concert I attended on Wednesday night. It was the first concert they had been able to run for the past four years because of lack of resources. Nine hundred parents, grandparents and relatives attended the concert at Her Majesty's Theatre. It was a wonderful demonstration of what schools can do when they are given proper resources. I was so proud to be on stage — I know we are in Bendigo at the moment — to wake their dragon! It was absolutely wonderful, and I am encouraging them to enter it in the Begonia Festival.

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

Bendigo: opinion polling

Mr DIXON (Dromana) — I raise a matter for the attention of the Premier. The government has organised a series of local research projects, local focus groups and local public opinion polling. This has happened before cabinet meetings in the outer suburbs and in regional areas, especially in marginal seats — and I dare say there are many of them. The research projects and public polling that are done before cabinet visits and are paid for by the taxpayer. The polling ascertains community attitudes and opinions on a range of issues that are relevant to that particular area.

I ask the Premier whether this has happened in Bendigo, and if it has, to make the information available to the City of Greater Bendigo and to the local community, because the information is vital to local community groups that provide services to the community. As the city of Bendigo and members of this community receive those benefits, they can serve their communities far better. After all, as taxpayers they have paid for that information.

Employment: rural and regional Victoria

Ms ALLAN (Bendigo East) — I ask the Minister for State and Regional Development what action he is taking to develop infrastructure and job opportunities

for those small country communities around Bendigo and central Victoria, in particular those in the Shire of Loddon.

It might be of some interest to members of this chamber that I do not just represent Bendigo in the state Parliament; I also represent part of the Loddon shire, in particular, the community of Bridgewater, which I share with the honourable member for Swan Hill. However, I think that status may change after the redistribution. I am proud to also represent the Loddon shire in this Parliament.

It is certainly of note that our rural communities particularly need rebuilding after the seven years of the Kennett government where infrastructure and job opportunities were ripped out of our country communities. Indeed, if we look at the unemployment rate we see that under the Kennett government in September 1999 it was at 7.3 per cent, while under the Bracks government it is now 6.2 per cent. That is a significant achievement.

Jobs are vitally important to the future of our small rural communities. The Bridgewater community in particular is passionate about keeping jobs in Bridgewater and in the Loddon shire. As the honourable member for Swan Hill would also know, the Loddon shire is equally passionate and working very hard at attracting industry and jobs to the Shire of Loddon, which stretches up through Boort and towards the honourable member's home town of Swan Hill. Bridgewater has already in the past two years attracted infrastructure funding from the state government.

There were significant projects. In metropolitan Melbourne they might appear to be small projects, but for the Bridgewater community they were vital for the development of that town. The riverside development walk, the travellers rest — which I was very pleased to be able to open — and significant sport and recreation funding has gone into Bridgewater under this state government.

The SPEAKER — Order! The honourable member has 1 minute, in which she needs to ask the government to take some action.

Ms ALLAN — These are important community infrastructure projects. I am seeking advice from the minister on what action he is taking to further develop infrastructure opportunities in our small country communities. Our jobs in these country communities are vital to their future and longevity. The Bracks government, as we know, has a strong commitment to rebuilding rural and regional Victoria. I ask the minister

what further action he is taking through projects such as the Regional Infrastructure Development Fund in investing in our small communities. Certainly the RIDF has captured the imagination of country Victoria and those on this side of the house are proud to be part of it.

Forests: box-ironbark

Mr PERTON (Doncaster) — The matter I raise is for the attention of the Minister for Environment and Conservation. As honourable members know, outside this Parliament today dozens of people, representing many thousands of people, were protesting in respect of the box-ironbark forests and woodlands. The pamphlet that they handed out, which the minister would have seen, was called ‘Why have a national park to preserve Bendigo’s box-ironbark forests?’. What those people referred to in that pamphlet was the Labor Party’s promise to implement the recommendations of the Environment Conservation Council in relation to box-ironbark.

The action I ask the minister to take is to establish an open and transparent process between the tabling of the ECC report and the subsequent legislation. The same promise was made in respect of the ECC recommendations on marine parks and we know that that was a lie. The people of Bendigo and the surrounding regions do not want the lies and dirty deals of the government in respect of marine parks.

In this Parliament the honourable member for Sandringham asked the minister, ‘Why Cape Howe?’, and the minister said, ‘In response to community considerations’. I asked the minister to table the documents in accordance with the traditions of this Parliament. She wrote to me eight weeks later to say it would be more appropriate to do it under freedom of information (FOI). A day later I got a letter from the FOI manager to say that every document on Cape Howe was a cabinet document — every document! Not one email, not one letter from a constituent in respect of Cape Howe, not one telephone memo in respect to conversations with the local member has been released. If it was an open, transparent and objective process there would be a document other than a cabinet document. We can only conclude it was a corrupt and dishonest process.

Mr Batchelor — On a point of order, Mr Speaker, when raising matters during the adjournment debate — and the honourable member is raising issues — an honourable member may raise only one issue. The honourable member for Doncaster has raised a string of them. I ask you, Sir, to rule out all the subsequent

matters he raised outside the box-ironbark forest information he has requested.

The SPEAKER — Order! I do not uphold the point of order. The honourable member for Doncaster has concluded his remarks.

Hume: Sunbury rates

Ms BEATTIE (Tullamarine) — What action will the Minister for Local Government take to protect the people of Sunbury from a 63 per cent or \$363 minimum rate increase? For the information of honourable members, since the Kennett government amalgamated municipalities a small group known as the Sunbury Residents Association has agitated for Sunbury to be separated from the City of Hume. Of course, the board that recommended the amalgamations was chaired by the honourable member for Prahran.

When the Bracks government was elected a panel was formed to inquire into the viability of a separate Sunbury. Only 101 submissions were made, and many were opposed to it. The panel members were Mr Julian Stock and Mr Roger Male. The conclusion reached was that just to maintain the present level of services, which the Sunbury Residents Association claims to be inadequate, rates would need to increase by a minimum of \$363.

At a recent meeting with me and Mr Lance Futchter from the Sunbury Chamber of Commerce, Mr Bernie O’Farrell of the Sunbury Residents Association stated that by the next election he expected to have a guarantee from the Liberal Party to separate Sunbury from Hume — which is astonishing to say the least, since the current shadow Minister for Local Government is the honourable member for Prahran, who chaired the Local Government Board.

Some 101 submissions, many opposed to separation, is hardly a groundswell. Since the conclusion reached by Mr Stock and Mr Male, Mr O’Farrell has sought to question the experience and qualifications of those review members. The ratepayers of Sunbury need to be protected from the small Sunbury Residents Association and an opportunistic Liberal Party. What action will the local government minister take to protect the ratepayers?

The SPEAKER — Order! The honourable member for Mordialloc has 2½ minutes.

Bridges: funding

Mr LEIGH (Mordialloc) — The matter I raise is for the attention of the Minister for Transport. I quote a

journalist from the *Age* newspaper, who described this minister as probably not the worst Minister for Transport in history, because there is a big queue in front of him, but probably the laziest. Having visited country Victoria and travelled across the regions in recent times, I have continually heard from councils, particularly in relation to bridges, the following comment: they are sick of this minister calling on the federal government to come up with the money when he has a problem.

This is a minister who is so creative and so intelligent that when he announced a study on 26 May last year of 5100 bridges throughout Victoria he said 2500 needed approximately \$237 million to be spent on them. What is interesting is that when I investigated them I found that the maintenance programs for these bridges go as far back as when the Premier and others were members of the Cain and Kirner governments.

This minister is so clever that he was able to develop and construct a bridge between 20 October 1999 and 6 May 2000, when he opened the bridge at Lakes Entrance.

The SPEAKER — Order! The honourable member has 1 minute, in which he must ask the government to take some action.

Mr LEIGH — He is so intelligent and so powerful that in a matter of months he can create a major bridge.

I ask that the minister simply stop saying on behalf of his administration, 'Look, it is time for the federal government to put up the money'. The Victorian community wants some of the money the state government has in its coffers to be spent on local bridges. Stop blaming other people, Minister!

It is time he put his money where his mouth is when he complains about other people. There are 2500 local bridges throughout Victoria that need repairs. They are not totally the responsibility of the federal government. They are also the responsibility of the state, as the minister acknowledged in the last budget and as the former Kennett government acknowledged when it began the construction of the Lakes Entrance bridge. So I say to the minister, 'Put your money where your mouth is and get on with the job!'.

Responses

Mr HAERMEYER (Minister for Police and Emergency Services) — I must say that given some of the interjections from the opposition side I am quite amazed that we had not one question or one

adjournment item relating to police. I am rather astounded by that.

Honourable members interjecting.

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

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mordialloc!

Honourable members interjecting.

The SPEAKER — Order! I seek the cooperation of the house to enable the adjournment debate to proceed.

Mr HAERMEYER — The honourable member for Wantirna raised for my attention training in the Country Fire Authority. I am rather startled by his sudden flurry of interest in the CFA, given that in seven years in opposition he never once mentioned the CFA in the house. Despite the fact that his entire electorate is serviced by some very worthwhile CFA brigades, never once did he come into the house and speak on behalf of any of them or any other CFA brigade or volunteer. Nonetheless, I will deal in good faith with the matter he raised.

For some time the honourable member for Wantirna has been going on with this sort of tirade about training in the CFA. I have to say that the CFA places a very high priority on quality training for all its firefighters — volunteers and paid firefighters. It is about providing quality minimum skills to ensure firefighters' skills are in keeping with national competency standards. That is especially important given the dangers firefighters regularly have to face both in structural fires and in wildfire, particularly given the tragic deaths of five firefighters at Linton a little over two years ago.

The CFA uses qualified volunteers to deliver local training to its volunteers. That will continue to be the case. But those volunteers are supplemented by specially qualified, full-time instructors and other providers for non-operational training, in which case the authority uses providers such as colleges of technical and further education (TAFE) and so on.

In the strategic resource initiative the government announced last year — and this year it is providing an additional \$35 million to the CFA budget — provision was made for 52 specialist instructors, 16 to instruct on structural fires and another 27 to instruct on wildfire, as well as the non-operational training that is to be provided by TAFE and other providers.

The United Firefighters Union (UFU) is a party to the operational staff agreement of the CFA, and as such it has a proper and rightful role to play in the way it covers the professional, or paid, firefighters within the CFA and the operational fire instructors, whom it also covers. There is absolutely no evidence of inappropriate UFU participation in volunteer training.

Given the interest of the honourable member and given the misunderstanding of what the training is about, I advise that the CFA has a program of ongoing consultation on training. In late June it provided a training summit, which has led to the current development of a comprehensive action plan to ensure that training within the CFA works for all parties — volunteers and paid firefighters alike.

The volunteers were extremely happy with the outcome of the summit. The CFA will ensure that they are given the best possible training. I am disappointed at the cynical attempts by opposition members to politicise this important issue, which goes to the heart and soul of firefighters' safety when they are out in the field doing their jobs.

Volunteers do a very important job for the community. The government has a responsibility to ensure that they receive the best training available. They should not be exposed to dangers that put them at risk. I am disappointed that the opposition in a cynical way is seeking to play politics with the issue. The Bracks government places a high priority on both safety and training.

When members opposite were in government they gave not one iota, not one additional cent, to the CFA. For them to now come into this place and preach off the moral high ground reeks of absolute hypocrisy.

Mr McArthur — On a point of order, Mr Speaker, I ask that you remind the minister of the penalty for deliberately misleading the house, given that the former government substantially increased funding to the CFA, and in particular the community safety officers.

The SPEAKER — Order! The honourable member for Monbulk well knows that I will not take a point of order along those lines. If he wants to proceed down that track he should do so by substantive motion. There is no point of order.

Mr HAERMEYER — Thanks to the additional funding provided by the Bracks government I am pleased to announce that tender advertisements have been placed in Saturday's papers for new fire stations at Strathfieldsaye and Maiden Gully. In addition, the Eaglehawk fire station extensions amounting to

\$650 000 are almost complete, and the tender for the extensions to Wedderburn fire station will be going out in about two weeks. The Bendigo region, as much as any other part of Victoria, is feeling the benefits of the government's increased commitment to the CFA. I say again that the mealy-mouthed meandering opposite reeks of absolute hypocrisy.

Mr BRACKS (Premier) — The honourable member for Dromana raised for my attention the matter of whether public opinion polling was undertaken for this visit to Bendigo and, if so, whether it would be made available. I inform the house and the honourable member that there was no public opinion polling for this visit.

Ms GARBUTT (Minister for Environment and Conservation) — The honourable member for Doncaster raised with me the issue of the Environment Conservation Council's report on box ironbark. I have received that report and will table it shortly. Clearly it needs further analysis, and the government will do that.

He also raised a second matter. I am not sure what his point was and how he managed to get two in one, but he talked about Cape Howe again. I refer him to the extensive information I have provided to the house — —

Honourable members interjecting.

Ms GARBUTT — You're hopeless!

Mr Perton — On a point of order on the question of relevance, Mr Speaker, the minister, while sitting in the room, clearly was not paying attention.

Honourable members interjecting.

Mr Perton — The action I asked the minister for was an open and transparent process between the tabling of the report and the subsequent legislation. The minister indicated that she did not hear or understand it. That was the point I made, and the contrast was made with the other report.

The SPEAKER — Order! The honourable member is using the opportunity of taking a point of order to repeat the request for action that he made during his contribution. I do not find the minister's response irrelevant, and I ask her to continue her remarks.

Ms GARBUTT — I was referring the honourable member for Doncaster to the information provided previously in this house about Cape Howe. I also refer him to the Environment Conservation Council report, in which comments are made about the impact of a

national park at Cape Howe. The economic analysis clearly identified Mallacoota as suffering a major negative impact and said that among coastal towns around Victoria it alone would suffer a negative impact. I suggest he re-read that public document for the information he is seeking.

Mr CAMERON (Minister for Local Government) — The honourable member for Tullamarine raised a matter concerning local government arrangements in the Sunbury area. Mr Speaker, you will be aware that the former Local Government Board, which was headed by the honourable member for Prahran, made a recommendation on bringing about the City of Hume, of which Sunbury is part. You may also be aware that a panel report was commissioned concerning the division of the municipality, the result of which was that rates in the Sunbury area would rise by around \$363. That increase is totally unrelated to any other increase which may otherwise occur.

The honourable member for Tullamarine reports that the Sunbury Residents Association now says that, after the indications that have been given to it, it is expecting a commitment from the opposition about the split. During the preparation of the report community support for any split dissipated and contracted substantially, given the enormous increase in rates which would have to come about. The Sunbury Residents Association is only a small group. It wants a split, irrespective of the enormous financial burden that would place on people in the Sunbury area. Mr O'Farrell of the Sunbury Residents Association and the Sunbury Residents Association itself were happy with the panel report until the final results came out.

I can assure you, Sir, that the government will not be seeking against the wishes of the local community to alter municipal arrangements which will bring about an increase in rates of \$363.

Ms CAMPBELL (Minister for Community Services) — I thank the honourable member for Wimmera for raising for the attention of the house the very important matter of preschools.

I also congratulate those involved, including parliamentary staff, for providing access to technology that enables us to not only hear but also see members when they raise matters on the adjournment.

Support for preschools under our government is well known in the wider community. I hope the honourable member for Wimmera has begun to understand what the Bracks Labor government has done for preschools.

We have invested an additional \$10 million in preschools in just the first two years of being in government.

Since the Kennett government ripped the heart out of preschools, the Bracks government has begun the work of rebuilding. That work has been assisted greatly by committees of management and the wider preschool sector to ensure that we build on a good foundation.

The government has put in an additional \$8 million — that is, \$4 million for health care card holders and an extra \$4 million for per capita funding — which will enable preschools to be more affordable. It has put an extra \$1 million into payroll support and an additional \$1 million into other supports for preschools. What the Bracks government has done financially is substantial.

Secondly, in relation to teachers' pay and career structure, the government acknowledges that preschool teachers should have a better career structure and should have had it years ago, but it has taken our Labor government to do it. Our Labor government has put in place a career structure as a result of negotiations that have occurred over the past few months, and we are very proud of the fact that preschool teachers will now be available for early childhood teaching.

I am also pleased to inform the honourable member for Wimmera that the workloads of committees of management have been diminished as a result of our ensuring that every preschool has the support of Payconnect. As I said, the government has put in an additional \$1 million to enable every preschool in this state to have payroll services and services for superannuation, Workcover and so on, which will not cost the committees of management 1 cent. If any honourable members have examples of kinders in this state that are not using Payconnect, I would be very happy to follow that up and make sure they utilise the services of Payconnect to take that administrative burden off them. The government has put more money into Payconnect, and it is important that every preschool committee uses it.

The government has begun the work of assisting long-day care centres that provide preschool services by making available capital grants. Under the Kennett government capital grants were not even on the agenda; under our government they are, and I encourage the honourable member for Wimmera to be informed of that and to assist his local community to access those grants.

Voluntary preschool committees of management change annually, and I am concerned that their

members be informed of their responsibilities and duties. To that end the government has taken action, and as of next year the Department of Human Services will be providing information to committees of management and holding conferences that will keep them informed and up to date on all regulations and acts, on their rights and responsibilities and on what support is available to them.

Last year and again this year children's services advisers have been available. The honourable member for Wimmera would be familiar with the number of times children's services advisers have assisted committees of management in his electorate. In Rainbow, for example, the children's services advisers have been working actively with the committee of management at the preschool he mentioned to enable people to bring their qualifications up to the appropriate early childhood standards.

Finally, the Bracks Labor government has begun the work of rebuilding the destruction of the Kennett years. It has put more money into preschools and provided children's services advisers and information for committees of management. It will continue to build on the strong work it has invested over the past two years. I congratulate the committees of management for their fabulous contribution to early childhood services.

Ms PIKE (Minister for Housing) — I thank the honourable member for Geelong for raising the very important issue of the shortage of affordable housing in his area. As he correctly pointed out to us, the latest information from the Office of Housing rental report for the March quarter indicates that there have been significant increases in the private rental market, and therefore there are many people in the community who need access to affordable housing.

Earlier this year I announced the social housing innovations project, and the government is now delivering on the first stage of that project. It is a \$95.4 million commitment and will expand the amount of affordable social housing right across the Victorian community. That is being done through partnerships with local government, the charitable sector, community organisations and the private sector. The government is seeking to leverage additional resources from them so that it can bolster the number of units available. In the first round we have seen \$13.5 million of extra resources come in to match the government's own funding so that it can expand the pool of affordable housing.

It is timely that the government is putting in the extra commitment and seeking the most creative ways to get

more value for its dollar. It is a time when, as we know, the commonwealth–state housing agreement has reduced the amount of money available for public housing by some 30 per cent over the past 11 years. When that is coupled with the need to have greater targeting of public housing, many people now in housing-related poverty are missing out.

In Geelong a partnership has been developed between Ecumenical Community Housing and the government that will see the construction of five two-bedroom units and two three-bedroom units for families and older people. Land has been contributed by the Noble Street Uniting Church, along with some additional dollars, and that has all been partnered with government money.

The honourable member for Seymour also drew to my attention the need for additional housing in his electorate. I am pleased to advise him that a joint venture between Common Equity Housing and Ecumenical Community Housing will provide for the construction of a six-bedroom property for people with intellectual disabilities. The total cost of this project is \$1.4 million, and the community itself is contributing over \$300 000 to that joint project.

Such projects extend right across Victoria. Here in Bendigo we have a terrific project. A local YMCA facility — actually, an old squash court — is being developed into 10 two-bedroom houses for young people in the community. The social housing innovations project is a good example of the way the Bracks government works in partnership with local communities, uses resources wisely and effectively, and has an eye on the most disadvantaged people within our community.

Ms DELAHUNTY (Minister for Education) — The honourable member for Ballarat West raised the matter of repairing the damage after the Kennett government took a machete to education. She is quite right of course: it is a big job, and we have to repair the damage, particularly in country Victoria. Most of the schools that were closed were in country Victoria. And where were most of the teachers who were sacked under the Kennett government? In country Victoria. We have a big job to do to repair the damage. The government is not focusing, though, on institutional demand or calls from the country and the city, it is concentrating on student need. We are concentrating our investment in education on the early years, the middle years and the later years.

To answer directly the question raised by the honourable member for Ballarat West, in less than two

years the Bracks Labor government has invested an extra \$2.2 billion. That is a lot of money. Where has it gone? The students who were sitting here witnessing this historic meeting of Parliament outside Melbourne will be pleased to know that the investment has been translated into their schools in a very significant way. For the 22 public schools in the electorate of Bendigo East the extra investment made by the Bracks government totals nearly \$4 million. For the 29 public schools in the electorate of Bendigo West, both primary and secondary, nearly \$5 million extra has been allocated directly to their budgets or into facility upgrades, improvements to the learning environment, more teachers and more opportunities for our students.

Gippsland is another area neglected by the former Kennett government that is being repaired by the Bracks government. When the Kennett government called country Victoria the toenail of the state it was certainly talking about Gippsland. I am pleased that the honourable member for Gippsland East is taking such an interest in this response. How much has the Bracks government directly allocated to schools in Gippsland? It is a massive sum: not \$10 million but \$15 million extra has gone directly into school global budgets.

The Bracks government is serious about the three Rs, and it has the trifecta in education. We have more money, more teachers and more opportunities for our kids, particularly those in country Victoria.

Mr BRUMBY (Minister for State and Regional Development) — I will firstly respond to the matter raised by the shadow Treasurer, the honourable member for Brighton, in my capacity as Treasurer, and then I will respond to the matter raised by the honourable member for Bendigo East in my capacity as the Minister for State and Regional Development.

The honourable member for Brighton asked me whether the government would match the Liberal Party's promise to cut taxes. The obvious question I should ask is, 'Which promise?'. I have a list of them. It seems that every time the Parliament sits — every time there is some pressure on the Liberal Party, the shadow Treasurer or the Leader of the Opposition — out they come with another tax promise. The latest promise has a bit of history. It was released at Crown Casino last week by accident.

Ms Asher interjected.

Mr BRUMBY — I happened to be at a Royal Agricultural Society of Victoria function at Crown Casino last week presenting, on his behalf, the Premier's Award for the best red wine in Victoria,

which of course went to Brown Brothers. You can imagine that it was a particularly arduous evening for me! As I was leaving I saw before me some identifiable members of the Liberal Party, including the Leader of the Opposition in this place and the Leader of the Opposition in the other place, who were talking to some businesspeople as they were leaving. I deduced that there had been a Liberal Party gathering or fundraiser at the casino — although I did not think they held Liberal Party fundraisers at the casino.

Lo and behold, the next morning during a speech the Leader of the Opposition revealed this secret plan to cut payroll tax by half a percentage point. It was a secret, but of course the next day everybody knew about this secret plan that had leaked out. The Leader of the Opposition had to come out and give his press conference and say, 'Yes, this is our policy, to cut payroll tax by half a percentage point'. If one looks at the press release one notes that it is pretty roughly costed with no economic impacts and no analysis of how the budget will afford it — and the cost is \$250 million per annum.

It is not the first tax promise from the Liberal Party; there have been others. What about stamp duty on insurance and other products? The shadow Treasurer is on the record as opposing the imposition of stamp duty on the GST inclusive price. I have raised this before in Parliament. I have had the Department of Treasury and Finance cost the opposition's promise in this regard to levy stamp duty — —

Ms Asher interjected.

Mr BRUMBY — We were going to say \$100 million, but we will settle for \$130 million! If you want to do what no other state in Australia is doing, and that is add the stamp duty on the GST exclusive price, not the inclusive price, the cost to revenue on the opposition's own costings is \$130 million per annum. Of course, we have another one. Where is the Leader of the Opposition? He is up the back. In the Parliament earlier this year on 1 March, in a question to the Premier about a tax of 1.5 cents per litre on petrol, the Premier was asked by the Leader of the Opposition:

... will the Premier now match the Prime Minister's commitment and lower the cost of petrol in Victoria through Victorian taxes by 1.5 cents per litre?

I assume from the tone of the question that the Liberal Party's commitment is to reduce this tax by 1.5 cents per litre. I will tell the house what the cost of that is — \$130 million per annum. There is more information, but we all have a reception to attend tonight, so I will not run them all out.

The Leader of the National Party has made very expensive promises, but I will stay with the Liberal Party at the moment. There is a stamp duty commitment of \$130 million per annum; a petrol price commitment of \$130 million per annum; and a payroll tax commitment of 0.5 cents, which is \$250 million per annum. If one adds up those figures one gets a total per annum commitment in excess of half a billion dollars. Are members opposite really going to go to the next election promising these tax cuts, which they know they cannot deliver, or are they going to do a total about-face before the next election? That is the challenge for the Liberal Party. The total is half a billion dollars in tax cuts per year. Do you want to pay for that?

Honourable members interjecting.

Mr BRUMBY — Presumably the Liberal Party may be considering — —

Ms Asher interjected.

Mr BRUMBY — They're getting a bit excited about this because they mucked up. You mucked up badly, didn't you?

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. I ask the Minister for State and Regional Development to address his remarks in the third person through the Chair.

Mr BRUMBY — It is no wonder the opposition is sensitive about this issue because, as the shadow Treasurer knows, during the seven years of the Kennett government the total tax take in Victoria increased by a massive 50 per cent. Under the Liberal coalition taxes went up by 50 per cent. The Liberal Party now puts forward unaffordable, unsustainable, undeliverable commitments totalling more than half a billion dollars per annum.

The only government that is cutting taxes is the Bracks government. From 1 July this year all of the duties on non-residential leases were abolished. Payroll tax was cut from 5.75 per cent to 5.45 per cent, representing \$774 million of tax cuts over the next four years. It is the best tax package for more than a decade. When the Deputy Leader of the Opposition asks will the government match the Liberal promise, the question I put to her is: which promise are you referring to? The government has just cut payroll tax from 5.75 per cent to 5.45 per cent.

I wish to make a brief response on the question of jobs which was also raised by the Deputy Leader of the

Opposition. As I pointed out in the house today, since the election of the Bracks government more than 35 000 new jobs have been generated in regional Victoria. That is more jobs in total than we saw generated during the whole of the seven years of the Kennett government. I give two examples. In the seven years of the Kennett government, in the Barwon region there was not one new net full-time job generated — not one in the whole seven years. I turn to this region — Loddon–Campaspe. Far from generating new jobs, in the seven years of the Kennett government 1300 jobs were lost in the Greater Bendigo area — out of our schools, hospitals, police stations and from local government through compulsory competitive tendering. So to get up here and lecture the government about jobs is nothing short of a poor attempt at humour from an opposition which has an appalling record in this area.

Finally, on the issue of jobs I refer to some of the new investments that have come into Victoria over the past two weeks. Murray Goulburn Co-operative, a \$58 million investment, the largest new industrial warehouse investment in Australia being constructed in Laverton, has 50 new jobs. Energex, a \$120 million gas pipeline in the east of the state in Gippsland and the first new gas supply into our state in 35 years, has 350 new construction jobs. Telford Building Systems is about to relocate to a new industrial estate in Shepparton, a \$10 million expansion creating at least 50 new jobs.

Hudson Timber and Hardware of Essendon is creating at least 30 new jobs in connection with a \$12.7 million redevelopment. Sales Force is now setting up a new arrangement in Victoria which will create at least 100 new jobs. Spicer Axle Structural Components Australia, a Cheltenham-based company, will create 55 new jobs with new investment in Cheltenham, and there is a range of other announcements. There is also a new ACER office in St Kilda Road, Melbourne. So there are numerous announcements of new investment and new jobs in our state. I repeat: we have seen 86 700 new jobs in Victoria since the election of the Bracks government. More jobs have been created in that period of time than for most of the period of the Kennett government.

The honourable member for Bendigo East raised the question of what the government is doing to support the growth of the Bendigo economy and particularly what it is doing to support the smaller country towns.

In addition to the raft of initiatives the government announced under the Regional Infrastructure Development Fund, the announcement I made today concerning \$1.65 million for Castlemaine, the

\$3.2 million for the information technology centre of excellence, the \$250 000 for the centre of excellence at the La Trobe University, and the \$400 000 to get the new Parmalat investment in Bendigo, we have also provided \$900 000 to enable the Castlemaine–Maldon railway project to proceed. In the smaller country towns — this goes to the matter raised by the honourable member for Bendigo East, and Inglewood is an example — on Tuesday the Minister for Aged Care opened a new nursing — —

Mr McArthur — On a point of order, Mr Speaker, the minister is obviously having difficulty without his notes. Perhaps we should have a 5-minute recess while he finds them.

The SPEAKER — Order! There is no point of order. The minister, concluding his answer.

Mr BRUMBY — The Minister for Aged Care opened the new aged care complex at Inglewood on Tuesday; at Bridgewater there are a number of programs under the regional community development program, including the riverside walk, and more recently assistance has been provided to the Laucke Brothers, who have purchased the Bridgewater mill. Honourable members will know that the Bridgewater mill has had something of a chequered history, particularly with its former owner.

The Department of State and Regional Development assisted the new owners of the mill, and it is presently employing close to 70 people. We heard the Minister for Police and Emergency Services this afternoon announce new fire brigades in Wedderburn and Eaglehawk. We have also had the \$10 million commitment to the new agricultural, science and Department of Natural Resources and Environment facilities here in Bendigo.

If you put all of those initiatives together, you will see that this is a government that governs for the whole of the state, but importantly it also governs for the smaller country towns — the Inglewoods, the Bridgewaters, the Marongs. I even recall that one of the budget initiatives was \$1.7 million for the Pyramid Hill salt interception scheme. Here is a project managed out of the portfolio of the Minister for Environment and Conservation that will — —

An honourable member interjected.

Mr BRUMBY — The honourable member interjects that it is a great project, and it is.

Again I would remind the house that the Bracks government is a government for all Victorians. It

governs for the whole of the state, not just for the major provincial centres, the Geelong, the Ballarats, the Bendigos, but also for the smaller country areas — as I have said, the Castlemaines, the Maldons, the Inglewoods and the Bridgewaters. We are making the commitment there because we want to grow the whole of the state.

It is worth mentioning in conclusion that one of the first decisions of this government as far as Bendigo is concerned was announced here by the Premier early in 2000 when he said that the government had facilitated the decision by AAPT to establish its business and call centre operations in Bendigo. I have to say that from that single investment that company now has more than 400 full-time employees in Bendigo.

As I have said, if you look over the barren wasteland of the seven years of the Kennett government when nothing was done for this area — nothing in the major projects area for country Victoria, the toenails of Victoria — and you compare that with what we are achieving now in terms of jobs growth, in terms of investment growth, in terms of investments by the state in economic infrastructure and governing for the whole state, you see it is a great record. There is more to do, but what you can say about this government is that we are getting on with the job of growing the whole of the state.

Mr BATCHELOR (Minister for Transport) — The honourable member for Mordialloc raised with me a new element of the Liberal Party policy which has progressively leaked out over the past couple of weeks. It concerns the preparedness of the Liberal Party state branch to take over from the federal government a whole range of its funding responsibilities.

Today he asked us to fund the reconstruction of in excess of 2000 local bridges. I hope he sought the approval of his fellow shadow cabinet members or his leader before making this commitment. Surely he would not ask the government to do something he was not prepared to do himself. If a member of the opposition asked a member of a government to fund something he was not prepared to do himself, that would be an act of gross hypocrisy. It would be unparliamentary for me to attribute that to the honourable member for Mordialloc, so I can only assume that today he has revealed another promise.

To understand the financial commitment you need to understand the funding arrangements for roads, and by extension bridges, in Victoria. There are four levels of funding responsibility. There are the national highways, for which the federal government takes sole

responsibility; there are the roads of national importance (RONIs), such as the Calder Highway — which has previously been declared a RONI — the responsibility for which is shared equally between the state and national governments; there are state arterial roads, which are the funding responsibility of the state government; and there are local roads, which are the funding responsibility of local government, which gets assistance from the federal government.

The honourable member for Mordialloc rightly said that thousands of these local bridges are the funding responsibility of local government and the federal government, but he asks this government to take funding responsibility for those. I do not know what the cost of that will be; that is not our policy. But I will take that back to Vicroads and ask it to calculate the cost of each one of those bridges, so we can add this new funding program to the opposition's regime of policy commitments.

In addition to the new opposition policy, whereby in government it would be prepared to take over the federal government's funding responsibility for roads of national importance — people in Bendigo might be aware of it, but people elsewhere might not — the following occurred. On 4 August the member for Mordialloc engaged in a public debate with the federal Minister for Transport and Regional Services, Mr Anderson, and the federal member for Bendigo, Mr Gibbons, about funding for the Calder Highway and the tardiness of the federal Liberal government. The honourable member for Mordialloc backed up the federal government, saying it was under no obligation to pay for improvements to the Calder Highway.

Honourable members interjecting.

Mr BATCHELOR — He said it was under no obligation to pay for the funding of the Calder Highway. Here is another element of the new road transport policy that will add billions and billions of dollars to the budget. If the other members of the shadow ministry understand the financial implications, they will also understand that in two announcements he has already spent the amount with which they are able to make election promises.

There are two options the opposition has to face up to. One is to repudiate the member for Mordialloc and his funding promises — and these are not the only ones he has made, because back in Melbourne we have a list a mile long. He tours the countryside making all sorts of promises while giving no regard to the funding obligations.

Honourable members interjecting.

Mr BATCHELOR — Of course he would have checked it out. It would be financially irresponsible for him to do otherwise!

He has committed the Liberal opposition to huge amounts of expenditure. The opposition is clearly being financially reckless and irresponsible. By its actions it will destroy the Victorian economy.

Honourable members interjecting.

Mr BATCHELOR — They laugh about it. They are sitting here nodding their heads in agreement and laughing about it. They will not laugh about it later on. Their policies to let the federal government and local government off the hook for local bridge funding and to let the federal government off the hook for roads of national importance funding would send this state broke. That is what the opposition wants to do. It is reckless in its behaviour and it has to either repudiate the shadow Minister for Transport or carry the can for the socially and economically irresponsible policies that have been announced here in Bendigo.

Parliament: Bendigo sitting

The SPEAKER — On behalf of all members of the Legislative Assembly I express my thanks to the mayor, councillors and staff of the City of Greater Bendigo and the people of Bendigo for hosting the Victorian Parliament today.

Honourable Members — Hear, hear!

The SPEAKER — I particularly want to single out Mr Andrew Paul, the chief executive officer of the City of Greater Bendigo, Mr Peter Davies and Ms Vanessa Collins, who have left no stone unturned in assisting me in my capacity as Presiding Officer of the Legislative Assembly to ensure that this sitting was up to the calibre that we have achieved here today. I particularly thank the volunteers from the Capital Theatre, who, in this the International Year of Volunteers, have stepped forward and assisted us with people management and crowd control in the chamber.

Honourable Members — Hear, hear!

The SPEAKER — I am indebted to the council's cultural development and events unit, as I am to the project people and all the workers who were responsible for ensuring that the timing of the restoration of this hall was brought forward and completed to the standard of excellence that we see here today.

I thank all Parliament House staff for giving so much in most unusual circumstances to ensure that this was just like any other sitting of the Legislative Assembly.

We are indebted to ABC Television, particularly to producer Rob Pemberton and director John Smith, for ensuring that the historic telecast of question time not only went to regional and country Victoria but also, as I understand it, was beamed into Melbourne. Indeed, it had coverage throughout Victoria.

Finally, I thank each and every member of the Legislative Assembly for adapting so readily to the changed circumstances and making today the huge success it has been.

House adjourned 6.24 p.m.

MEMBERS INDEX**ALLAN, Ms** (Bendigo East)**Adjournment**[Employment: rural and regional Victoria, 50](#)**Members statements**[Parliament: Bendigo sitting, 11](#)**Questions without notice**[Employment: Bendigo, 24](#)**Volunteers: contributions, 21****ALLEN, Ms** (Benalla)**Members statements**[Stella Webster, 12](#)**ASHER, Ms** (Brighton)**Adjournment**[Payroll tax: government policy, 49](#)**BAILLIEU, Mr** (Hawthorn)**Questions without notice**[Gaming: regional machine caps, 27](#)**BATCHELOR, Mr** (Thomastown) (Minister for Transport)**Adjournment**[Responses, 58](#)**Members statements**[Member for Mordialloc: conduct, 13](#)**Points of order, 51****Questions without notice**[Rail: freight containers, 25](#)**BEATTIE, Ms** (Tullamarine)**Adjournment**[Hume: Sunbury rates, 51](#)**Bills**[Crimes \(Validation of Orders\) Bill, 43](#)**BRACKS, Mr** (Williamstown) (Premier and Minister for Multicultural Affairs)**Address by mayor of Greater Bendigo, 2****Adjournment**[Responses, 53](#)**Commonwealth treaty documents**[International treaty making, 9](#)**Council of Australian Governments**[Communiqué, 8](#)**Questions without notice**[Bendigo Health Care Group, 23](#)[Employment: rural and regional Victoria, 22](#)[Essendon Airport: sale, 23](#)[Rail: regional links, 23](#)[Water: Wimmera–Mallee pipeline, 26](#)**Volunteers: contributions, 14****BRUMBY, Mr** (Broadmeadows) (Minister for State and Regional Development and Treasurer)**Adjournment**[Responses, 56](#)**Questions without notice**[Employment: Bendigo, 24](#)**CAMERON, Mr** (Bendigo West) (Minister for Local Government, Minister for Workcover and Minister assisting the Minister for Transport regarding Roads)**Adjournment**[Responses, 54](#)**Members statements**[Parliament: Bendigo sitting, 13](#)**Questions without notice**[Workcover: management, 26](#)**CAMPBELL, Ms** (Pascoe Vale) (Minister for Community Services)**Adjournment**[Responses, 54](#)**Volunteers: contributions, 19**

DAVIES, Ms (Gippsland West)

Questions without notice

Rail: freight containers, 25

DEAN, Dr (Berwick)

Bills

Crimes (Validation of Orders) Bill, 31

DELAHUNTY, Mr (Wimmera)

Adjournment

Preschools: funding, 48

Petitions

Apple and pear industry: fire blight, 8

DELAHUNTY, Ms (Northcote) (Minister for Education and Minister for the Arts)

Adjournment

Responses, 55

DEPUTY SPEAKER and CHAIRMAN OF COMMITTEES, The (Mrs Maddigan)

Rulings, 37, 42

DIXON, Mr (Dromana)

Adjournment

Bendigo: opinion polling, 50

DOYLE, Mr (Malvern)

Questions without notice

Bendigo Health Care Group, 23

DUNCAN, Ms (Gisborne)

Bills

Crimes (Validation of Orders) Bill, 40

Members statements

Planning: outer north-west corridor, 14

ELLIOTT, Mrs (Mooroolbark)

Volunteers: contributions, 20

FYFFE, Mrs (Evelyn)

Bills

Crimes (Validation of Orders) Bill, 45

Members statements

Wild dogs: control, 11

GARBUTT, Ms (Bundoora) (Minister for Environment and Conservation and Minister for Women's Affairs)

Adjournment

Responses, 53

Questions without notice

Water: sustainable management, 27

GILLETT, Ms (Werribee)

Bills

Crimes (Validation of Orders) Bill, 42

Scrutiny of Acts and Regulations Committee

Alert Digest No. 8, 9

HAERMEYER, Mr (Yan Yean) (Minister for Police and Emergency Services and Minister for Corrections)

Adjournment

Responses, 52

HARDMAN, Mr (Seymour)

Adjournment

Housing: Seymour, 48

Petitions

Housing: loan schemes, 7

Questions without notice

Water: sustainable management, 27

HONEYWOOD, Mr (Warrandyte)

Volunteers: contributions, 22

HOWARD, Mr (Ballarat East)

Bills

Crimes (Validation of Orders) Bill, 39

HULLS, Mr (Niddrie) (Attorney-General, Minister for Manufacturing Industry and Minister for Racing)

Bills

[Drugs, Poisons and Controlled Substances \(Amendment\) Bill, 28](#)

INGRAM, Mr (Gippsland East)

Bills

[Crimes \(Validation of Orders\) Bill, 46](#)

LANGUILLER, Mr (Sunshine)

Bills

[Crimes \(Validation of Orders\) Bill, 45](#)

LEIGH, Mr (Mordialloc)

Adjournment

[Bridges: funding, 51](#)

LONEY, Mr (Geelong North)

Questions without notice

[Workcover: management, 26](#)

LUPTON, Mr (Knox)

Bills

[Crimes \(Validation of Orders\) Bill, 43](#)

Petitions

[Libraries: funding, 7](#)

McARTHUR, Mr (Monbulk)

Points of order, 48, 53, 58

Questions without notice

[Water: Wimmera–Mallee pipeline, 26](#)

McCALL, Ms (Frankston)

Bills

[Crimes \(Validation of Orders\) Bill, 39](#)

McINTOSH, Mr (Kew)

Bills

[Crimes \(Validation of Orders\) Bill, 38](#)

MADDIGAN, Mrs (Essendon)

Petitions

[Rail: Tullamarine link, 8](#)

[Women's Petition, 7](#)

MAUGHAN, Mr (Rodney)

Members statements

[Preschools: funding, 12](#)

Petitions

[Housing: loan schemes, 7](#)

MAXFIELD, Mr (Narracan)

Questions without notice

[Rail: regional links, 23](#)

NAPTHINE, Dr (Portland) (Leader of the Opposition)

Address by mayor of Greater Bendigo, 4

Questions without notice

[Employment: rural and regional Victoria, 22](#)

Volunteers: contributions, 16

OVERINGTON, Ms (Ballarat West)

Adjournment

[Schools: funding, 49](#)

PANDAZOPOULOS, Mr (Dandenong) (Minister for Gaming, Minister for Major Projects and Tourism and Minister assisting the Premier on Multicultural Affairs)

Questions without notice

[Gaming: regional machine caps, 27](#)

PERTON, Mr (Doncaster)

Adjournment

[Forests: box-ironbark, 51](#)

PEULICH, Mrs (Bentleigh)

Petitions

[Eastmoor Primary School site, 8](#)

PIKE, Ms (Melbourne) (Minister for Housing, Minister for Aged Care and Minister assisting the Minister for Health)

Adjournment

[Responses, 55](#)

PLOWMAN, Mr (Benambra)

Members statements

[Ambulance services: community officers, 12](#)

ROWE, Mr (Cranbourne)

Bills

[Crimes \(Validation of Orders\) Bill, 43](#)

RYAN, Mr (Gippsland South) (Leader of the National Party)

Address by mayor of Greater Bendigo, 6

Bills

[Crimes \(Validation of Orders\) Bill, 34](#)

Points of order, 23

Questions without notice

[Essendon Airport: sale, 22](#)

Volunteers: contributions, 18

SHARDEY, Mrs (Caulfield)

Members statements

[Nurses: industrial dispute, 13](#)

SPEAKER, The (Hon. Alex Andrianopoulos)

Address by mayor of Greater Bendigo, 1

Adjournment

[Responses, 59](#)

Business of the house

[Broadcasting and televising of proceedings, 1](#)

Distinguished visitors, 1, 6, 22

Parliament: Bendigo sitting, 59

Proclamation, 1

Rulings, 23, 24, 25, 26, 27, 48, 49, 50, 51, 52, 53, 57, 58

STEGGALL, Mr (Swan Hill)

Bills

[Crimes \(Validation of Orders\) Bill, 41](#)

Petitions

[Brooke Street, Inglewood: traffic control, 8](#)

STENSHOLT, Mr (Burwood)

Bills

[Crimes \(Validation of Orders\) Bill, 44](#)

THOMPSON, Mr (Sandringham)

Bills

[Crimes \(Validation of Orders\) Bill, 41](#)

TREZISE, Mr (Geelong)

Adjournment

[Housing: Geelong, 47](#)

VOGELS, Mr (Warmambool)

Members statements

[Rural and regional Victoria: tenders, 13](#)

WELLS, Mr (Wantirna)

Adjournment

[Country Fire Authority: volunteers, 47](#)

WILSON, Mr (Bennettswood)

Bills

[Crimes \(Validation of Orders\) Bill, 44](#)

WYNNE, Mr (Richmond)

Bills

[Crimes \(Validation of Orders\) Bill, 36](#)