

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 18 April 2012

(Extract from book 5)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Cabinet Secretary	Mr D. J. Hodgett, MP

Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr McIntosh, Mr Morris, Dr Naphthine, Mr Nardella, Mr Pandazopoulos and Mr Walsh.

Standing Orders Committee — The Speaker, Ms Barker, Mr Brooks, Mrs Fyffe, Ms Green, Mr Hodgett, Mr McIntosh and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Dr Naphthine and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Mr Battin and Mr McCurdy. (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.

Economic Development and Infrastructure Committee — (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw. (*Council*): Mrs Peulich.

Education and Training Committee — (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick. (*Council*): Mr Elasmarr and Ms Tierney.

Electoral Matters Committee — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

Environment and Natural Resources Committee — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

Family and Community Development Committee — (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling. (*Council*): Mrs Coote and Ms Crozier.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller. (*Council*): The President (*ex officio*), Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.

Law Reform Committee — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe. (*Council*): Mrs Petrovich.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish. (*Council*): Mrs Kronberg and Mr Ondarchie.

Public Accounts and Estimates Committee — (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott. (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula.

Road Safety Committee — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

Rural and Regional Committee — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt. (*Council*): Mr O'Brien and Mr O'Donohue.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. K. M. SMITH

Deputy Speaker: Mrs C. A. FYFFE

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Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lim, Mr Muy Hong	Clayton	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McGuire, Mr Frank ⁴	Broadmeadows	ALP
Asher, Ms Louise	Brighton	LP	McIntosh, Mr Andrew John	Kew	LP
Baillieu, Mr Edward Norman	Hawthorn	LP	McLeish, Ms Lucinda Gaye	Seymour	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Madden, Mr Justin Mark	Essendon	ALP
Battin, Mr Bradley William	Gembrook	LP	Merlino, Mr James Anthony	Monbulk	ALP
Bauer, Mrs Donna Jane	Carrum	LP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Morris, Mr David Charles	Mornington	LP
Blackwood, Mr Gary John	Narracan	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Brooks, Mr Colin William	Bundoora	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Bull, Mr Timothy Owen	Gippsland East	Nats	Neville, Ms Lisa Mary	Bellarine	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Northe, Mr Russell John	Morwell	Nats
Carroll, Mr Benjamin Alan ²	Niddrie	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
Clark, Mr Robert William	Box Hill	LP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pandazopoulos, Mr John	Dandenong	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Perera, Mr Jude	Cranbourne	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pike, Ms Bronwyn Jane	Melbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
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Eren, Mr John Hamdi	Lara	ALP	Scott, Mr Robin David	Preston	ALP
Foley, Mr Martin Peter	Albert Park	ALP	Shaw, Mr Geoffrey Page	Frankston	LP
Fyffe, Mrs Christine Ann	Evelyn	LP	Smith, Mr Kenneth Maurice	Bass	LP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Southwick, Mr David James	Caulfield	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Sykes, Dr William Everett	Benalla	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Helper, Mr Jochen	Ripon	ALP	Tilley, Mr William John	Benambra	LP
Hennessy, Ms Jill	Altona	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Victoria, Mrs Heidi	Bayswater	LP
Hodgett, Mr David John	Kilsyth	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Watt, Mr Graham Travis	Burwood	LP
Hulls, Mr Rob Justin ³	Niddrie	ALP	Weller, Mr Paul	Rodney	Nats
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kairouz, Ms Marlene	Kororoit	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 27 January 2012

⁴ Elected 19 February 2011

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Wednesday, 18 April 2012

The SPEAKER (Hon. Ken Smith) took the chair at 9.33 a.m. and read the prayer.

Mr Pallas — On a point of order, Speaker, I understand that yesterday in the other place the President indicated that it was inappropriate to wear badges in the house. I seek an understanding from you that at no stage will action of a similar nature be undertaken in this place, particularly in the context of employees who are pursuing protected industrial action and are provided the right by law to wear such insignia. It is of course a common practice in this place — —

Ms Asher — To wear an Anzac Day badge — something decent.

Mr Pallas — I hear from the Minister for Innovation, Services and Small Business that this is not a decent cause — —

Honourable members interjecting.

The SPEAKER — Order! The member should ignore interjections.

Mr Pallas — I make the point, Speaker, that this is a right provided by law. I seek your assurance, in order to maintain the smooth running of this place, in ruling that the entitlement to wear insignia — which is a longstanding practice in this place that has been adopted by both sides of this chamber for various causes; and in the past the Chair has not sought past to make any judgement about the appropriateness or otherwise of the wearing of such insignia — be preserved for both members and attendants in this place.

The SPEAKER — Order! I understand rulings have been made in the past with regard to members wearing politically inappropriate badges and so forth in the house. I was aware that badges would be worn by the staff. We understand they are pursuing protected action. I will not be stopping staff from wearing those badges. When I came into the house yesterday and saw the badges members were wearing, I considered whether I should ask them to remove those badges. I did not do that on the basis that I considered the badges were small enough and gave the intended message. I would not like to see badges of a larger size come into the house, because then I may ask members to remove them.

Ms Hennessy — I wish to raise a point of order, Speaker. You may be aware that in this morning's press, and in fact on 3AW radio this morning, reference was made to an Ombudsman's report that is yet to be

tabled in this house. I am concerned that this appears to be a continuing pattern of behaviour, given that similar pre-release commentary was made in the press in respect of the food bowl modernisation project — —

Honourable members interjecting.

The SPEAKER — Order! Points of order will be heard in silence.

Ms Hennessy — The Ombudsman's report on the food bowl modernisation project was the subject of press commentary before it was tabled in this house. That occurred on 24 November 2011. It is a serious breach of the privileges of this house; the Ombudsman is in fact an officer of the Parliament. I ask that you seek urgent undertakings that there has been neither a discourtesy to the house nor a breach of privilege of the house.

The SPEAKER — Order! I will make some inquiries. I have not read the report and I did not listen to the radio this morning, so I have not read or heard what was reported. Reports will be tabled in the Parliament later today. We know that a report of the Office of Police Integrity was put onto its website by accident. I do not know whether this is a similar thing that has occurred. I will make inquiries and report back to the house.

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION AMENDMENT (EXAMINATIONS) BILL 2012

Introduction and first reading

Mr McINTOSH (Minister responsible for the establishment of an anti-corruption commission) introduced a bill for an act to make further amendments to the Independent Broad-based Anti-corruption Commission Act 2011 and the Victorian Inspectorate Act 2011, to make consequential amendments to other acts and for other purposes.

Read first time.

Ms Hennessy — On a further point of order in respect of the Ombudsman's report, Speaker, I wish to bring to the house's attention that members of the media are currently tweeting and quoting extracts of the Ombudsman's report that has not yet been tabled in this Parliament.

The SPEAKER — Order! On the point of order, I said before that we will make some investigations and find out what has happened and we will report it back to the house.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 12 to 21 will be removed from the notice paper unless members wishing their notice to remain on the notice paper advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Planning: Brunswick terminal station

To the Legislative Assembly of Victoria:

This petition of the people of Victoria draws to the attention of the house the deep concern at the recent action of the Minister for Planning, Matthew Guy, and the Baillieu government in approving amendment C140 to the Moreland planning scheme, rezoning the site of the Brunswick terminal station and approving the building of an additional 66-kilovolt facility alongside the existing 22-kilovolt terminal.

The petitioners note:

the proposal was twice rejected by Moreland City Council as a part of the local planning process and the actions of the minister in rezoning the site have ridden roughshod over that process;

answers have been sought of the state government about significant unresolved questions about the health and safety of the redeveloped facility and the appropriate safety standard for such an industrial facility in a purely residential and environmentally sensitive area;

calls had been made of the state government to work with the power companies to fully explore other appropriate sites, specifically in an industrial setting, for the facility;

these significant questions and calls of the state government remain unanswered and unacted upon.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to reverse this decision, acknowledge the significant concerns of the local community and work with the energy companies involved to fully explore another appropriate site.

By Ms GARRETT (Brunswick) (802 signatures).

Greensborough Highway, Bundoora: sound attenuation

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the need for VicRoads to install sound attenuation and 'traffic signals ahead' signs on Greensborough Highway, north of Grimshaw Street.

In particular we note:

that this stretch of road is a major thoroughfare for vehicles entering and exiting the Western Ring Road;

traffic numbers have increased substantially with the opening of the EastLink Freeway, with vehicles using Greensborough Highway as a route to access the Eastern Freeway and EastLink;

the current sound barrier is comprised of vegetation and provides no real noise reduction benefit to local residents.

The petitioners therefore request that the Legislative Assembly calls on VicRoads to urgently fund the installation of appropriate sound attenuation devices along Greensborough Highway, north of Grimshaw Street.

By Mr BROOKS (Bundoora) (77 signatures).

Shire of Moorabool: coal exploration

To the Legislative Assembly of Victoria:

This petition of the Bacchus Marsh and Moorabool community draws to the attention of the house the exploration and development of an open-cut coalmine in the shire of Moorabool.

We, the petitioners, request that the Legislative Assembly of Victoria call for the Victorian government to halt the Mantle Mining brown coal exploration in the shire of Moorabool and mandate a review of process that requires real community consultation, including but not limited to satisfactory communication of information requirements; that corrects the legislative bias in relation to mining in Victoria and land-holders are given rights; that current scientific evidence on the social and environmental impacts of existing and new technologies is reviewed and the public is made aware of the findings.

By Mr NARDELLA (Melton) (454 signatures).

Buses: Mill Park electorate

To the Legislative Assembly of Victoria

This petition of concerned residents of Victoria draws to the attention of the house the Baillieu government's changes to Epping and Mill Park bus routes which will adversely affect many disadvantaged local residents and smaller shopping centres. We deplore the lack of community consultation and inadequate information given to the travelling public about the proposed changes.

The petitioners therefore call on the Victorian government to:

retain all bus routes which serve the city of Whittlesea prior to the opening of South Morang station;

introduce entirely new bus routes to serve South Morang and new housing estates, without rerouting existing buses;

increase the frequency of buses and trains as a means of reducing car dependence in the city of Whittlesea.

By Ms D'AMBROSIO (Mill Park) (335 signatures).

Tabled.

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

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

Ordered that petition presented by honourable member for Mill Park be considered next day on motion of Ms D'AMBROSIO (Mill Park).

MELBOURNE COLLEGE OF DIVINITY

Report 2011

Mr DIXON (Minister for Education), by leave, presented report.

Tabled.

AUSTRALIAN CATHOLIC UNIVERSITY

Report 2011

Mr DIXON (Minister for Education), by leave, presented report.

Tabled.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Casual Relief Teacher Arrangements — Ordered to be printed

Freedom of Information — Ordered to be printed

Performance Reporting by Local Government — Ordered to be printed

Ballarat University — Report 2011

Deakin University — Report 2011

La Trobe University — Report 2011

Melbourne University — Report 2011 (two documents)

Monash University — Report 2011

Ombudsman — The death of Mr Carl Williams at HM Barwon Prison: Investigation into Corrections Victoria — Ordered to be printed

RMIT University — Report 2011

Swinburne University of Technology — Report 2011

Victoria University — Report 2011

Victorian Law Reform Commission:

Guardianship — Ordered to be printed

Sex offenders registration — Ordered to be printed.

MEMBERS STATEMENTS

Jimmy Little

Mrs POWELL (Minister for Aboriginal Affairs) — I pay tribute to one of Australia's most recognised and respected indigenous leaders and entertainers, Mr James Oswald Little, or Jimmy Little, who sadly passed away on 2 April at the age of 75 after a long illness. Jimmy died at his home in Dubbo, New South Wales, but had strong links to Victoria. A Yorta Yorta man born on the Cummeragunja Mission on the New South Wales-Victorian border, he is quoted as saying:

I always felt like I had one foot on either side of the bank. Most of my mum's people were in Victoria and my dad's in New South Wales. I felt like both states have a claim on me.

Jimmy began his recording career in 1959 and was one of the first artists to sign with Festival Records. In 1963 he became the first Aboriginal musician to have a nationwide no. 1 hit, with the country gospel song *Royal Telephone*. In 1999 he was inducted into the Australian Recording Industry Association Hall of Fame and his *The Messenger* album won the Aria award for best contemporary album. In 2004 Jimmy was made a Member of the Order of Australia and granted national living treasure status.

Jimmy was a diabetic and became a tireless advocate for indigenous health. He established the Jimmy Little Foundation in 2006. He was patron of the Australian Indigenous Doctors Association of Australia and an ambassador for the Fred Hollows Foundation and Kidney Health Australia. Jimmy Little's citation as a Member of the Order of Australia sums up his life:

For service to the entertainment industry as a singer, recording artist and songwriter and to the community through reconciliation and as an ambassador for indigenous culture.

Sadly, Australia has lost one of its legends.

Upwey-Tecoma Community Recreational and Sporting Hub

Mr MERLINO (Monbulk) — I rise to commend the efforts of the Upwey-Tecoma Community Recreational and Sporting Hub group in pursuing a transformation of this significant reserve. The strength of the group is due to the fact that it is incredibly representative of the community — 23 groups and clubs are working together to achieve their dream of redeveloping this site. They include Upwey High School, Upwey Tecoma Football and Netball Club, Upwey Tecoma Cricket Club, Upwey-Tecoma Bowls Club, Upwey Tecoma Junior Football Club, Upwey Township Group, Ranges Chess Club, Friends of Glenfern Valley Bushlands, Sherbrooke Basketball, Mountain Tigers Basketball Club, Upwey Tecoma Tennis Club, Kidfest, Tecoma Village Action Group, Upwey-Tecoma Auskick, Belgrave Probus Club, Upwey and District Garden Club, Sherbrooke U3A (University of the Third Age), Sherbrooke Foothills Historical Society, Il Shim Tae-Kwon-Do, Upwey Tae-Kwon-Do and Self Defence, Upwey South Tennis Club, South Upwey Netball Club and Upwey Senior Citizens Centre.

Progress to date has been impressive — a draft design of the community and sporting hub building has been prepared. Not only will this building provide much-needed facility improvements for the clubs that compete at the site but it will also provide meeting and social spaces that local organisations like the U3A and Probus have been crying out for.

The site is also a designated neighbourhood safer place, so there is a great opportunity to design the new facility to cater to the needs of this high bushfire risk area — for example, as a staging and recovery area. The group was incorporated last year and has already secured \$250 000 from the Dandenong Ranges Community Bank, part of the Bendigo Bank, and the group is working closely with a supportive Yarra Ranges Shire Council. I look forward to supporting it in the future as it seeks funding.

Shadow ministry: performance

Dr SYKES (Benalla) — State political reporter Josh Gordon recently noted the discontent of the Labor shadow minister for manufacturing, Adem Somyurek, a member for South Eastern Metropolitan Region in the

Council, who complained that the media unit is directing manufacturing portfolio inquiries to the member for Lyndhurst, this being part of a general approach of directing opportunities to former ministers at the expense of up-and-comers.

Fancy expecting a credible comment from the man who, along with his mate the former Premier, built the north-south pipeline, which now lies idle — a \$750 million monument to their dishonesty, egos and incompetence. But of course the member for Lyndhurst's failings do not stop there. He also has the desalination plant as a multibillion-dollar monument to his incompetence. *Age* and *Herald Sun* journalists are now joining this side of the house in condemning the former Labor government for outrageous arrangements made with workers for non-productive entitlements. What credibility could the member for Lyndhurst have when it comes to growing a sustainable manufacturing industry and creating productive long-term jobs?

By contrast, the real Minister for Manufacturing, Exports and Trade is getting on with the job and fixing the mess. As it is evident that cracks are appearing in the Labor Party, the old guard is being discredited. They are has-beens, and the new brigade is not up to it. Dan the Man, show us your plan to fix the mess!

Mental health: workforce strategy

Mr NOONAN (Williamstown) — The coalition went to Victorians in the lead-up to the 2010 election with a firm commitment to deliver a comprehensive mental health workforce strategy. Its 28-page plan for mental health promised to identify effective retention strategies and provide opportunities for career progression and peer support programs. It even proclaimed that a strong and vibrant mental health workforce was vital to improving service delivery.

But after such grand statements and almost 18 months in government it has become abundantly clear that the Baillieu government has absolutely no plan to build the capacity and capability of our specialist mental health workforce or recruit and retain the number of mental health workers needed to meet the ever-growing demand for quality services.

Having inherited a well-considered workforce strategy, which included high-level input from a committee of leading professionals and representative organisations, the Baillieu government quietly disbanded the workforce partnership group last year and shelved the \$2.4 million that had been allocated by the previous Labor government in the 2009-10 budget to assist with targeted workforce planning and development.

Worse still, rather than grasping the opportunity to address workforce challenges in the current round of collective bargaining, the Baillieu government has decided to engage in a protracted battle with the Health and Community Services Union and its members. On the eve of the coalition's second budget many are wondering whether we will ever see the 'Policy implemented' stamp on the coalition's commitment to deliver a comprehensive workforce strategy. The budget will not be able to hide the coalition's inaction on this issue.

Child abuse: parliamentary inquiry

Mr SOUTHWICK (Caulfield) — Yesterday the Premier and the Attorney-General announced an inquiry into child abuse by religious and other organisations to be held by the Parliament's Family and Community Development Committee. This long-overdue measure is a result of the Cummins inquiry, which was commissioned by this government. The inquiry will ensure that the victims of abuse and their families are given the opportunity to be heard so that we as a community can say loudly, 'Never again'. This issue is above politics, and I note that the Premier informed the Leader of the Opposition prior to making the announcement that this inquiry would be occurring.

It is a longstanding convention of this place that the work of parliamentary committees be above politics and that they be used to deliver the best bipartisan outcomes for all Victorians. Therefore it was disturbing and surprising to read comments in today's newspapers from the member for Broadmeadows, Labor's rising star, that this committee, of which he is the deputy chair, is not experienced enough to handle the task and that he does not support the inquiry. I can only assume that that member's motivation is either that he is playing party politics with this issue by landing a cheap shot on the government or that he has lost faith in his own abilities to engage in committee work.

If he is playing party politics, then the member should be ashamed of his brazen attempt to use the pain and anguish of others for the benefit of the Labor Party. If he doubts his abilities, then he should immediately resign his position as deputy chair of the committee and the Leader of the Opposition should appoint another one of his members who is up to the task and is willing to join the government in this inquiry.

Budget: Footscray electorate

Ms THOMSON (Footscray) — Next week the government delivers its second budget. Its first budget failed to deliver anything much at all; it certainly did

not deliver jobs. In the west, particularly in Footscray, we are looking for funding for health, whether it be for the refurbishment and redevelopment of the dental services at Western Health, which would have been delivered under Labor and has not been delivered under the Liberals, or whether it be to meet the new needs of Sunshine Hospital — two additional birthing units, one catheterisation bed, two catheterisation labs, a 10-bed coronary care unit and a new intensive care unit. With a growing population in the west, it is shameful that this government is not committing to spending money on meeting that population's health needs. We also need a new emergency unit at the Footscray hospital; that is crucially important.

We also need to look at issues around education. It is fine to see schools listed in the first budget as needing to be funded, but in relation to Sunshine College in the west, which was going to get a brand-new school and had completed its master plan, nothing has happened under this government. It is time the government delivered for Sunshine College and for those kids who need, deserve and are worthy of a good facility to match the good teachers who are providing services to them.

Hastings Primary School: prep learning unit

Mr BURGESS (Hastings) — On Friday, 23 March, along with the Minister for Education, I visited Hastings Primary School. The principal, Sue Lyons, gave the minister and me a tour of the school's new prep learning unit, Minnow Land. Minnow Land is a large, spacious open-plan learning environment which provides a wonderful learning experience that flows directly from preschool education. This facility will greatly assist children to make the transition from preschool to primary school. I congratulate principal Sue Lyons and the teachers and parents at Hastings Primary School on the great work they are doing.

Tooradin: foreshore access road and car park

Mr BURGESS — On Friday, 16 March, I had the pleasure of visiting the Tooradin foreshore to announce funding for the construction and sealing of the Tooradin foreshore access road and car park. I was joined by former City of Casey mayor Colin Butler; Balla Balla ward councillor, Geoff Ablett; Mayfield ward councillor Amanda Stapledon; and members of the Tooradin Foreshore Committee of Management and the Tooradin and Coastal Villages Commerce Committee to celebrate this commitment as an important move towards improving local safety and accessibility. I congratulate members of the Tooradin foreshore committee and the commerce committee on their hard

work and what they have achieved to date. I look forward to working with them to complete the refurbishment of the car park and to provide future enhancements to the local area.

Tyabb Airshow 2012

Mr BURGESS — It was a pleasure to attend the 2012 Tyabb Airshow and help celebrate the 50th anniversary of the Mornington Peninsula airport at Tyabb on 4 March. I congratulate the Peninsula Aero Club on professionally hosting this successful, iconic and extremely popular major event.

Anzac Day: Preston electorate

Mr SCOTT (Preston) — Last Sunday I had the honour of attending a ceremony to commemorate Anzac Day that was conducted by the Darebin RSL sub-branch in Preston. The Darebin RSL sub-branch is a fantastic part of our community that does great work to commemorate returned soldiers and those who have been lost upholding the freedoms of our society, which we love. It was a service conducted with dignity that showed the great respect returned servicemen hold for their fallen comrades.

I will not name the individual involved, since they would not want that, but in an example of the sort of dignity and commitment that was shown during the ceremony, a person who was terminally ill with leukaemia participated in it. They were clearly struggling with their health but showed much dignity. They conducted their duty of leading parts of the parade with great honour. It is also worth noting the contribution of Darebin City Brass, which provided music for the ceremony in a very respectful and appropriate manner. It lent a gravitas to the ceremony which was befitting of its important nature.

I note the notice of motion on this issue given by a member from the other side of the house, and I join with that member in encouraging all members of this house to attend such ceremonies to share in the commitments of the Anzac tradition that is so important to our community.

Ferntree Gully and District Cricket Association: presentation night

Mr WAKELING (Ferntree Gully) — I recently attended the Ferntree Gully and District Cricket Association senior presentation night, at which Craig Wilkinson, the president of the Johnson Park Cricket Club, was inducted as a life member of the association.

There was also the sad announcement that Norm Reeves is standing down as association president after 25 years at the helm. Norm has been involved with the association for 60 years, and I commend him on his outstanding achievement and commitment.

St John the Baptist parish, Ferntree Gully: centenary

Mr WAKELING — Congratulations to Anne Boyd and Aileen Knox on their beautifully researched and presented publication, *Witness to the Light*, which commemorates the centenary of the St John the Baptist parish in Ferntree Gully. The parish was founded in 1911.

Melbourne Eastern Healthcare Village: opening

Mr WAKELING — I would like to congratulate the team at Ekera Urgent Care on their achievement in realising their dream of a fantastic new health facility to cater for the eastern suburbs — Melbourne Eastern Healthcare Village. I was honoured to officially open the clinic on 4 April. The opening was a well-attended event that was also attended by the member for Bayswater and the President of the Legislative Council.

HeartKids: burpee challenge

Mr WAKELING — I was amazed to watch Julie Hoffman complete 959 burpees in 1 hour to help raise money for HeartKids. Her goal was to raise a minimum of \$18 000, but Julie's amazing effort raised a total of \$50 000 in honour of her 13-year-old niece, Stacey Jane Pye, who passed away in April 2007 while waiting for a heart transplant. Well done, Julie, on a truly amazing achievement.

Monash Children's: Easter visit

Mr WAKELING — I recently had the pleasure of helping to put a smile on the faces of the sick children at Monash Children's hospital for Easter. The member for Bentleigh, the member for Mount Waverley and I helped deliver chocolate eggs and chatted with the kids. I commend the medical team of doctors and nurses at Monash Children's hospital, who do such amazing work with sick children.

Croydon: men's shed

Mr WAKELING — I recently officially opened proceedings at the launch of the Invictus —

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

Narre Warren-Cranbourne Road, Cranbourne North: duplication

Ms GRALEY (Narre Warren South) — The Baillieu government must fund the duplication of Narre Warren-Cranbourne Road between Pound Road and Thompsons Road in this coming state budget. After not matching Labor's commitment during the last election to duplicate Narre Warren-Cranbourne Road, the Baillieu government has been using every excuse possible to avoid making life easier for local motorists.

The current state of the road is not only causing frustration and lengthy delays for motorists — who would much rather be spending this time with their families — but also affecting local small businesses and the local economy. I have been informed that at the beginning of this year the owners of Casey Central shopping centre advised tenants that the expansion of the shopping centre would not proceed until Narre Warren-Cranbourne Road is duplicated. As a result tenants are being offered short-term leases, which impacts on their ability to grow their businesses and employ more people in the local area. Community members are eagerly awaiting the expansion of the shopping centre. They would like a local butcher, and the promised new library has also been delayed as a result.

While the Baillieu government is doing everything possible to avoid upgrading Narre Warren-Cranbourne Road, which carries 28 000 vehicles per day, it is grade separating the level crossing at New Street, Brighton, which was used by only 300 cars per day when it was open. While Narre Warren-Cranbourne Road is Casey City Council's highest priority, New Street, Brighton is number 223 on the level crossing priority list, yet the Baillieu government is looking after its Brighton mates first.

In the minister's most recent letter to me concerning Narre Warren-Cranbourne Road he advised that last year's budget included funding towards the next stage of the Dingley bypass. That is no doubt a worthy project, but it is not what the Narre Warren South community wants done.

Ashburton Community Fun Day

Mr WATT (Burwood) — On Sunday, 1 April, I had the pleasure of attending the Ashburton Community Fun Day at Markham Reserve and played a small part in the traditional soccer game between the local community and the police. I would like to thank all those involved in making the day such a wonderful success, including but not limited to Victoria Police, the

Metropolitan Fire Brigade, the State Emergency Service, the Inner East Community Health Service, the Blue Ribbon Foundation, the Salvation Army, the Ashburton Pool and Recreation Centre, the community bank, Melbourne Heart, Foundation Boroondara, Camcare, the Craig Family Centre, the City of Boroondara and the Ashburton Soccer club — specifically Robert Petit.

Australian Masters Athletics Championships

Mr WATT — On Good Friday, 6 April, I had the honour of representing the Minister for Sport and Recreation to officially open the Australian Masters Athletics Championships and present medals to athletes. Firstly I congratulate all those who participated, not only those who walked away with medals. But in talking of these championships it would be remiss of me not to mention some of the feelings about the government, the former government and the venue.

Speaking to athletes, two things became clear: firstly, they certainly appreciated the support from the Baillieu government; secondly, we were not at Olympic Park. Many of the athletes, some with much longer ties to Olympic Park than I, were unhappy with being forced from the home of athletics. They will not forget the decision of the Labor government to remove the last remnants of the 1956 Olympic Games from the old Olympic precinct, only to hand Olympic Park to a football team supported by then Premier John Brumby, the Collingwood Football Club. They understand that if the Baillieu government had not made available an extra \$15 million to cover the funding shortfall, the facilities at the state athletics centre would not be what they are today. One person said to me, 'You can take the runner out of Olympic Park, but you can't take Olympic Park out of the runner'.

Montmorency Secondary College: redevelopment

Mr HERBERT (Eltham) — Once again I raise the issue of rebuilding works at Montmorency Secondary College. Montmorency Secondary College is a great school; it has fantastic teachers and innovative programs, and it is has growing student numbers and a strong school community. But it needs rebuilding, and under Labor it was going to get that rebuilding. Labor committed \$9 million to rebuild the school; in fact the school was one of the top three priorities in the region for rebuilding because of its educational strengths.

I most recently raised this matter with the Minister for Education in February. He responded by saying he

would visit the school and look at the issues it has raised about its rebuilding needs, but that has not happened. There has been no contact with the school — no visit; nothing. This simply is not good enough. It is all very well for the minister to say he is going to do things, but he has to follow through. We need action here.

We know the government is staring at a backlog of building projects it promised before the 2010 election, with 35 projects valued at \$172 million still remaining unfunded, and we know where the government's priorities have been. Four out of five schools that were promised upgrades prior to the election were on a marginal seat whiteboard and are in Liberal and Nationals electorates. Where is the urgency for great schools such as Montmorency Secondary College? How much longer does Monty secondary college have to wait for the minister to come out, have a look at the school, get on with the job of rebuilding and give the school the quality facilities it needs to match the quality of its teaching and learning programs?

Australia Bangladesh Association: Bengali new year

Ms RYALL (Mitcham) — On Saturday, 14 April, I had the privilege of representing the Minister for Multicultural Affairs and Citizenship at the Australia Bangladesh Association opening of the Bengali new year celebrations at Princes Park. The celebration of the Bengali new year binds Bengalis from every corner of the world in love and unity. Furthermore, an event such as this helps to promote Victoria as a state that is open to and welcoming of all nationalities, faiths and languages. I wish all Bengalis a happy new year!

Blackburn North parkland: future

Ms RYALL — On Monday, 16 April, I joined the Minister for Roads, when he visited the Mitcham electorate, in announcing to local residents the fulfilment of the Baillieu government's election commitment to transfer the Junction Road parklands in Nunawading from VicRoads to the Department of Sustainability and Environment. I congratulate the Junction Road Parklands Committee and the community on their perseverance in advocating for this land to be set apart as open space for future generations to use and enjoy.

For 10 years under the former Labor government there were threats of development of this land and a refusal to rule out that development. This was despite the community's continued lobbying of the former member for Mitcham. This is a great outcome for local

residents, and I thank the Minister for Roads and the Minister for the Environment and Climate Change for their commitment and work in realising this achievement.

Blackburn Calisthenics College: 50th anniversary

Ms RYALL — I wish a happy 50th birthday to the Blackburn Calisthenics College. The college was started by local resident Minna Johnson in 1963 with only 26 students. It now boasts a total membership of 110 students, with many generations of local families having had children pass through the club's doors.

Sunbury: closed-circuit television cameras

Ms DUNCAN (Macedon) — At the last election the coalition government promised to guarantee safety in Sunbury with the installation of closed-circuit television (CCTV) cameras around the shopping centre. The coalition government then set up the community crime prevention program. This fund invites councils to apply for funding by forming partnerships with the community, local police et cetera to work out where the cameras might go and where the monitoring will be done, the costs of installation and any ongoing associated costs. This is a good program, and certainly the Sunbury community and the Sunbury Business Association welcome the allocation of \$200 000 to Hume City Council to implement these cameras in Sunbury.

The difficulty for the council is that it did not apply for this funding. The government allocated this money as part of its election commitment. While this is good, it means the council has not formed those relationships with local police or worked out where the cameras should go or how many might be needed. In effect this allocation of funding has happened in reverse of what would normally occur: the funding has been allocated and now council needs to work out the detail. Under the previous government funding was allocated as part of the rail electrification project to install approximately 60 CCTV cameras in and around the Sunbury railway station.

I ask the government to acknowledge this unusual situation and to work with the council to explore any opportunities that may arise to coordinate the installation of cameras around the station with the government funding provided under the community crime prevention program to ensure that this welcome funding allocation does not put any unnecessary financial burden on the ratepayers of Sunbury and that the cameras are put to maximum effect.

Centre Road, Bentleigh: community safety

Ms MILLER (Bentleigh) — I was delighted to convene a meeting of the major stakeholders to discuss the reported challenges facing traders in Centre Road, Bentleigh. The meeting brought together a variety of stakeholders who represent the interests and community of the Centre Road shopping centre. This was the first meeting of its kind to develop a strategy that will deal with the issues unique to Centre Road. The previous member for Bentleigh ignored the requests by traders and patrons to address the issues of antisocial behaviour, and so the situation has been allowed to escalate over a five-year period. Police identified the fact that Bentleigh railway station, as a busy transport hub with its connecting bus lines, provides easy access to Centre Road, Bentleigh, for visitors who may demonstrate undesirable behaviour.

Unlike the previous member I have committed to ensuring that Centre Road, Bentleigh, is a place for families to enjoy in peace and safety. A proactive approach is required, and that is exactly what I am delivering for my local community. The neglect of this issue in the past has left traders increasingly frustrated and in need of assistance from a government that is committed to reducing crime, supporting small business and providing safe public transport. The coalition government will not allow instances of antisocial behaviour to increase in Centre Road, as they did under the previous government.

This government is committed to nurturing vibrant shopping centres like Centre Road, Bentleigh, that allow small businesses to prosper. Protective services officers being rolled out during this first term will serve to reinforce the coalition government's commitment to a zero tolerance law and order policy, particularly in the busy transport hub of Bentleigh. I look forward to continuing to lead the major stakeholders as we work together to find a suitable resolution to the current challenges in this popular area of our community. With strong policy at the statewide level and my commitment and knowledge at the local level I am confident — —

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

Geelong High School: funding

Mr TREZISE (Geelong) — In the lead-up to next month's state budget, I remind the Minister for Education of the urgent need for funding for Geelong High School's master plan upgrade. Not only do I remind the minister of this need but I also implore him to ensure that this funding is made available.

The minister visited the school last year and in doing so recognised the need for the upgrade to the school, including the Winstanley wing, but to date he has failed to act. In 2010 the then Minister for Education, Bronwyn Pike, approved the master plan for the school, and this was very welcome news for the school community. This master plan approval followed previous funding from the former Bracks and Brumby governments for upgrades to Geelong High School, including \$3.5 million in 2004 for a gymnasium and science facility and a few years later a further half a million dollars for a year 7 learning facility.

In 2011 I presented this Parliament with a petition with 316 signatures urging the government to fund the school's master plan. I can assure the minister, having met with the school's acting principal only a couple of weeks ago, that there is now more urgency for this master plan upgrade than ever before. I once again urge the minister to ensure that the upcoming budget contains funding for the Geelong High School master plan. If it does, I can assure him that I will be the first to stand up and congratulate him. On 24 November last year, in this Parliament, I offered to work in a bipartisan manner with the member for South Barwon to upgrade the school.

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

Anzac Day: commemoration

Mr BLACKWOOD (Narracan) — The Anzac legend was forged on 25 April 1915 when the Australian and New Zealand Army Corps landed on the Gallipoli Peninsula. Despite relentless enemy machine gunfire from high ground, Australian and New Zealand soldiers charged ashore with grit and determination. Exerting courage and guile, the Anzacs dug in and fought relentlessly. The Gallipoli campaign lasted eight months and saw 25 000 Australian casualties. Unfortunately this included the deaths of 8700 men who were killed in the fighting or died of wounds inflicted during the battle. While the Gallipoli campaign was ultimately unsuccessful, the men who served on the Gallipoli Peninsula, through their courage and application to the task, created a legend and an example for others to follow.

In 1916 the first anniversary of the landing was observed in Australia, New Zealand and England and also by troops in Egypt. That year, 25 April was officially named Anzac Day by the acting Australian Prime Minister, George Pearce. By the 1920s Anzac Day ceremonies were held throughout Australia, and all states had designated Anzac Day as a public holiday.

Commemoration of Anzac Day continued throughout the 1920s and 1940s, with World War II veterans joining parades around the country. In the decades since then, returned servicemen and women from the conflicts in Malaya, Indonesia, Korea, Iraq and Afghanistan and veterans from Allied countries and peacekeepers have joined the parades.

This Anzac Day Australians from all walks of life will unite to remember those who gave so much for their country to ensure our nation's freedom and to protect our way of life. We should also spare a thought for the many servicemen and women who today are serving — —

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

Roads: city of Wyndham

Mr EREN (Lara) — On Sunday, 15 April, I attended a rally for the Fix Wyndham's Roads Now campaign along with my colleague the member for Tarneit and several Wyndham city councillors, including the mayor of Wyndham. At the rally we launched a petition which calls on the state government to invest in arterial roads in Wyndham as well as to review and to update the outer western suburbs transport strategy to reflect the needs of the Wyndham community.

The rally, along with the Fix Wyndham's Roads Now campaign, was organised by local resident Greg Byrne. Greg, along with the wider community, saw many problems with the lack of infrastructure and the increasing demands of a growing population. Wanting to do something, he started the ball rolling by forming Fix Ballan Road Now, which is now extending to Fix Wyndham's Roads Now because many other areas in Wyndham have the same problems. I thank Greg for his initiative and organisation.

It was very disappointing to note that at this event, which had been planned for quite some time, not one government member or representative even had the decency to turn up. This is clearly an indication of the government's lack of commitment to the Wyndham area. Wyndham should not be a dumping ground for development, and investment in infrastructure needs to keep pace with the growth in our community. I urge the state government to support Wyndham with the infrastructure it needs and deserves as the fastest growing area in all of the nation.

Since 2010 funding of roads has stalled, and many roads have been identified as operating at capacity. In

spite of this, there have been no upgrades, nor has any new capital investment been made in Wyndham's arterial road network by the state government. Hopefully the launch of the petition will stir this inactive government into action.

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

Mentone-Mordialloc Art Group: exhibition

Ms WREFORD (Mordialloc) — Last Wednesday I had the privilege of opening the Mentone-Mordialloc Art Group's annual autumn members exhibition. It was a fantastic display of art created by artists of all levels of experience and skill. I was particularly impressed by the quality of the work of the students, whose experience ranged from one month to many years. The group does not just paint; it provides a great outlet and social network for its members. I would like to congratulate all the winners on the night.

Shirley Burke Theatre: redevelopment

Ms WREFORD — I recently participated in the reopening of the Shirley Burke Theatre in Parkdale. This community theatre has been totally revamped and is now a state-of-the-art facility. The state provided \$400 000 of the \$1.7 million of funding required for the overhaul. The facility is comprised of a 166-seat theatre, an arts space, a rehearsal space and more. It looks magnificent. I look forward to groups like the Mordialloc Theatre Company being able to use it, and to seeing shows performed there such as David Williamson's *Let the Sunshine*.

Shri Rama Navami festival

Ms WREFORD — It was an honour to attend the Shri Rama Navami Indian festival at the Resurrection School in Keysborough. I was invited by the Australia Mission of SAI. It is a Hindu festival celebrating the birth of Lord Rama. In South India it is also celebrated as the wedding anniversary of Shri Rama and his consort, Sita. On the night both the men and women looked splendid in their traditional dress. It was a wonderful event. I congratulate the organisers, and I thank them for their hospitality and for allowing me to be a part of their ceremony.

Helen Davis

Mr FOLEY (Albert Park) — I rise to say a few words about the sad passing of two fine Victorians who contributed much to Victoria becoming a fairer and more decent place. Helen Davis, a former senior official of the Australian Manufacturing Workers

Union (AMWU), a former mayor of Preston, an activist on the education front and leader in so many ways, sadly passed away on 19 March. Helen was a leader, and was first in so many different fields. She was the first woman organiser in the AMWU, and she continued on for 21 years in that role until her retirement. Prior to that she led her fellow workers from her original workplace at Mistral fans for more than a decade. I worked with Helen as an organiser on many sites and in many disputes for justice and better conditions for working people. I was always impressed by her determination, her commitment to justice and her quiet ways of achieving results for those workers she represented. Our sympathies go to her family, friends and many comrades, especially John Speight.

George Maxwell

Mr FOLEY — The community of South Melbourne is the poorer for the passing of George Maxwell at the age of 90 following a long illness. George and his lifelong partner, Joan, have been the heart and soul of the Emerald Hill Court public housing estates since 8 April 1962, when they were among the first persons to move into the estate. That George passed away minutes before the 50th anniversary of the opening of the estate in what was a sad tragedy of timing, George, a one-eyed Pies supporter, will be sadly missed.

MATTERS OF PUBLIC IMPORTANCE

Murray-Darling Basin: federal plan

The DEPUTY SPEAKER — Order! I have accepted a statement from the member for Swan Hill proposing the following matter of public importance for discussion:

That this house commends the Liberal-Nationals government for its continued support of communities in regional Victoria in the fight to achieve a balance between the environmental, social and economic outcomes in a future Murray-Darling Basin plan.

Mr WALSH (Minister for Water) — I rise to lead the debate today on the matter of public importance, which I think is absolutely critical to the survival of quite a few of our communities across northern Victoria. By extension, I thank all those who have done a lot of work over a number of years on this particular issue. No doubt those in the house who are not familiar with this issue will wonder what is being discussed all the time. A lot of work has been done on this issue over a number of years, and a lot more work will be done. I particularly thank the staff of the Department of

Sustainability and Environment and the Department of Primary Industries, who have done a lot of work on this. I also thank the staff of my private office. I thank the member for Rodney, who has chaired our basin advisory committee, and all of those in groupings across northern Victoria who have continued to engage on this, including the member for Shepparton, who has been to a number of meetings about this particular issue.

A lot of committee work has gone into this issue, which is being led by the Victorian government. It is something I feel very proud to be part of. As I said, the survival of many of our communities in northern Victoria as we know them is dependent upon getting a good outcome for Victoria out of any future Murray-Darling Basin plan, because these communities are dependent upon irrigation and agriculture for their economic survival.

Historically and constitutionally, water has been an issue for state governments, but the commonwealth Water Act 2007 changed that when the commonwealth used its external affairs powers with Ramsar wetlands and migratory bird wetlands to set up the act. That is where this whole issue started. Before the commonwealth Water Act 2007 there was the Murray-Darling Basin Commission, which was made up of basin states and the commonwealth, and basin ministers effectively made the decisions about what was happening across the Murray-Darling Basin. The balance was with the states, because each state minister had the right of veto over — —

Mr Nardella interjected.

Mr WALSH — The member has interjected. Over the last 100 years there has been a lot of very good work done on managing the basin and the different competing interests in the basin. In this whole debate not enough credit has been given for what was done in the past.

As a result of the commonwealth Water Act 2007 we have the Murray-Darling Basin Authority and the commonwealth has more power than it historically had. There is a board, including a chair, and the chief executive officer and staff of that authority, which has a lot more power than the previous commission had. One of the key things about the commonwealth's Water Act 2007 is that the new Murray-Darling Basin Authority was tasked with setting up a basin plan. As we all know, work on that task has been going on for number of years. In October 2010 the authority released its guide to the draft plan, which involved a process that was outside the originally intended process. It was

developed in isolation from the stakeholders in general and in our view was very Canberra-centric in its evolution over time. Those involved in producing it did not go out to talk to enough people to reality-check it. It was a disaster. We all know that public meetings were held with two, three, four or five thousand people turning up and that there was a lot of opposition to that guide to the draft plan.

The principle of the guide to the draft plan was: 'Let's measure environmental outcomes by end-of-system flows out of the rivers'. Those involved wanted to take enough water back for the environment to have end-of-system flows somewhere between 60 and 80 per cent of original flows. They did not actually write about environmental outcomes; they just used a very crude measure — end-of-system flows — based on the principle of, 'Just add water and you'll fix it', which is something I will come back to.

As we all know and as history reports, after those very loud, very noisy meetings held right across the basin, the guide to the draft plan sank out of sight. One of the people who fronted a lot of those meetings was Michael Taylor, the then chair of the Murray-Darling Basin Authority. I commend Michael for the work he did. I think the fact that he was prepared to go out and front up to those meetings and say it how it was brought the issue to the fore, and we all owe a debt of thanks to Michael for the work he did in that time. That work brought some balance — but not enough — back to the debate. There was a change of chair and of chief executive officer, and supposedly that plan went back to the drawing board. Many in the community, however, would say that the current draft plan out there is not that dissimilar to the guide to the draft plan that sank nearly two years ago.

In November 2011 the current draft plan was released for public comment. The commonwealth Water Act 2007 provides for a mandatory 20-week public consultation period for the draft plan to be out there for discussion. The authority has held a number of meetings and information sessions right across the basin. Those meetings have not been as well attended as the meetings about the guide to the draft plan were, but the message I would like to send to the authority is: do not think, just because less people have been going to those meetings, that the people are not still concerned about the draft plan. A lot of people I talk to are probably of the view that the authority has not listened in the past, is still not listening and will not listen in the future, and they just do not see the point of going along to meetings; they see no point at all in going.

I think the Murray-Darling Basin Authority has a real issue in how it treats the public consultation period, the information it has received from those meetings and the information it has received from submissions — I understand the authority has received something like 3000 submissions on the draft plan — and how it shows that the draft plan might change before it is presented to basin ministers in the future. If very little changes, the community will again say, 'What's the point of going along and putting in our views if they're never taken into account?'.

Victoria has lodged its submission. A lot of work went into that submission. That work was done by all the people in the Victorian bureaucracy and government system I referred to earlier, and community groups have also been engaged in that process. We lodged that submission on Monday, and a number of other states and many other organisations right across the basin have also lodged submissions.

The Victorian government cannot support the draft plan as it is. We believe taking 2750 gigalitres of water away from food production is too great a cost for what can be achieved in terms of environmental outcomes. If you look at the predicted impacts on some of our communities — and the Department of Primary Industries has done some modelling on this — you see that under the draft plan the dairy industry would contract by a further 12 per cent. Something like \$54 million worth of economic activity would be taken out of the dairy industry in northern Victoria. We all know the story about the Murray Goulburn milk drying plant at Rochester being put on hold and not being used at the moment. They are the sorts of things we will see happen more across northern Victoria if this amount of water is taken out of food production.

The wine industry has declined by 11 per cent, with \$24 million a year being taken out of the wine industry. The mixed grazing sector, which is quite a significant sector across the irrigation community, will decline by 31 per cent under modelling undertaken by Victoria. That is \$38 million a year of economic activity lost. The Australian Bureau of Agricultural and Resource Economics and Sciences has done some economic modelling, and its view in the short term is that something like 4500 jobs will be lost across the basin because of the amount of water that will be taken out of food and fibre production.

Some of the comments from the other side of the house have been about what Victoria actually supports. If you look at what Victoria has contributed already, we believe that Victoria has done the heavy lifting on these issues. Since 2009, 650 gigalitres of water have already

gone out of Victoria through water purchases and water savings projects. To the credit of the previous government, it funded some of those water savings projects.

Ms Neville — Some?

Mr WALSH — Some. The commonwealth has put a substantial amount of money in as well. Six hundred and fifty gigalitres has been returned to the environment since 2009 as part of the proposed plan. Since 2000 over 1000 gigalitres have gone out of Victoria and been used for environmental purposes, so a lot has been done. However, we believe the current amount will be too great an economic cost to Victoria in the future because Victoria will effectively lose about one-third of its irrigation water over this time. That is a massive impact on our community in northern Victoria and on the state economy if you look at the Victorian export figures for food and fibre.

A key issue in the draft plan that we have major concerns about is the fact that there is no apportionment of state responsibility for any future water that needs to be acquired for the environment. By not having an apportionment between states we might find that because Victoria has a very secure allocation process and a well-recognised trading regime it could be unfairly targeted to meet those additional requirements of water, and this would have an even greater economic impact on our state and our economy. We want to make sure that Victoria is not unfairly dealt with in the acquisition of water for a future Murray-Darling Basin plan.

Some modelling that has been done shows that you could actually keep the Murray mouth open. This is one of the key indicators that the commonwealth and South Australia have been talking about. You could actually keep the Murray mouth open with about 2000 gigalitres of held water. If that were the case, Victoria has effectively already contributed its share to the acquisition of water from the commonwealth, and that is why we are of the opinion that there should be no more water acquired out of Victoria. There should be better use of the approximately 2000 gigalitres of held water in the future, if that is the number, to achieve the environmental outcomes that 2750 gigalitres of water could achieve through putting in place environmental works and measures that manage our environmental water and rivers better. If you look at the Hattah Lakes project, where water is being pumped into the Hattah Lakes, we are achieving the environmental outcome with a fraction of the water that you would need if you were to have a major overbank flood event.

It is the same with the work that has been started in flooding the Gunbower Forest. Again, you can achieve environmental outcomes with a fraction of the water if you are smart about it. Our farmers have become smart about how they handle water. We need to make sure that environmental managers are also smart about how they handle water. Recently the member for Rodney, the member for Mildura and I went to Lindsay River and Lindsay Island west of Mildura and looked at what could be achieved there with a weir and some environmental works and measures. You could save hundreds of gigalitres of water and achieve the same environmental outcome, and that is the story in a number of places down the river. What we are saying as a state and what the communities in northern Victoria are saying is, 'Don't buy any more water out of Victoria. We can actually achieve the environmental outcomes out of that higher amount by smarter use of the water that is already there'.

The other real concern that Victoria has with the basin plan is that the commonwealth has always talked about how it will bridge the gap in any water that needs to be acquired, but in the draft plan there is no legally binding commitment from the commonwealth to actually fund bridging the gap. So if that gap has not been bridged in 2019 when the states' water sharing plans finish, the financial responsibility will fall to the states to bridge that gap. That is a major contingent liability we could be potentially imposing on ourselves in the future if those issues are not resolved in any future plan.

Another issue we have major concerns about centres around the water quality targets set in the plan. Currently we have a very good agreement within the Murray-Darling Basin agreement about water quality and salinity. This plan is more prescriptive than those agreements. Again, if for some reason like drought or a black water event those standards could not be met, the responsibility would come back to the states and not the commonwealth. So the commonwealth is imposing rules and regulations on the states in a legally binding agreement that we may not be able to meet in the future.

Another real concern in the draft plan is that there is no equity between New South Wales and Victoria regarding how groundwater is treated. There is a different set of rules for Victoria around the permissible annual volumes that can be taken compared to New South Wales. We need to make sure there is a balance between New South Wales and Victoria from a groundwater point of view.

The chairman of the Murray-Darling Basin Authority has continually talked about a 2015 review of the basin

plan. We do not believe that a review in 2015 will achieve anything. If anything, it will lead to continual uncertainty for people because once there is a basin plan through the commonwealth Parliament it is a legal instrument. If you have a review in 2015, you have to go back to the commonwealth Parliament again to change it and there is no certainty about how you could change it, so you are just prolonging the agony and uncertainty for a lot of people within the Murray-Darling Basin.

The key message that we would like to send in supporting the communities of northern Victoria is that we need balance in any future plan. There needs to be a balance between the environmental factors, the social factors and the economic factors, and there needs to be a balance between states as to the contributions they make to any future Murray-Darling Basin plan. I do not need to tell anyone in this house that this plan or any future plan is not just about South Australia, as South Australia would have it; this is about having balance and everyone making a contribution and making sure that whatever contribution is made actually delivers a real environmental outcome. It is not just about a number about which people can say, 'This much water is there for the environment'.

There is a lot of work to do. The Victorian Liberal-Nationals government will be continuing to fight on behalf of northern Victorian communities and the Victorian economy to make sure that we are not disadvantaged in the future.

Ms NEVILLE (Bellarine) — Today we see another extraordinary matter of public importance from the government. It is worded as if it were a motion of self-congratulation. The government is trying to mask the fact that it is basically doing nothing when it comes to water management and is doing very little to support regional communities other than pointing the finger at somebody else and finding someone to fight and somebody to blame for its own inaction.

Honourable members interjecting.

Ms NEVILLE — We heard the word 'balance', and I will talk a little bit about balance today. I can assure the house that there is not a lot of balance in the position that has been taken by members of the Liberal-Nationals government in either their public position or actions that we see on the ground.

Let us have a bit of a look at the Murray-Darling Basin plan. The Minister for Water talked about the history of the plan and where it came from. Let us review the history because when he spoke about it the minister

missed a couple of things. Obviously back in 2006 and 2007 Victoria was in the midst of a very severe drought that continued for a number of years. It was causing enormous stress on a whole range of rivers but particularly the Murray River. It was impacting on irrigators, on those communities and certainly on the river. Everyone agreed that something needed to be done and that we needed to secure the supply of water in one of Australia's and Victoria's most significant river areas.

This resulted, as the minister said, in a piece of legislation, the Water Act 2007, being introduced. It was initiated by the then Howard government, and it had bipartisan support. It was supported in the federal Parliament by members of the Labor Party, the Liberal Party and The Nationals. I think only Tony Windsor, the Independent member for New England, did not vote for it at the time. It was an acknowledgement across the parties that for too long the various states had failed to resolve the issue of the appropriate balance that needed to be achieved between the environment, towns and irrigators to secure this important and critical water supply. It was a failure that was undoubtedly putting in question the health of the Murray-Darling region.

Here we are now. Yes, the drought has broken, but to suggest that now we do not need to act and that we can do nothing and pretend we will never face the issue of drought again is to be deluded. From those days of trying to achieve a bipartisan response to a critical asset in Australia, what we have seen across the country from the Liberals and The Nationals is inconsistency. It is basically a dog's breakfast. Just recently we have seen Tony Abbott, the federal Leader of the Opposition, in South Australia wearing a T-shirt with 'I love the Murray' on it, and we have heard him saying, 'I love the Murray. I love South Australians and their position'. Then at a recent irrigators forum in Victoria he took a very strong line against any increased water allocation to improve the health of the Murray. It is a dog's breakfast. In South Australia we have the Liberals saying the current plan does not go far enough, and here we have members of the Liberal-Nationals government saying it goes too far. We do not have a balance. What we have in Victoria is basically a situation where the current government is saying, 'Let's not change anything. Let's not address this. Let's not try to actually achieve a bipartisan outcome in the interests of all Victorians — those in our towns and irrigators — and our environment'.

This matter of public importance is an attempt at congratulating the government on the level of support its members are showing by fighting — that is an interesting word — for a balance. What members of the

government are doing is congratulating themselves because they are having a fight with the federal government. It is great politics to say, 'Let's have a fight with the federal government. Let's not worry about the real interests of Victorians — particularly of those in that region but also the interests of all Victorians. Let's take on what is an easy fight to have. Let's have a fight with the federal government and throw out any idea of bipartisan support for a very critical issue'.

I am sure that it is not giving regional communities any confidence that all the government has to offer is that it is fighting with the federal government. What regional communities want is real leadership on this issue.

Dr Sykes interjected.

The DEPUTY SPEAKER — Order! The member for Benalla!

Ms NEVILLE — Yes, the government absolutely does need to stand up for the interests of Victoria in this debate, but that requires achieving a fair balance — let us use that word 'balance' again — a balance that protects the health of the Murray-Darling Basin in the long term. It is in everybody's interests that we do that. It must be a balance that protects irrigators and ensures appropriate support for the communities. Standing by and glibly saying that nothing has to change will not achieve this balance. It makes one think that in fact, as I have said, members of the government are much more interested in fighting the federal government than they are in really representing, standing up for and providing leadership for Victoria.

In looking at the media release issued on Monday by the Minister for Water, what we see is no real plan and only an interest in beating up on the federal government. That is what members heard today. We got the list of the problems, but what are the solutions? There are no solutions in what the minister had to say today. This matter is about problems and a fight with the federal government. It is the sort of media release that members would have expected from the minister when he was in opposition.

Where is the contribution that Victoria has in the past been renowned for — that is, for leading the nation in taking action on water management? Where are we with that now? We are nowhere. It was a contribution about action, not just words. It was a contribution that tried to negotiate a good deal for Victoria and for Australians. It was not about just getting into the trenches and saying, 'We are not doing anything. We

want nothing to change'. It was an attempt to negotiate a good deal.

Throughout our time in government, Labor members advocated for the best interests of the state. They included a range of interests — those of irrigators, farmers, communities and the environment. We did not stand still and say, 'Someone else has to do the work', and just criticise. We took significant steps to improve the distribution of water and minimise the loss of water that was occurring through various distribution mechanisms.

The work on the Wimmera-Mallee pipeline project, for which the federal Liberal government provided financial assistance, has meant new environmental and economic opportunities for that region. The goldfields super-pipe has delivered vital water security to all parties in the Bendigo-Ballarat region — farmers, communities and the environment. It was a project that some on the other side did not support and campaigned against. And of course we introduced the transforming food bowl modernisation project for the Goulburn Valley. It is a project that the current water minister now loves and praises, which is great, but at the time those opposite criticised and opposed it. Back in June 2010 the Leader of The Nationals, now the Deputy Premier, called the project 'a water-savings mirage', yet today the Minister for Water claimed, 'We've made our contribution', because of all the water savings that have come from the food bowl modernisation project. It is a project that those opposite now point to and say, 'Look at our great water management credentials'.

Without a Labor government, those transforming water projects that have given water security to so many communities would not have happened. The only policy that this water minister has when it comes to water management is based on saying that water belongs to those areas where rain falls. If we had adopted that attitude when we were in government, it would have seen so many communities across Victoria suffer even more under those very difficult drought conditions.

I remind the house also — and the minister did acknowledge this — that the food bowl modernisation project was funded by the state government and the commonwealth government to the tune of more than \$1 billion. The minister said in his press release:

Instead of clawing back more water, the Gillard government should fund environmental works and measures to make effective use of the water they already have.

Is this the sort of project he was talking about — the food bowl modernisation project, the project that was

about sharing the benefits or the savings out of that between irrigators, communities and the environment? In Victoria, with the support of the federal government and the former state Labor government, that is exactly what happened.

Again we need to ask exactly what action this government is taking to ensure that appropriate balance. Congratulating oneself and blaming others do not constitute a water management plan. It is not a plan to protect the future of this important region. One has to ask what the state government intends to do. I think almost \$60 million was left over from the commonwealth contribution to the food bowl modernisation project. There is the issue of either giving that back to the commonwealth or putting it towards other water saving measures. Is this state government going to invest it in other water saving measures in the region? That is an interesting question. The government has the capacity to invest in it; let us not just say it is all the commonwealth government's responsibility.

The minister and the government have also talked about the social and economic costs of the Murray-Darling Basin plan. We have seen that today. We have heard about modelling. We can all have a few doubts about some of the modelling that is undertaken by this Victorian government. We saw a bit of it regarding carbon pricing; that is its modelling.

However, we know from extensive studies that doing nothing comes at a cost. The work the CSIRO undertook to look at the ecological and economic benefits of environmental watering shows that the benefits of returning the 2800 gigalitres to the environment could be valued at up to \$8 billion. The benefits are in a range involving \$8 billion, which is much greater than any loss of production. Again we have to get the balance right, but this shows that no commitment to an equal or better sharing of water resources will cost us money as well. In the long term it will be disastrous for the river and the communities who rely on that water supply. How easily we can forget the enormous impact drought and allowing rivers to die has on tourism, irrigation and species — they all rely on the health of this river in good times and bad times.

It is not just the CSIRO making these points; many people who members opposite purport to be acting on behalf of make these points too. Right across the region farmers, irrigators and business owners argue that there needs to be a better balance achieved than what has been proposed by members opposite. There is Jock Robertson, a farmer at Chowilla Station; Howard Jones

is an irrigator who is concerned about the lakes area in the Hattah-Kulkyne National Park; and Lance Howley is a farmer concerned about the Lowbidgee Wetlands. Andrew Christian runs a grazing and cropping farm near Echuca and says farmers are being misrepresented on this issue by peak groups — and I can only imagine by The Nationals — and that current consumption levels are unsustainable. I could go on, but that gives members a sense that there are a number of people who rely on this area for their livelihood and who understand it is in their interests and in the interests of the broader community to protect the quality of that asset. Through surveys we know that Victorians value highly our natural places, and at the top of the list are the northern rivers, like the Murray River.

I am interested to know why the Minister for Environment and Climate Change is not part of this debate today. I am interested to know his view on the government's intention in relation to the health of rivers in Victoria. I am pretty sure he is not coming to the chamber, because we know exactly how much influence he has on environmental issues — that is, he has basically none. To ensure that, most of his responsibilities have been moved to the Minister for Agriculture and Food Security and therefore to The Nationals. The only river management policy we have seen from this government has been about riverside vegetation removal, including vegetation removal from the Goulburn River. It is a proposal that would mean that Victoria would go back to the 1950s river flood management strategy; it flies in the face of science.

This matter of public importance is about the government standing up for regional communities. I can tell members that the record does not show that. We are getting rid of biodiversity workers from the Department of Sustainability and Environment staff in south-west Victoria. That is not standing up for regional Victoria or striking the right balance. What about Coastcare coordinators? The government is again not standing up for regional coastal communities. There has been a loss of jobs and a loss of support for the achievement of better management of natural resources, which is absolutely critical and in the interests of regional communities. What about wind farm policies? What about the loss of millions of dollars and job opportunities in regional Victoria? It is not surprising that the outgoing president of the Victorian Farmers Federation is reported in the *Weekly Times* to have said:

Victorian farmers are worse off under the Baillieu government than they were under Labor.

What an indictment of this government, and what a particular and absolute indictment of The Nationals.

We were serious about a proper balance in relation to water management issues. We invested real money, and we achieved real balance within communities and between communities, irrigators and environmental issues. We took action; we did not just talk about it. It is time for this government to move past self-congratulation and bickering with the commonwealth government and do something to build for the future and protect this amazing asset. I urge members not to support this matter of public importance.

Mr WELLER (Rodney) — It gives me great pleasure to rise today to speak on the matter of public importance proposed by the member for Swan Hill.

An honourable member — Who lives on the Murray.

Mr WELLER — That is exactly right. As the interjector said, the member for Swan Hill lives on the Murray River. The contribution of the member for Bellarine needs to be reflected on. She said the Murray River is dying — degrading and continuing to decline. If it were declining, salinity levels would be increasing. Salinity levels in the Murray River have been declining for the last 30 years. The doomsayers would have members believe that salinity levels in the Murray River are now higher than they were in the 1980s. In the 1980s the salinity level in the river at Swan Hill, for instance, was about 270 EC (electrical conductivity); today the salinity level at Swan Hill is 109 EC.

Dr Sykes — That is less.

Mr WELLER — That is less. The salinity level at lock 1 in South Australia in the 1980s was in excess of 500 EC; today the level is 279 EC. Native fish numbers have increased immensely since the 1970s and 1980s, as any fisherman will tell you.

The member for Bellarine talked about the Northern Victoria Irrigation Renewal Project. That was, quite rightly, a big investment made by the former state government. When it was in power, the Labor government put in its funds — that is, the original \$1 billion — and \$1.2 billion will come from the federal government. What the member for Bellarine does not understand is that if the federal government is allowed to take another 971 gigalitres of water from northern Victoria, the Northern Victoria Irrigation Renewal Project will become a white elephant. The Goulburn River system has the equivalent of 971 gigalitres. That 971 gigalitres would take out the whole of the Goulburn system. This is why the member for Swan Hill has stated that we have to be very wary

about any further buying of water out of Victoria by the federal government.

Now that I have answered that, I will start my contribution. As the member for Swan Hill spoke about, the Murray-Darling Basin Authority's consultation process has been appalling. When the guide to the draft Murray-Darling Basin plan was released there was uproar. We had thousands of people turning up to meetings from right across the Murray-Darling Basin. Quite rightly the authority withdrew the guide and then said it would bring out the draft. It brought out the new draft with a new salesman, Craig Knowles, an ex-Labor pollie from somewhere in New South Wales. Anyway he was a used-car salesman who came out and tried to sell it. But the people of the Murray-Darling Basin were aware that there was very little difference between the guide and the draft. The guide talked about 3000 to 4000 gigalitres; the draft talks about 2750 gigalitres. There is very little difference in the impacts on our communities.

As far as the consultation goes, while the member for Swan Hill quite rightly points out that there were smaller numbers at the meetings, part of the problem was that in Echuca, in my electorate, they were not allowed a proper public meeting. There were just these little buzz groups where people could go in and talk to representatives of the Murray-Darling Basin Authority who actually had to be asked to pull their pens out and take note of what people were saying. I had a lot of farmers coming into my office quite disgruntled with the process of consultation in Echuca.

Another thing we also have to be wary about is what is not in the draft. That is the problem. The Commonwealth Environmental Water Holder will hold a very substantial amount of water, and a lot of that water will have been permanently taken out of the pools we have. Will they be allowed to trade that back to farmers in dry years? I asked this question of Craig Knowles in Shepparton because it is not clearly stated in the draft, and he said, 'Well, I can give you that answer' — it was one question he could answer; he was not able to answer many — and he said, 'No, we will not be trading water out of there in the dry years'.

As the member for Bellarine spoke of, during the terrible years of 2006 and 2007 the way the dairy farmers and the horticulturalists with permanent plantings survived was by going into the trade market and buying tradeable water. We now have the federal government buying some 460 000 megalitres out of northern Victoria from people who sold water in those years, so that water will not be there to be traded in the drought years. The next time we run into a sequence of

years like 2006 and 2007 — and hopefully it will be 40 or 50 years away — there will not be the trade water there, and in the 2007–08 year about 300 000 megalitres was traded. If we take that out of what was used — and that is about half of what was used — we are going to see a very big impact on our communities when it comes to more drought years like that.

The member for Swan Hill quite rightly put forward that Victoria does see a way forward, and the way forward is to have an agreement on the end-of-valley targets of 1779 gigalitres. If we sign up to that, then the next 971 gigalitres can be saved through environmental engineering solutions. In my electorate we have the Gunbower Forest, and the North Central Catchment Management Authority's submission to the draft talked about a proposal for the Gunbower Forest. If we put a weir in the Gunbower Creek, it will release water into and irrigate the Gunbower Forest. By using this weir we can irrigate the forest with 110 gigalitres.

If we were to have a natural over-the-bank flood where we have to run 38 000 megalitres a day down the river to cause the water to run over the bank, it will use 2300 gigalitres, which is a difference of some 2200 gigalitres. It would not happen every year, so it will not be saved every year, but if it happens every five years, it will bring the figure down by about 400. Just irrigating the Gunbower Forest reduces the figure from 2750 down to 2350 gigalitres, because the water is being used more efficiently in the environment. And that is what we have to do. Farmers have got smarter with their water, and the community has got smarter with how it uses water in the towns, so why should we not be smarter with how we use the water in the environment?

The minister also spoke of another opportunity to do this at Lindsay Island. By diverting the water out from above lock 7, running it down through the anabranch and putting a weir and a levee bank across the bottom, one can artificially mimic a flood on Lindsay Island. An over-the-bank flood on Lindsay Island will use 1200 gigalitres, but diverting it out from above lock 7 means only 90 gigalitres is used. Once again, it does not have to happen every year. If the 1100 gigalitres is divided by 5 — if it is done every fifth year — it will save 220 off that 2750 figure. That brings it down to about 22. Then you can do some better managing of the water in the Murrumbidgee, and you will get there. Our way forward is using environmental water more wisely and better managing the streams.

Mr HOWARD (Ballarat East) — I am pleased to add my comments to the debate on what is a very

important issue — that is, getting the balance right across this country and ensuring that water is provided in the right places to meet the needs of irrigators, rural and regional communities, our cities and the environment. We know the background to this issue, which was initially put forward by the Howard government when Malcolm Turnbull was the Minister for the Environment and Water Resources. The reason was that the states on their own were not doing the right thing to get a solution that was in the national interest or really progressing the issue at all. That was because the states kept to their parochial concerns, arguing against any proposed changes one way or the other, and clearly progress was not being made.

We therefore recognised that there was a need for the federal government to take a more significant role in this issue, and we saw the establishment of the Murray-Darling Basin Commission and the work that has taken place to date to establish a plan to address a broad range of interests across the country. They include ensuring that we get the environmental flows down the Murray into South Australia to support its needs and addressing the issues of farmers, irrigators and other communities upstream.

It is important that we get this right. Clearly we all understand that irrigators have a concern about protecting the investment they have made, their income, their lifestyle and their future in the properties they have developed, and it is understandable that there will be some angst about the plans that are put forward. What we need is good, sound debate on this matter. We do not need people who are going to push misinformation; we do not need people who are going to be fearmongers and peddle a great deal of misinformation for party-political or other reasons of their own. We need to have sound debate that tries to show leadership and get somewhere.

Clearly we have a role. It is not just the Minister for Water who is standing up for rural and regional Victoria. There are many members on this side of the house who see this issue as vitally important. We know the former government was elected on the basis of many rural and regional Victorians changing their vote away from the Kennett government because they saw how the coalition under the Kennett government had completely let down rural and regional Victoria. They re-elected the Bracks government on two occasions because they saw that it continued to want to support all of Victoria, including regional and rural Victoria.

In terms of water management, the Labor government carried out some major works. It moved forward to support regional Victoria in addressing its water needs,

recognising that there was much to be done. We know about the Wimmera–Mallee pipeline and that it was the former state government that in its early days in government said, ‘Yes, we are going to back this project. We are going to invest in this project. We are going to support the irrigators and the people who live in the Wimmera–Mallee area. We are going to support them when they go to the federal government, and we are going to say we have put forward state funding so that when we go to the federal government we will have a good case to argue to gain funding from the federal government to also support the Wimmera–Mallee pipeline’, and we did it. Hence the Wimmera–Mallee pipeline has become a reality, and we have seen what you can do with good engineering works and good infrastructure that can save water that was previously being wasted in seepage and evaporation throughout the Wimmera–Mallee area.

The Labor government did not rest on its laurels once it had supported and completed the Wimmera–Mallee pipeline works, it continued with significant works across the north of the state. The minister mentioned the food bowl project. Although he was critical of many of the issues associated with the food bowl at the time, it seems he is now recognising that these are sound works to ensure that we make the best of our irrigation water. There have been a whole range of projects that the minister and people on this side of the house are aware and supportive of that continue to see many of our irrigators learning from research and adopting that research so that their irrigation practices are sound, there is less wastage of water and the best use is being made of irrigation water.

I note that the member for Rodney is again trying to misrepresent the words of the member for Bellarine by suggesting that she had said the Murray was dying. That seems to be a line that those on the other side of the house like to use. It is certainly not a line we use. We recognise that much has been done over the years to improve the quality of water in the Victorian part of the Murray through these improved irrigation practices, which are seeing a reduction in salinity. Some very good works have been carried out, because they needed to be done. We know the disaster that was taking place 20 or more years ago, with salinity levels increasing and causing a large amount of our farming area to be much less productive. Some works have been done, greatly supported during the Labor government’s term, to ensure that we improve our effectiveness in managing our water.

In commenting on the minister’s contribution to the debate today, I note that he talked in his practical way about the concerns put forward, and the member for

Rodney raised concerns about the consultation process in regard to the Murray–Darling Basin plan. They told us what was wrong with it, but we still did not hear a lot from the minister in terms of positive plans for the future. That is clearly what we need. We need leadership on this issue, not just a flowing on from what was done under the former government. We know the former Premier, John Brumby, argued in favour of the Victorian irrigators in regard to many of the issues associated with the proposed Murray–Darling Basin plan because he said we had created better efficiencies here in Victoria, that we had a better history of water allocation and that we should not see Victorian irrigators suffer as a result of bad decisions made by other states in the past.

The former Premier and the former Labor government were very clear on wanting to support our Victorian irrigators, recognising that we were streets ahead of other states in so many ways. What we need from this minister and government, however, are not just complaints about what is wrong with the Murray–Darling Basin plan. We want to see real solutions put forward and balanced debate that takes out some of the political scaremongering that has gone on in the past. We want to see that any solutions put forward are not just populist solutions that might win votes but rather solutions based on science that will recognise the mixed demands on our water from a range of users as well as the environment. That is the challenge for the government — to work with the federal government to put forward sound scientifically based solutions and to continue to do what Labor did and argue the case for Victorian irrigators. At the same time we must recognise that there needs to be a balance put in place, and that is something the government is not doing at the moment.

As the member for Ballarat East I could not finish my remarks without commenting on the other things we did in government through the drought years. We put in place plans that saw Ballarat and Bendigo continue to have water when otherwise they would not have had water. These plans were laughed at by the Liberals and The Nationals opposite, who said, ‘We don’t need to have a pipeline coming across Victoria to Bendigo and down to Ballarat’. They said it was a stupid idea. However, without those plans, Ballarat and Bendigo would not have had water, and we all know that if the drought had continued for longer, Melbourne would have been in the same position. Hence the former government planned sensibly for the desalination plant and the north–south pipeline to ensure we had balance.

The DEPUTY SPEAKER — Order! The member’s time has expired.

Ms McLEISH (Seymour) — I am pleased to speak this morning on the matter of public importance put forward by the member for Swan Hill. As we know, the member has a strong interest in water, but he is also very representative of northern Victoria. This matter of public importance is about the degree to which the coalition government will continue to support regional Victorians. There is one thing that is absolutely certain: this coalition government will not let down the communities of regional Victoria. We will fight for them to ensure that the outcomes across all areas will benefit them, because in the past they have been duded quite a bit.

Today we are talking about the Murray-Darling Basin plan, with the understanding that the Murray-Darling Basin Authority was put together through commonwealth management and the Water Act 1989. The basin itself is absolutely huge, spanning four states and encompassing many rivers apart from the Murray and the Darling. We have the Lachlan and the Murrumbidgee rivers, but down at the bottom part of northern Victoria, which is just at the top of my electorate of Seymour, the Goulburn River is also impacted. The area extends to as far away as Tambo and Toowoomba in the north. In Victoria, as well as the Goulburn River, we have Omeo in the east, and the basin extends right across to Mildura in the west. That is a very large area, involving a lot of people in many communities who will be impacted if this plan is not right.

The coalition government has made a submission to the federal body regarding where it believes this plan is flawed and where it is not supporting it, and I will talk along those lines now. It is important that we get it right, and it will be difficult because there are four states involved and everyone will have competing agendas. What is most important is that we get the balance right between the environmental outcomes, the social outcomes and certainly the vital economic outcomes.

In terms of Victorian agricultural exports over the last 12 months, the food and fibre exports are in excess of \$8 billion. That is extremely significant, and Victoria has a great reputation for its food and fibre, not just nationally but also worldwide. People notice the quality of our food and fibre production, and this is something we need to protect so that it thrives and does not go backwards. Some of the matters put forward in this plan are at odds with our agricultural producers, our ongoing sustainability and continued high levels of productivity.

In Victoria the coalition government believes one-third of our water will be lost. This means it will be

transferred from irrigators to the environment. We have heard the minister talk in his opening comments about a loss of jobs that could be in excess of 4000; so it is important that we get it right. Both sides of the house have recognised that a lot has happened in the past. Things have been managed quite well in some areas, and there have been improvements — —

Mr Foley — Deputy Speaker, I do not wish to interrupt the member in her important contribution, but I draw attention to the state of the house.

Quorum formed.

Ms McLEISH — I am pleased so many people have joined us to hear my contribution to the debate on this important matter. When we are looking at this plan we need to remember that this will be law and that once you have legislation in place there is not a lot of room for flexibility around it. This is why, when you have a bipartisan response, it must be right. I will touch on a number of points which show that this plan still needs quite a bit of work, and I will look at the realities of what this loss of a third of our water means. The risk goes to the state government. There are some uncertainties for the plan, and certainly there is a lack of clarity around a number of issues with the environmental water plan.

The loss of a third of our water can mean a decrease in our gross regional product. That means reduced income, which then leads to decreased levels of government revenue at the local and state level. We have seen previously with the drought that when there is a decrease there is a consequent loss of jobs. With that comes social dislocation and isolation. Those realities can be quite harsh.

All the risk in the proposal falls back on the state government, and this is important because we are the ones who are exposed — the problems of the federal government are handed to the states. This in itself is flawed, because it does not work when one body puts its way forward and gets somebody who does not agree to be accountable for the outcomes. I recall that when I was in a previous job somebody said to me, 'I want you to implement this'. I did not agree with it, but they said, 'And you can be accountable'. I said, 'If I were accountable, I would not be doing it like that'. I think that level of risk is not a good thing; it certainly puts Victoria behind the eight ball. I am pleased that our submission goes into detail about the levels of risk here.

I want to talk about the environmental water plan. The structure and intent here are not clear, and there is a lack of clarity around roles and responsibilities. In my

years of consulting I encountered many issues that arose when, first of all, the intent or purpose of an element was not clear and then there was a lack of accountability — knowing who was doing what and who was accountable and responsible for what. You can be left with a situation where everyone says, 'It wasn't me!', and big holes open up. What that means is that things might not get done. It also opens up the opportunity for legal challenges if things do go wrong. You can have a whole lot of costs incurred and time wasted through these sorts of things.

Now the coalition in Victoria believes it can get good environmental outcomes through the smarter use of water and through creative solutions. We heard the member for Rodney talk about some of the environmental engineering works that have been done. They mean that we can get better use out of our water. We know that over the years farmers in particular have understood the value of water and how precious it is, and they have learnt to do things differently and to operate a lot better. I think the level of consultation to reflect some of these things has certainly been flawed, and we have heard people comment on that.

In summary, I am happy to talk about the coalition's support for regional communities and our lack of support for this plan, which is flawed because it puts the risk with the state government. The solutions and the loss of a third of our water bring a whole lot of problems, and there are more innovative and creative ways that we as a country could fix this problem.

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

Mr NARDELLA (Melton) — This matter of public importance shows an absolute lack of leadership by The Nationals and the Minister for Water. Where is the white paper? Where is the green paper? Where is the water strategy? Where are the thinking and innovation that are needed to get us through these discussions and debates, rather than just saying, 'No, no, no', and, 'Oppose, oppose, oppose'? All The Nationals do with regard to water is oppose the things that will benefit the environment, their communities, farmers, and regional towns in Victoria. All they do is say, 'No, no, no'. It is their oppositional mode. Instead of thinking, 'Jeez, I'm now getting paid \$330 000 a year as a minister — I should put my thinking cap on', the minister goes to the cupboard and puts his dunce's cap on. You need to be able to think, and you need to be able to be innovative in your thinking when you are dealing with these major national issues. It is not just a Victorian issue; it is a major national issue that is before the Minister for Water and the government.

I agree with the member for Rodney, who talked about the Murrumbidgee River, how to thoughtfully reduce the amount of water needed for environmental flows and how to save water through that process. I tell you what, Deputy Speaker, my honourable friend from Rodney has got it right, because if you do that thinking and you actually put on the thinking cap and not the dunce's cap, then you can come up with solutions. It is about coming up with solutions to protect the Murray River and the irrigators, the farmers and the communities that rely on the Murray. That is where I agree with the member for Rodney, because he is actually out there thinking about solutions. That is what this process is about — it is about finding solutions for all the communities. Yes, it is about a balance, but when you are finding a balance you need to find solutions. You have to think about the solutions.

I go back to the member for Rodney — this is where I do not agree with my honourable friend — who said the consultation has been appalling. Here is the Murray-Darling Basin Authority, led by Craig Knowles, which has been out to virtually every community, has been there for hours, has talked to the irrigators, has talked to the farmers, has talked to the community leaders and has even talked to The Nationals members out there, and those opposite say that this has been an appalling process. It has been an appalling process because they cannot agree. They as a government can never agree and will never agree while The Nationals are in this powerful position, because they have no solutions.

The minister has said that there should be no additional water because since 2000, 1000 gegalitres has been put into the environment from here in Victoria. That was done under Labor governments, both federal and state; it was done in conjunction with the federal Howard Liberal government. We have done the hard work, we have done the thinking, we have done the Our Water Our Future strategy and we have gone out there and consulted with all the communities and all the affected people, yet we have The Nationals here today, and what have they done? Tell me one concrete thing they have done to promote water savings and do the things that need to be done to protect these communities, other than whinge, carp and say, 'No, no, no! We oppose this, we oppose that and we oppose the other thing', just like they opposed the food bowl modernisation project. In the previous Parliament the now minister came in here time and again to oppose the food bowl modernisation project, under which 225 gegalitres of water went back to the environment as savings to irrigators. Yet he comes in here today and says, 'Yes, it is a good program'. It is a Labor program, because it was Labor that did the thinking. We actually went out there and

consulted. The coalition's position on the Ballarat and Bendigo super-pipe was, 'No, no, no. We oppose, we oppose, we oppose'.

The Nationals are the mob who wanted to decant water from Ballarat and Bendigo — that is, from every family, adult, child and business in Ballarat and Bendigo — because they wanted them to run out of water. The Nationals wanted them to run out of water, because there was no water because of the dams. They opposed the Ballarat and Bendigo super-pipe. That is their level of thinking. When it comes to the Murray-Darling Basin, they do not think. They are members of The Nationals — they cannot think. It is beyond them to think about any solution or innovation. It is beyond them to talk to irrigators about the things they could do, the investments they could make and the reality of the situation they face — that we all face as an Australian federation — and to put in place these solutions.

It is not about selling irrigators and farmers down the river; it is about working with them to find solutions — to find the things that can be done and the investments that must be made to protect this iconic river system. The minister talked about how these things have been worked through over 100 years. This is now a rubbish process. It did not work over 100 years. That is why the former Howard federal government, through the Council of Australian Governments and through the work of the states, had to put the Murray-Darling Basin Commission together. It was not working because other states were not doing the right thing. New South Wales and Queensland were over-allocating their irrigation water. It was not working. It did not work then, just as The Nationals are not working today when it comes to finding the solutions that need to be found. The regional communities deserve more from The Nationals, who are leading the coalition government.

It was sad to hear the Minister for Water claim that one of the plants has gone into a moratorium — is not working — because of the lack of water and irrigation in the Murray-Darling Basin. The Murray-Darling Basin plan is not operating. How can the government blame a plan that is not in operation for the closure and non-operation of a plant today? It is a nonsense argument. That is what this minister has produced, both in government and in opposition. For example, the issue of the desalination plant was raised. What was the coalition's water policy in 2006? It was for a desalination plant. We went out there and built the desalination plant. It is not our fault that the coalition cannot manage it because it is hopeless at managing these things.

The government should stop dithering and doing nothing. Members of the government should put their thinking caps on. When they attend public meetings they should put their hearing aids on and listen to what farmers are saying. They should listen to the ideas of farmers, because they are the experts on how to make things better for the environment, how to maintain and increase their productivity and how to increase the amount of water that is available to them. That is what we did with the food bowl modernisation project: we put our thinking caps on.

We have this appalling matter before the house today. It is a pat on the back; it is The Nationals saying, 'Aren't we good? We're out there opposing things. We're saying, "No, no, no". We're standing up for our communities', whereas in fact they do no such thing. They do not bring credit to themselves.

You only have to read the comments of Andrew Broad from the Victorian Farmers Federation, who said this government is appalling, to see that farmers are getting nothing out of this government. Farmers would rather have a Brumby government in place, because members of a Brumby government would put on their thinking caps, not their dunce's hats.

Dr SYKES (Benalla) — As a person with impaired hearing I assure the member for Melton that I have my hearing aids on, but as they include bull-dust filters it has been remarkably quiet in this house for the past 10 minutes!

The Murray-Darling Basin plan should be about protecting the environment, the communities and the wealth-generation capacity of the basin. This plan fails to deliver these outcomes because it focuses on volumes of water rather than environmental outcomes, it fails to apply best practice to the distribution of environmental water and it fails to adequately address the social impacts, the impact on communities and the wealth-generation capacity of the basin.

I want to set the record straight in relation to how we on this side of the house care about the environment. In regional Victoria we interact closely with the environment every day. We, along with the environment, suffered and felt the hurt during the past 12 tough, dry years, and now we are enjoying the exhilarating experience of seeing nature bounce back, courtesy of the return of the rains. We recognise that this constantly changing climate and the cyclical nature of our weather patterns — a burst of wet weather every 20 years, interspersed with dry weather — is the normal weather pattern for this area. The Australian ecosystem has adapted to this weather pattern, as the regeneration

of our trees and our insect and wildlife populations bear testament to.

With this in mind, it is absolutely critical that we establish a soundly based, sustainable level of water diversion and that we focus on environmental outcomes, not simply volumes of water set aside for the environment. Failure to get it right will see water withdrawn from productive agriculture with suboptimal environmental benefit. A recent example of a botched water savings exercise is the decommissioning of Lake Mokoan by the former Labor government. Water was removed from productive agriculture in the Broken Valley. Remaining irrigators now have lower security, poorer efficiency of delivery and much more expensive water, and it has been left to the practical people on this side of the house to fix yet another mess created by the outgoing Labor government.

Any future management plan for the Murray-Darling Basin must involve the application of best practice. As others have said, over \$2 billion has been or is being allocated to the efficiency of distribution of water for agriculture, and similar large amounts have been spent on on-farm investments to ensure the maximum benefit from each megalitre of water that goes to agriculture. It is simply common sense to apply the same logic to water going to the environment — that is, you define the outcome you want and you put in place the best infrastructure and the best practices to achieve that outcome in the most cost-efficient manner.

The member for Mildura, who is not able to speak today because of the high demand by people on this side of the house to speak on this important subject, has raised with me the example of the Hattah Lakes, where if best principles and best practice were applied, the iconic site of the Hattah Lakes could have the necessary environmental waters delivered with engineering solutions that would result in the environmental outcomes we want with far fewer megalitres of water being used. That is common sense, but unfortunately that common-sense approach is not being applied at the moment. The focus remains on volumes of water for the environment, not the efficient use of the water that is already being saved for the desired environmental outcomes.

I wish to make some comments on the draft plan from an upper catchment point of view. The electorates of Benalla and Benambra are the source of about 40 per cent of the water flowing into the Murray-Darling system, and much of this water is actually generated from run-off from private land. There is a very strong first-principle argument that it is much more efficient to use water closer to the source. The first draft of this

plan ignored this basic principle and proposed massive reductions in the water being used in the upper catchment. The current plan appears to address the issue, but few people in our neck of the woods are confident that there will not be further calls from the federal government to make more water savings.

I should also compliment the people in the upper catchment on a couple of initiatives that reflect a preparedness to make water savings and protect the environment whilst protecting productive agriculture. I am referring to the upper Ovens River water catchment management plan, which the minister has recently signed off on, and also the Murrumgee aquifer studies. The upper Ovens River water catchment management plan was developed through a cooperative approach which involved Goulburn-Murray Water and affected land-holders. They have come up with a set of principles for managing the water as we head into dry times and ensuring adequate environmental flows. Interestingly, these principles incorporate consideration of the shallow aquifer water as a continuum of the surface water.

This plan will be implemented over a number of years to allow people with permanent plantings such as chestnuts, apples and vines to adjust. This approach deserves to be supported because it is people recognising the issue and putting in place a common-sense solution which achieves the desired outcomes with an equitable sharing of the pain. The Murrumgee aquifer is a deep aquifer in the Ovens basin. If increased access were allowed to the Murrumgee aquifer, it would be a potential source of water for both the Rural City of Wangaratta and agriculture.

Another issue in relation to the draft plan is concern for upper catchment people, given a requirement that the states determine the quantity of water being taken for all uses. This includes farm dams for stock and domestic use. This is seen as a threat to a longstanding basic right to use water falling on your place for stock and domestic purposes. Depending on how this matter is managed, it could impact significantly on costs of production in the high-rainfall areas and could also impact on real estate values in high-rainfall areas. In addition the practicality of this proposal should be questioned. Just last week I flew over the Benalla electorate and saw many glistening reflections from hundreds of small dams that are used for stock and domestic purposes. Locating all of these dams and accurately determining the volume of water captured and used would be a very costly exercise with dubious benefits, and whatever information was put together would be of seriously questionable accuracy.

What we have got is a proposition put by people on this side of the house, ably led by the Minister for Water, who has a very sound understanding of the issues associated with water, both as an irrigator in times gone by and also having worked in the area at the highest level, dealing with the politics and the national aspects. He has been well supported by his adviser, Monica Morona, a staffer who again has a grassroots connection, understands the water issues and has contributed to the development of this response. Similarly there are very good people in the Department of Sustainability and Environment and the Department of Primary Industries who have contributed. I credit the minister with pulling it all together.

The other thing the minister highlighted is the massive impact of the draft plan as it stands today. You are talking about in excess of 4000 jobs being lost and a failure to equitably share the pain. The member for Rodney again reflects the practical experience on this side of the house, and he was complimented by the member for Melton on his understanding of the practical aspects of irrigation. In terms of putting infrastructure in place to ensure the efficient use of water for irrigated agriculture, the practical implication is that you apply the same principles to ensure the efficient use of water set aside for the environment. That is only common sense.

It is difficult to say much else constructive about the arguments that opposition members have put today, because they have shown an absolute disconnect with rural Victoria. For them to say to us that we are not putting up a solution shows that they clearly have not listened. I can put them in touch with a good hearing aid specialist who could make sure they could listen. Hopefully they would have the capacity to then take on board what people in regional Victoria are saying, which is, 'Get the balance right. Apply common sense'.

We want to protect our environment. There are ways of doing that to efficiently use the water that has been saved already through hardship and through common sense and the application of best technology in irrigation. We want to share the pain equitably. We believe, on this side of the house, that it can be done. We want our ideas to be listened to and implemented. That is why the minister has taken a very strong stand, and that is why the coalition government has taken a very strong stand. We want a good outcome delivered.

Ms HALFPENNY (Thomastown) — I rise to speak on this matter of public importance and to state at the outset that this Liberal-Nationals government cannot give itself any pats on the back when talking about fighting for regional communities against the

Murray-Darling Basin plan. It is easy to bag, to complain and to criticise while others are doing all the work, but if we look at little bit deeper, it is no surprise to see that this government cannot come up with anything constructive and that it has no suggestions to support or work with the federal government and the Murray-Darling Basin Authority. In this it is just like its federal counterpart — able only to oppose rather than to form the kind of leadership that is needed while in government.

We all want a balance between environmental, social and economic outcomes in this situation, but the government is doing nothing to balance these objectives. Instead it seeks to score political points and play on understandable fears that arise in times of change and uncertainty as well as, in some cases, the undisguised self-interest and greed that operate at the expense of the community. The Victorian government's submission to the Murray-Darling Basin Authority demonstrates that this government is bereft of ideas and is preying on people's sense of insecurity in times of change and economic hardship. While the Victorian government's submission may have made some valid points on issues such as state rights and responsibilities and on consultation processes, it has done little to provide new ideas to help. Craig Knowles, chairman of the Murray-Darling Basin Authority, has said:

Whether you are prosecuting more water, whether you are demanding less water be returned, whether you are demanding more science, or whatever it is your viewpoint might be, I stand before you to make the case that we must make a start into a better and new way of managing the Murray-Darling system.

Obviously the Victorian government is at odds with all the thinking on this subject and does not agree. The state government's submission just repeats over and over old solutions, tinkering around the edges of other people's ideas that have already been implemented. The submission says:

As noted in previous sections of this submission, the Victorian government considers that the strategic uptake of both environmental works and measures and smarter systems operations would ensure more efficient use of environmental water, thus reducing the volume of water that needs to be returned from productive use. The Victorian government maintains its contention that there are both substantial efficiencies to be gained and water savings to be achieved from smarter systems operations in particular.

However, this is already happening. It is called the food bowl modernisation project, which was developed and implemented by the former Victorian Labor government and funded at both state and federal levels — a project the Liberal-Nationals government is continuing with in spite of the Minister for Water

referring it to the Ombudsman to conduct an inquiry into its operation. In the words of the Ombudsman in his report:

The food bowl project provides an extraordinary opportunity for irrigators, the environment and communities to benefit from a more efficient and modernised irrigation system.

...

Landowners are generally supportive of modernisation ...

...

... stage 1 is progressing and the commonwealth and Victorian governments have recently agreed on matters relating to stage 2 ...

However, this is in addition to the proposed Murray-Darling Basin plan, not instead of it.

I am not saying that the draft Murray-Darling Basin plan is perfect, nor is it finished. It is out in draft form for comment. It may be that it is not focused enough on protecting jobs, protecting incomes or providing ways to mitigate adverse effects. However, we need to do something, because the scientific evidence and local knowledge clearly show that water use from the basin is currently unsustainable and needs to be addressed. It is time for this government to fight for the people and their interests in having a long-term sustainable future.

This debate about water is not just about water supplies to towns, of course. It is also about the use of water as a raw material in the agricultural supply chain — water that is needed for growing and processing food. It is about access to water and how it is used — and used efficiently rather than wastefully — and how in doing so it contributes to the social and economic life of citizens in food bowl regions such as northern Victoria. This should be a debate about economics, about employment and about how water can be used most efficiently to ensure that we have viable regional economies. In this it is very much about how companies and industries use water to generate employment and how this is done efficiently. Does it maximise jobs or just put money in the pockets of a few individuals? Water is not privately owned; it is a public resource.

Let us look at one specific example, the Heinz tomato processing factory at Girgarre. It existed for 20 years as a company that was supported by the community to maintain its production in the Goulburn Valley. It had a generous supply of energy and water. However, over that 20 years, with the full support of the community, it was sucking up water supplies. Now it has packed up and gone to New Zealand. Where is the commitment to

the long-term future when using our water for local economies? This is an outrage and should be addressed.

We need a regional industry strategy that integrates the use of natural resources, such as water, and employment opportunities. In respect of the Heinz desertion overseas, I understand the state government is supportive of the newly formed Goulburn Valley Food Cooperative that has been established with the aim of trying to protect and promote local jobs, including the processing of the tomatoes of growers who have been left in the lurch by Heinz by the workers who were sacked or retrenched by the Heinz company. This strategy should not just be words. It needs to involve resources and support to allow those communities to continue food production in order to provide jobs and incomes. This would be good government policy and should be extended further in terms of concrete proposals and resources to support those people who are actually taking things into their own hands. There has been a lot of fantastic hard work done by volunteers to try to shape their own future and become self-reliant.

The state government is also arguing that job losses will result from the Murray-Darling Basin proposal and that this, of course, is a terrible thing. However, in northern Victoria jobs were shed by the thousands in the food industry all the way through the Howard years. We can talk about the dried fruit industry in Mildura. We can talk about juice production. Many blockies sold up their orange groves because they could not make a living from juice; at the same time we accepted imported juice from places such as Brazil, where production involves child labour. We saw massive job losses in the production of tomato paste and fruit and vegetables and in freezing and canning around the areas of Tongala, Echuca, Shepparton, Kyabram and Tatura. This occurred at a time when farmers could use as much water as they liked.

The point I make is that we need a jobs plan. We need an industry plan in regional areas for how to use the water that is available in the best places possible. We need a plan that is socially responsible and allows the building up of these communities, rather than one that supports companies using water wastefully and supports companies that have no long-term commitment to jobs or to the interests of those living and working in those local communities.

Even if the state government were successful in preventing the Murray-Darling water plan, it would not stop the job crisis in the regional areas of northern Victoria. There is a lack of policy to drive industry and a lack of commitment to industry, financial issues and of course the problems associated with the strong

Australian dollar. The job approach the government should be advocating would also mean ensuring sustainable water usage as part of a long-term commitment to the northern Victorian communities.

The members on this side of the house will not stop agitating for government leadership and commitment to Victorians, because we do not want to have to explain to future generations why we stood by and watched irreversible degradation of the Murray-Darling Basin and at the same time watched jobs carnage all the way along the Goulburn Valley Highway and beyond. This issue is bigger than Victoria — it is even bigger than Australia — but action is needed to ensure that we have a sustainable water supply from now and into the future. The government should take strong action, because that is the job of governments — to show leadership and to come up with good policy and plans to lead Victorians to prosperity.

Mr TILLEY (Benambra) — It is a privilege and certainly an enormous opportunity to make a contribution in relation to this matter of public importance. There is no self-congratulation about this matter of public importance. This is about commending the hard work and effort of the coalition government, the people we have spoken with and most certainly the people in the departments we rely so heavily on to come up with the facts, and nothing but the facts, in relation to this matter. This is about opportunities to outline some of that detail, hard work and toil that has been put into fighting for the rights of Victorians and to see that our aspirations and our economy are secured moving into the long-term future.

I have listened with great interest to the contributions of members on the other side, and quite frankly I am a little bit disappointed, because this is not about them. This is about Victoria and fighting for Victoria. Time after time members on the other side in their contributions made the whole issue about them.

It is bitterly disappointing when you come into this place and in the first part of the day there is talk about badges — the size of a badge and what you can wear into this place. It is incredibly discouraging. At the end of the day I do not particularly care whether members come into this place wearing curly hair, a big red nose and floppy shoes. I take that back — members opposite do not have to wear that stuff; we already know who the clowns are when it comes to water!

The member for Benalla made a contribution in relation to the upper catchment. Members of the coalition government have robust conversations about issues relating to water. At the end of the day we can always

walk away agreeing to disagree, but we all know that we are required to act in the best interests of the particular areas we represent and more importantly in the interests of the whole of Victoria. I thank the member for Benalla for his balanced contribution in relation to the upper catchment, because those representing the upper catchment have had a long, hard fight in seeking opportunities and defending their aspirations.

Members have said that we do not own the water. We certainly do not own the water. This is about how we manage water. The submission from the government has required enormous amounts of work and energy in order to detail the interests of not only the catchment but also the irrigators and the prosperity of the whole of Victoria.

I represent an electorate which encompasses a very important part of the Murray-Darling Basin — the upper catchment. I am not going to quibble about a couple of percentage points, but I believe about 38 per cent of all the water that goes into the Murray-Darling Basin comes from the upper catchment. That is an enormous contribution when you look at the size and scale of the Murray-Darling Basin. When you talk about volumes of water in particular, there have been some estimates, and at times those can be subjective. Some of the information can go back as far as a decade ago. We have had 12 years of a particularly difficult drought, but we are coming through the other end of that now. It has rained again, and that is great to see. Some of the estimates back in 2002 placed the average yield from private land at about 1.05 million megalitres per annum. That is on private land alone in the upper catchment, which represents about 8 per cent of the total Murray water. That is about 20 per cent of the total from the Victorian upper catchment, when you take into consideration both private and public lands.

None of us has a monopoly on good ideas, and I welcome everybody throughout the state to be involved in this discussion, regardless of whether they are city dwellers, they live in rural areas but do not necessarily have a connection with primary production, they are primary producers, they represent bodies that cover a whole range of types of production — whether that be stock or domestic — or whether they are involved in irrigation for the growth of fibre.

What the government has done through its submission is to ensure that, in simple terms, a failure to search is a failure to find. We have conducted a thorough search, and we have highlighted a whole range of issues that by and large remain unanswered by the draft proposals from the Murray-Darling Basin Authority. We have to

take into consideration the farm dams, and we do not have an exact measurement of those farm dams pre-2002. Enormous work would have to go into determining the exact amounts of water volume there to see what would happen in the future. That is an extraordinarily difficult task. It would be onerous not only for governments and other authorities but certainly severely onerous for primary producers.

Effectively since Federation primary producers in the upper catchment have had the right to harvest the rain that falls naturally on their land. That is the reason why they pay enormous amounts of money to purchase land in the upper catchment. Some of those rights have been taken away without compensation, but conversations and debates about these issues will continue. As a privileged representative in the Parliament of Victoria and as a member of this government, I will continue to fight to ensure that the upper catchment gets its fair share.

To enable members to better understand the upper catchment, the simple way of explaining what the upper catchment is is that in effect it is pretty well all the private land to the east of that section of the Hume Freeway. For those in this place who do not spend much time getting out of the city, if you drive up the Hume Freeway corridor and look out the driver's side window, when you get into north-eastern Victoria you will be able to appreciate that that higher country is the upper catchment; that is principally what we are talking about. We are talking about some volumes of water there. Given some of the investigations that have been done and the advice we have been provided with — and we have posed further questions in our submission — the lesson is clear that the most efficient use of the limited water resources we have available to us is, in the downstream context, where irrigation supplements natural rainfall, while in the upper catchment primary production closer to the source makes perfect sense. We hope to ensure that some of those opportunities are returned to secure the aspirations of the upper catchment community and ensure growth for the upper catchment areas.

It is great to see that the Acting Speaker, the member for Rodney, is here. We have had many a robust debate, not only in other parts of this Parliament but also over the telephone, and I am confident we will continue to have those conversations to best represent not only our own areas but also the state of Victoria.

I will respond to some of the contributions of members on the other side. We have been asked about a green paper and a white paper and all kinds of things, but let me assure those opposite that this government and this

team are not going to march to the beat of the drum of those opposite. We will do the work, and we will deliver on our commitments, our promises and all the undertakings we have given to each and every Victorian throughout the state. Those opposite, however, should not expect for one moment that we have to do it their way. We certainly have open doors, and we welcome each and every one of those opposite coming up with a suggestion, an idea or a recommendation, because as I said earlier in this contribution, no one person has a monopoly on good ideas. If any of those opposite has a good idea, we will welcome it and will certainly use it to the benefit of this state.

In saying that, I once again reiterate that I commend the hard work and effort of the minister, his team, his departments and also my parliamentary colleagues, who listen to water debates with great interest and who ask questions. That is what we should all be doing — asking the simple questions in order to come up with the right answer and the right solution. I commend the continuing work and the representation of Victoria, particularly the upper catchment communities.

Mr FOLEY (Albert Park) — I too rise to make a contribution to the debate on this matter of public importance. I was just about to commend the Minister for Water for staying for the whole debate, but I will retract that now that he is leaving. I will commend my friends on this side who have clearly all flocked in to hear my contribution to this debate!

Whilst I commend the Minister for Water for staying for most of the debate, I nonetheless express my disappointment at the tone and specific construction of the matter of public importance that he has brought before this place today. I think his office should have a word to the Premier's office about being dished up the kind of meaningless rhetoric present in the proposition that those opposite have asked us to debate today. It does not reflect well on the minister or The Nationals in terms of how they are seeking to frame this issue, an issue that is very important to constituents north of the Divide and indeed to all Victorians, who rely so much on the food security and productive value that those important areas provide for all of us in this place and all of the communities we represent.

What at least had looked promising in the matter of public importance were the references to ensuring some notion of balance between the competing uses in the entire basin area and whether or not that would involve essentially a continuation of the position of the past century or longer, which has meant — in changing times, in difficult times and in good times alike —

seeking to manage the basin in a proper way. We have heard many contributions from members on both sides of the house pointing to the fundamental change that happened in 2006–07 when the federal government at the time provided for the federal government's capacity to regulate whole-of-basin approaches.

In this matter of public importance, however, and in the contributions of those opposite, we have sadly seen a continuation of the almost bipolar approach to how members of the government see this issue. The trouble we have here is that this issue has been framed via continual references to jobs versus the environment, rural communities versus Canberra bureaucrats and economic costs versus opportunities for biodiversity. What is being sadly continued as part of this approach by the minister's matter of public importance is the continuing cheap politicisation of this debate in Victoria and in Australia. It should not refer to just those matters. It should not be upstream versus downstream communities. It should not be country versus city. The long-term policy consistency of water allocation and water management in Victoria is a very important issue for all of us. It is important specifically for those communities that depend on security of water in northern Victoria, but it is equally important for those communities south of the Divide that rely on that not just for security in the future but for the jobs that flow downstream from it.

In this regard, as the lead speaker for the opposition and shadow minister for Environment and Climate Change put in context, state Labor has a very proud legacy in terms of its massive investment in infrastructure and efficiency measures for practical water savings, many of which those opposite were dragged begrudgingly to support over the life of the former government and many of which they opposed and, now that they occupy the Treasury benches, miraculously find themselves in support of.

The Labor legacy was important not just in terms of efficiency measures for the productive use of water but also in terms of the investment in practical solutions for the environmental use of that water. That was because under my predecessor in this place as the member for Albert Park, the member I had the honour of replacing, the then Minister for Water, John Thwaites, we were in a position where there was genuine leadership on trying to develop not just a Victorian position to get over this irresponsible framing of set piece conflicts but to get a whole-of-government, whole-of-Victoria approach and indeed try to lead those approaches at discussions at the commonwealth level. Whether it was in relation to the funding of those efficiency measures, to which others have pointed, or whether equally it was in relation to

the funding of the measures needed for the icon sites, Mr Thwaites was able to successfully deliver the water that was needed in the midst of one of the most severe droughts in the federation's history.

This can always be done in a more efficient and productive way. It is important to engage in a productive discussion with the commonwealth, which I am sure at one level the government is doing despite its rhetorical position on this, because it is in its interests and the interests of all Victorians to get a long-term, efficient allocation of this scarce resource across the competing uses. Whilst we have this rhetorical position being perpetuated by those opposite, we know that at some level they are seeking a practical solution to this very vexed issue, and in that regard we commend and urge them to continue that effort rather than creating through this matter of public importance a straw person to knock down and the idea that somehow they are the only people fighting for the economic, social and environmental interests of Victoria and the whole Murray-Darling Basin, particularly those areas that apply to Victoria.

The strategy of the government in approaching this issue publicly versus the important measures of environmental efficiency, the proper allocation of the use of resources and the important investment in economic infrastructure to ensure that things like the Wimmera–Mallee pipeline, the Northern Victoria Irrigation Renewal Project and the food bowl modernisation project — all of which those now opposite seek to claim as their own — is all well and good, but Victorian farmers and rural communities are not mugs. They might be overwhelmingly represented by mugs, or those opposite, but they themselves are not mugs. It has not taken them very long to understand that the spin-driven arrangements delivered by this government versus the commitments it made when it was in opposition are two very different things.

That is why I was particularly interested to see the public comments today by the outgoing president of the Victorian Farmers Federation in this regard. We would expect that the VFF, one of the most effective unions in Victoria, would be phoning up the members it has managed to plant on the government benches. At least three former presidents of the VFF and one commodity group president sit on the government benches — with all due respect to the Chair, on whom I do not wish to cast aspersions — and put the VFF in a very strategic position.

The VFF has said after only 15 months that its members have been duded by this government and that they know, as indeed all rural Victorians know, that

The Nationals take farmers for granted. Members of the VFF know that the true friend of the farmers in this place is actually the Labor Party. They know that the true friend of farmers when it counts is not those who have taken their votes for granted for a century or more; it is those on this side of the chamber who stumped up the money and assistance for project after project, whether it was for Department of Primary Industries extension programs or whether it was for water and environment infrastructure. They know it is those on this side of the house who can be counted on to support them, because we take the view that the role of government is to govern in the best interests of all Victorians. That is why I was a bit disappointed to see the Minister for Water cast this matter of public importance in these terms.

I will finish by reiterating the comments of the outgoing president of the VFF, who is clearly a smart man. These are not people that can have the Akubra pulled over their eyes. These are people who know that the true friend of farmers when it counts in this state is not those who take them for granted, who pretend to be their friends, who forget who put them here and who forget the unions they came from originally. They know it is Labor who is their true friend.

Mr McCURDY (Murray Valley) — I also rise to make a contribution on this matter of public importance. This is more than a contribution; it is an impassioned plea that the Murray-Darling Basin Authority revise the proposed basin plan because northern Victoria stands to lose much of its greatest asset, and that is water. Along with our people, water is our future. It is critical that we maintain the stocks of water we have, because in the eyes of some we have too much water and we are inefficient. But if we said to those in Melbourne or in other places, ‘You have too much air; we are going to cut it in half and take it away from you because you are not using it properly’, people would be outraged.

No-one denies that our resources can be used in better ways, and water is an example. We believe the environment needs to be looked after, but at the same time irrigators need to be looked after. Water in our community feeds our families, and it also feeds the families of the world. When the guide to the Murray-Darling Basin report came out it was metaphorically burnt at the stake because it was irresponsible and did not consider any of the stakeholders. We now have a new, improved version. I am sorry to say that nothing has been improved and little has changed in this draft. It does consider the environment. I am a great believer in coexistence. I am a firm believer that the environment needs to be looked

after, but not to the detriment of the small and large communities in northern Victoria.

We were told that this plan would minimise social and economic impacts, but it will not. We were also told that the plan would promote sustainable water services at least cost to the community. I am sorry, but it will not do that either. We were also told that it would provide certainty in water sharing and management. It will not do that either. This plan flies in the face of the values and the hardships faced and that can-do attitude of people that made regional Victoria what it is today.

As members have heard, the proposed transfer of 2750 gigalitres each year poses an unacceptable risk to northern Victoria and our regional communities. Let us look at the dairy industry. The dairy industry — not just in Victoria but in the whole Murray-Darling Basin, which takes in part of Queensland, most of New South Wales, the Australian Capital Territory, Victoria and South Australia — has 2000 dairy farms, 98 per cent of which are family owned. Of the 2000 dairy farms, 1500 are in northern Victoria, so we are talking about three-quarters of the dairy farms being affected by the plan. There are nine major milk product factories in Victoria that also will be affected. The nine important communities that will be affected are Rochester, Cobram, Kiewa, Stanhope, Echuca, Tatura, Bendigo, Tongala and Strathmerton. All those communities, large and small, will be affected by water leaving our region.

Before the drought 2.3 billion litres of milk was produced in the Goulburn-Murray irrigation district. Current estimates, not ambit claims, show that post the Murray-Darling Basin plan 1.6 billion litres of milk will be produced in the same region, so we are talking about 30 per cent less production. If we talk about 30 per cent less in any other commodity, people might understand what that means. Australian Bureau of Statistics figures show that the average wage in Victoria is about \$65 000 a year, or \$1250 a week. If we took 30 per cent out of the average wage, \$375 would go missing. Again there would be outrage if that happened to people’s income.

Looking at petrol prices, we see that yesterday petrol could be bought for \$1.60 a litre. If the price went up by 30 per cent or 48 cents a litre, petrol would be \$2.08 a litre. Do members think we would hear about it? Of course we would. It would be on the front pages of the daily papers for weeks and a TV miniseries about it would be made. There would be calls for a royal commission because petrol prices had gone up that much. Members opposite should get their heads out of

the sand and understand that our problem will become their problem.

On the flip side of the ledger there are questions that still remain unanswered by the Murray-Darling Basin Authority because it has failed to explore the options available for achieving environmental outcomes. We heard that from the member for Rodney, who spoke about other ways that we can use water more efficiently for the environment to make sure that we get the right result. Members of the government do not consider the big stick approach necessary. Those who support environmental outcomes say that the environment needs X number of gigalitres and that number is not negotiable. I say: do the research and ask some questions and you will discover that the environmental outcomes can be achieved with less water. Nobody wants to deprive the environment of the water it needs, but we do want a win-win situation.

Victorian communities have already returned or agreed to return 650 gigalitres to the southern Murray-Darling Basin. A further 1000 gigalitres has been returned or agreed to be returned from northern Victoria. We have put in our share. Before any more water is stripped from our communities, how about those supporting the environment being accountable as well?

I want also to briefly cover the issue of groundwater. For those who do not understand what that is, it is deep bore water. The Murray-Darling Basin Authority's proposed boundaries for Victoria's groundwater resources threaten to unreasonably restrict groundwater use. That is expected to lead to increased and more complex reporting and increased compliance costs. Furthermore, there are inconsistencies in the way that the Murray-Darling Basin Authority has determined groundwater sustainable diversion limits (SDLs), particularly when in New South Wales the recharge is factored at 100 per cent and for the Victorian highlands it talks about 50 per cent.

In the Katunga water supply protection area in my electorate the groundwater management plan has been in place since 2006. That restricts pumping to 70 per cent of the permissible consumptive volumes. This type of action has been going on since the year 2000 and before. It is proactive, and it is about sustaining and maintaining our water resource over the years. So the big stick approach is not the answer.

How about the carrot approach? It is called coexistence — and we can do that. Members of the government have some suggestions on what to do as we move forward, as the Minister for Water alluded to in his presentation. We do not support the proposed plan

in its current form. The SDLs in the 2012 version of the plan must be fixed. They must provide certainty for all basin water users. The SDLs must be set so that they ensure that environmental outcomes are balanced and efficient. Clearly the proposed reduction of 2750 gigalitres of surface water is too high. That is because the authority has not fully explored all the options available to achieve environmental benefits with less water. Government members reaffirm our commitment to genuine reform in the Murray-Darling Basin, but it must be done in a balanced way that achieves agreed outcomes for the environment and minimises social and economic fallout in our communities.

Over many years the apricot and peach growers in Cobram in my electorate have adopted change, and they continue to use world best practice. They have significantly reduced their irrigation footprint. The summer crop growers of corn, lucerne and other annual crops throughout the Katunga and Numurkah areas have upskilled and they use world best practice. The dairy farmers in the Katamatite area have not fully recovered from droughts and now floods — and they have demonstrated resilience such as members would not believe.

We need Tony Burke, the federal Minister for Sustainability, Environment, Water, Population and Communities, and his federal colleagues to understand that partnerships are alive and well, that ventures can be combined and that we can have the best of both worlds. We need to show balance, fairness and understanding. The people of the Murray Valley electorate and those throughout all of northern Victoria need a sensible, rational and fair-minded response and a fair result out of the Murray-Darling Basin plan. The environment needs it and all Victorians need it.

In some of the rhetoric that I heard earlier from members on the other side of the chamber they talked about balance. Balance is not about putting a pipeline in the north and a desalination plant in the south of the state. Balance is about having equity for the environment and for our communities to make sure that everybody has a fair go. With that, I commend the matter of public importance.

INAUGURAL SPEECH

Member for Niddrie

The SPEAKER — Order! I now call the member for Niddrie to make his inaugural speech. I remind the house that when an inaugural speech is made members

should be quiet and show the courtesy of the house to the new member.

Mr CARROLL (Niddrie) — It is a great honour and privilege to stand here today representing the electorate of Niddrie and the people of Melbourne's north-west. As this is my first speech as a parliamentarian I wish to acknowledge the traditional owners of the land upon which Parliament House stands and the land now covered by my electorate: the people of the Kulin nation. I pay my respects to their elders, past and present.

I begin with a true story. The three-masted ship *Coromandel* arrived at Port Phillip on 10 July 1840, delivering 80 women, 64 men and 2 children to Australia. One of the men aboard that ship was Michael Carroll, a young labourer from Tipperary, Ireland. Michael had left his home country at the tender age of 24, escaping the oncoming potato famine which would claim approximately 1 million lives, with a further 1 million people migrating from Ireland.

Michael stepped onto our shores with hopes and dreams of a better future. He ventured to East Brighton, where he worked as a labourer for a market gardener. He married Mary Joyce at St Francis' Church in Melbourne, and together they would have 13 children; however, five died as infants. Michael and Mary lived out the rest of their lives in East Brighton, rearing their children and making the most of the opportunity provided by the new colony of Victoria.

The reason I tell this story is to illustrate the power of opportunity: that a descendant of a labourer from Tipperary, Ireland, can now stand before you in this special place, this great chamber of history and achievement, due to the opportunity provided by a young nation to a young Irishman more than 170 years ago.

Just as opportunity drew my ancestor Michael Carroll to our shores, it was also opportunity that drew my parents, Greg and Kay Carroll, to Airport West, where they built the family home in 1974, a year before I was born and two years before the electorate of Niddrie was created in 1976. As the name suggests, the suburb of Airport West lies adjacent to and west of Essendon Airport, once Melbourne's busiest airport. Domestic and international operations were transferred from Essendon Airport to nearby Tullamarine a few years before my parents bought their block, but not before such luminaries as Sir Charles Kingsford-Smith, Her Majesty Queen Elizabeth II, President Lyndon Baines Johnson and the Beatles had all used its services in front of large welcoming crowds.

In addition to building their family home, Mum and Dad also started their own small business, G. B. K. Electrics — the initials stand for Greg, Ben and Kay. After purchasing a utility vehicle for \$250, Dad was soon offering his services as an electrician to other young couples and families building new homes in Airport West. As G. B. K. Electrics grew, so did our family. I was fortunate to be joined by a younger brother, Jake, and sister, Kate, who are here in the chamber with us today.

Raising a family and establishing a small business at the same time is hard work. Mum and Dad succeeded at both. When I was growing up, dinner time was characterised by Dad putting the telephone off the hook so the family could sit down and have a meal together without interruption. Mum and Dad instilled in me the importance of family and the value of hard work. When I reached the legal working age of 14 and 9 months I went to the local Kmart store in Airport West to apply for a part-time job. I soon found myself working on the cash registers as a checkout chick, which was hard work, especially at Christmas time.

I spent eight years at Kmart in Airport West, which greatly assisted me during my college and university years. At one stage all three Carroll kids were working part time at the local Airport West store. At this time I also joined the union covering the retail sector — that is, the Shop, Distributive and Allied Employees' Association — and got a good understanding of the importance of unions in helping working people. On occasion I was fortunate to receive assistance from the union for my school textbooks.

I was fortunate to attend good local schools in the Niddrie electorate, including St Christopher's Primary School in Airport West and St Bernard's College in Essendon. St Bernard's vision statement is to 'Achieve excellence by learning and doing'. I hope to continue to be guided by these principles as a member of Parliament. St Bernard's provided an environment in which students were encouraged to strive for excellence in their studies and to grow as individuals. Community leaders would often visit the college. I was fortunate to be part of a class spoken to by the late Jim Stynes, OAM. To this day I can still recall Jim's motivational speech emphasising the importance of making a difference and seizing the opportunities that lay ahead. On another occasion a newly elected Nationals member, a young Peter Ryan, who is now the Deputy Premier, came to speak to my politics class. I can remember that class too and the enthusiasm with which the young parliamentarian spoke. I hope not to cause offence to the Deputy Premier, but as an old boy of St Bernard's College, I expect from now on it is only

the local Labor member who is invited to speak to the students studying politics.

Most of all St Bernard's instilled in me an appreciation of how fortunate I was. I recall visits to St Vincent's Boys' Home in South Melbourne and assisting soup vans in the city on cold nights, providing much-needed meals to the homeless. These experiences teach you something you could never learn in a classroom — the intrinsic worth of every individual. Over recent years I have tried to keep up my end of the bargain by working as a volunteer solicitor at the Tuesday night drop-in clinic run by the North Melbourne Legal Service, providing legal assistance to some of our most disadvantaged and marginalised people.

In 1993 I was in my final year at St Bernard's College and was thinking about my own future, fully aware that the baton of opportunity had been passed down to me. I had been raised in a caring home in a connected community and given an education that opened doors to tertiary qualifications. I was on my way, assisted by foundations laid by others.

Around this time I also remember watching with interest a young 46-year-old Bill Clinton being sworn in as the 42nd President of the United States. In his inaugural address President Clinton committed to providing 'more opportunity to all'. My mother, who is here today, is a native of the United States who was born in Texas and migrated to Australia with her family as a young child. Partly due to my mum's genealogy, I have always been an avid follower of American politics.

I will tell another story. As a proud member of the North Melbourne Football Club I would regularly talk to Simon Crean, the federal member for Hotham and North Melbourne's long-serving no. 1 ticket-holder, at family days. Simon had offered to show me around Canberra if ever I was there. I had read a lot about Bill Clinton and had come to admire him. I was thrilled when it was announced that he would visit Australia following his 1996 election victory. However, he was not coming to Melbourne, and my best chance to see him would be in Canberra. So, by myself, I took a train and bus trip to Canberra and checked into accommodation at the Australian National University. With next to no advance warning, I advised Simon Crean's office that I was in Canberra and would very much like to take him up on that offer of a tour of Parliament House. It just so happened that President Clinton and his wife Hillary would also be touring Parliament House that same day. To Simon's credit I did get that tour and was fortunate enough to shake

President Clinton's hand on his way to address a joint sitting of the federal Parliament.

In his speech President Clinton echoed his call for 'more opportunity to all'. He said:

... we now have a chance, greater than any generation of people who ever lived before us, to give more and more people the opportunity to realise their God-given potential, to live their own dreams, not someone else's plan.

I subsequently wrote an article for the La Trobe University politics society magazine on my trip to Canberra and sent a copy of it to Simon Crean as well as thanking him for his generosity. He wrote back saying, 'Being a member of North as well as the ALP is a pretty good combination'. I have been a member of both for over 15 years, and they have provided me with immense enjoyment, friendship and opportunity.

Since joining the Niddrie branch of the Labor Party in 1996, I have seized every opportunity that has come my way. I have had the honour of working for both state and federal Labor governments. However, it is now that I have been bestowed with my greatest honour — representing the electorate of Niddrie, the community I was raised in, the people I am one of. As the fourth member for Niddrie, I have set myself clear priorities. Any conversation about opportunity must include education, the most fundamental building block to success. Niddrie is blessed with a great network of schools; however, some are in urgent need of attention. It is difficult to inspire students on the relevance and importance of education when the school around them is falling down. My immediate task is the implementation of the Essendon Keilor College master plan.

I also want to be a champion for the environment in Niddrie. The electorate is straddled by the famous Maribyrnong River at one end and Brimbank Park at the other, which is home to more than 150 Aboriginal archaeological artefacts, some of which are over 30 000 years old. In fact it was an environmental issue which gave me my first real experience of people power in Niddrie. The former Kennett government had wanted to fill the disused Niddrie quarry, which had ceased operations in 1976, with contaminated waste. The site covered some 47 hectares and contained a crater up to 40 metres deep. The local community fought the proposal every step of the way and, despite a setback in the Supreme Court of Victoria, kept fighting. People power eventually won the day, with the Kennett government abandoning its plans. The former Niddrie quarry site is now a living neighbourhood with the old crater beautified, creating Niddrie Lake. The site is a testament to the local community, who fought for five

long years to secure it as a community asset for the enjoyment of future generations. As the member for Niddrie, I will strive to work every day with that sort of passion and dedication.

Today I have outlined the life of opportunity that has brought me here. This would not have been possible without the support of many. First and foremost I thank my local branch members, many of whom have witnessed my 16-year journey from Young Labor to becoming the state member. I hope to do them proud. I thank former Premier Steve Bracks for his support and for helping out in the recent by-election. I thank Labor leader Daniel Andrews for his leadership and contribution from beginning to end during the recent campaign. To all my caucus colleagues who volunteered their time in the by-election: a big thankyou. To the members for neighbouring electorates, the member for Keilor, Natalie Hutchins, the member for Essendon, Justin Madden, and the member for Pascoe Vale, Christine Campbell, as well as the former member for Essendon, Judy Maddigan, who is here with us today: thank you for your support in recent times and times past. To my predecessor, Rob Hulls: I thank you for your 16 years service to the people of Niddrie and for your contribution as Deputy Premier and Attorney-General in making Victoria a fairer and more compassionate state.

I thank Senator Stephen Conroy for his support and for providing me with the opportunity to work on Australia's largest and most important infrastructure project, the national broadband network. I thank my local federal member, Bill Shorten, whose leadership in the disability sector I intend to follow as a strong advocate for the local Western Autistic School in Niddrie. I thank Cesar Melhem of the Australian Workers' Union for his support and for the passion with which he represents his members, many of whom live in the electorate of Niddrie and work in the local aviation industry. I thank the hundreds of ALP members and supporters who assisted me in the recent by-election, particularly Daniel Gerrard, Ella George and Chris Piper, who led and organised the campaign. I also wish to put on record the contribution of Young Labor, whose members worked tirelessly and energetically throughout the campaign. The Victorian Labor movement has a bright and strong future. I thank my family, my partner and my friends for their support, and I acknowledge them in the gallery today.

Finally I pledge my commitment to the people of Niddrie and thank them for the opportunity and responsibility they have bestowed upon me. I conclude by thanking the house for the courtesy extended to me here today. Thank you.

Honourable members applauding.

The SPEAKER — Order! I call the house back to order and congratulate the member for Niddrie on his fine inaugural speech.

DISTINGUISHED VISITORS

The SPEAKER — I would like to also acknowledge in the gallery today former Speaker and member for Essendon, Judy Maddigan. It is nice to see you here, Judy. You are welcome any time. You are looking very well.

STATEMENTS ON REPORTS

Law Reform Committee: access by donor-conceived people to information about donors

Ms CAMPBELL (Pascoe Vale) — I too think it is exciting to have the previous member for Essendon joining us on such an auspicious day as the day of the inaugural speech of the new member for Niddrie.

The committee report to which I address my comments is the Law Reform Committee's *Inquiry into Access by Donor-conceived People to Information about Donors*, which was handed to this Parliament in March 2012. It is an outstanding report, and I want to begin by congratulating those who submitted in writing or provided verbal evidence. I also congratulate committee members and staff. This Parliament has received an outstanding report, and I trust that cabinet in considering its recommendations will give serious consideration to and implement each and every one of them.

This report has bipartisan support, and its recommendations will redress many of the previous wrongs, something that Parliamentary committees can do with a bipartisan approach. It is also a report that in my view is testimony to the fact that the truth is written on the human heart and will eventually prevail. When we as legislators do things that are incorrect or are not quite correct and there is a thorough investigation, Parliament later has the opportunity to change legislation and correct past wrongs. Neither Parliament nor the health and scientific community has the right to actively deny a child or an adult their human right, their birthright — knowledge of their genetic or biological parents, their family.

Many of us watch in disbelief as the media shows footage of children in Third World countries. For

example, on ABC television on Monday night we saw children scavenging through rubbish dumps in Cambodia. They are looked after by a wider community because entrenched poverty and the ravages of war have meant that so many children in many Third World countries simply do not know who their parents are. The state of Victoria is not such a place. It has not suffered the ravages of war or decades or centuries of entrenched and profound poverty. Victoria should not be in a position where it ever denies its children knowledge of their genetic heritage. As I said, we have the opportunity to correct previous denials of human rights, particularly those of donor-conceived children whose conception occurred before 1988.

I want to highlight recommendations 14, 15, 16, 17, 18 and 20 in particular. In the last Parliament there was a change in legislation related to where the records for donor-conceived people were held and how information was to be provided. With the wisdom provided in those recommendations of this report, cabinet has the opportunity to provide a far better outcome for children who were donor conceived. Recommendation 14 is:

That the Victorian government introduce legislation to empower one agency to provide all services relating to the provision of information, linking and counselling services related to donor-conception, including management of the donor registers, a letterbox service, education and public campaigns.

Recommendation 15 is:

That the agency referred to in recommendation 14 be granted access to the Victorian register of electors in order to conduct its functions.

Recommendation 16 is:

That VARTA assume the responsibilities of the agency ...

That is what we should be heading towards. Let us right previous wrongs. Let us give people their human rights.

Scrutiny of Acts and Regulations Committee: review of Charter of Human Rights and Responsibilities Act 2006

Mr GIDLEY (Mount Waverley) — I rise to make a contribution on the Scrutiny of Acts and Regulations Committee *Review of the Charter of Human Rights and Responsibilities Act 2006*. I have spoken in this house on a number of occasions on this report, which covers the existing protections of human rights which Victorians have enjoyed since statehood. Those protections include evolving common law, statutory interpretation, access to judicial review, constitutional law through a written constitution and statute law.

Today I want to touch on the context and history of the debate and discussion about statutes of rights that have evolved in our country over time, because I think they tell a story. The story is that parliaments across the country have looked at bills of rights and a range of other statute rights and have overwhelmingly decided to stick with the existing systems of human rights protections which have evolved in Australia and in Victoria. That is really because of the unique relationship we have with the Parliament, with the executive and with the judiciary. They all, as I mentioned, play an important role in ensuring that human rights are protected.

I note that the commonwealth government, for example, has looked at the issue of a bill of rights and human rights generally and what is the best way to protect those rights. I also note that in 1988, for example, the commonwealth looked at a particular proposal in the 1988 Constitutional Commission to include a new part in the Australian constitution similar to the Canadian Charter of Rights and Freedoms, which was enacted in Canada in 1982, although that was never acted upon by the federal Parliament.

It was also considered prior to that in 1973 when former federal Attorney-General Lionel Murphy introduced a human rights bill, and he did similarly in 1985. He put forward human rights proposals or concepts, but not as a specific statute such as the antidiscrimination legislation that we have in Victoria or the Ombudsman's legislation. The concept was not for a defined statute which, when combined with statutory interpretation and other protections, reduces the risk of judicial activism and reduces the risk of the democratic institution of Parliament being usurped by judicial activism.

On those occasions the commonwealth did not act. That is a telling story because it has been across Labor, Liberal and coalition governments. New South Wales also looked at a bill of rights provision but took the view that there is a special relationship between the legislature, the judiciary and specific legal statutes that elected members of Parliament — representing their communities, representing mainstream Victorians and representing the silent majority — can put forward to protect human rights. When New South Wales looked at it, it also came up with the view that that was not the best way forward.

One of the strongest critics of a bill of rights is former New South Wales Premier and current federal Minister for Foreign Affairs, Bob Carr, who made the submission and has continued to make comments arguing that any change to introduce a bill of rights in

his state of New South Wales, in other state jurisdictions or in the commonwealth would undermine that unique relationship and those structures that have delivered human rights protections for individuals and citizens over time. I note that Queensland also looked at the issue in 1989, 1999 and 2005, and came to that same conclusion — that it would not go down that path.

That is probably why, outside of Victoria and the Australian Capital Territory, no other state or territory with responsible government has gone down the path of a bill of rights, whether it be Labor, a coalition or other representatives. We have a tried and tested system in place which provides for democratic representation by each member in this place. All members have a responsibility to ensure that they put views forward and do it well. Those institutional structures that provided protections have stood the test of time and of politicisation, and I note that in the report many of these aspects are highlighted.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 3)

Mr PALLAS (Tarneit) — I address the Public Accounts and Estimates Committee report on the 2011–12 budget estimates, part 3, specifically with reference to section 2.6.1 of the report dealing with infrastructure spend. Page 26 states:

The 2011–12 budget papers explain that the estimated reduction in the cost of the infrastructure program over the period to 2014–15 takes into account an expected easing of the commonwealth government's stimulus funding.

I refer also to comments made by the Treasurer in the Public Accounts and Estimates Committee hearing 6 May 2011 when he said:

One of the real issues we have in this state is obviously productivity ...

He went on to say:

So what are we doing about it?

And he identified that we have to ensure that our infrastructure is targeted and that the bottlenecks and congestions around our ports and our rail and road networks are freed up.

What we have seen, of course, is a progressive reallocation of effort from projects that were under way and funding that had been allocated to an internal thought process that does not seem to have rendered much clarity about the government's direction nor given the community any confidence that the government has any clear view in terms of where its infrastructure spend will go.

The projects that were planned or had preliminary funding allocated to them have disappeared. For example, the \$40 million allocated for the truck action plan has disappeared and that project is on hold. The \$5 million Hoddle Street grade separation study has also ceased. The \$10 million allocated for the WestLink preliminary work has not been expended, and the project seems to have ceased in terms of its activity and emphasis also. A failure to deliver on promised plans for infrastructure has seen investment in transport infrastructure trending downwards since 2010, where it had been increasing before. So effectively we have had no new major projects identified in the previous budget.

I refer to an article written by Matt Dunkley and published in the *Australian Financial Review* in which he stated that a failure to make applications to the federal government has affected the capacity of the state of Victoria to be able to acquire Infrastructure Australia funding, and that will inevitably put the state of Victoria further and further down the queue for priority.

On 27 June 2011 the *Age* reported that the Treasurer had called upon the Secretary of the Department of Treasury and Finance to 'urgently' develop 'an infrastructure pipeline'. We have yet to see this plan. Melbourne-based business figures are getting increasingly concerned about the consequence of this inaction, and one quote in the article of 27 June in the *Age* has business figures stating as follows:

Six months, 12 months, 18 months, I don't know. It's a pain in the arse sitting here waiting for a whole lot of work that we were doing before and we don't know whether it is going ahead or not going ahead.

This uncertainty is leading directly to a consequent effect upon our employment market. We are seeing in the latest figures that since June 2011, 170 Victorian jobs have been lost every day — or 1214 jobs lost every week, or 5162 jobs lost every month. That is a direct consequence of a failure to invest and a failure to provide clarity and certainty of direction. We all know that when it comes to the provision of multi-factor productivity one of the key investments that government can make and one of the key interventions that a state government can make regards infrastructure. This government has talked a lot about productivity but has delivered very little in terms of demonstrating what it will do to intervene to address productivity issues. Getting people to work quicker and getting businesses operating quicker has a dramatic impact.

I direct attention to the comments of Dr Frank Gelber from BIS Shrapnel reported in an *Age* article as follows:

We look out two or three years and it's difficult to see where Victoria's growth is going to come from ... We see investment in Victoria falling.

...

These are things [the Victorian government] could do. But we can't see the next round of infrastructure projects coming through. Victoria is just falling behind the pack.

**Public Accounts and Estimates Committee:
review of Auditor-General's reports
January–June 2009 and follow-up of Public
Accounts and Estimates Committee reports
82, 86 and 91**

Mr MORRIS (Mornington) — I am pleased to rise and speak on the report of the Public Accounts and Estimates Committee, report 108, the review of the Auditor-General's reports January–June 2009 and follow-up of the committee's previous reports 82, 86 and 91.

The matters dealt with in the report, of necessity, cover a wide range of issues — the management of school funds, the withdrawal of infringement notices, the implementation of the integrated courts management system, the implementation of the Victoria Police code of practice for the investigation of family violence and the status of committee reports 82, 86 and 91.

It is worth noting that this is the seventh report that the committee has produced within the time frame of this Parliament, and that includes the estimates report, which was in three parts, tabled on three separate occasions. Therefore effectively there have been nine separate reports produced for the Parliament in 15 months or so. That is a significant workload worth acknowledging, and by way of passing comment, for the benefit of members who are yet to experience it, the estimates hearings are like 54½ hours of question time — hour upon hour upon hour. It is entertaining — but not quite as much for the participants.

I acknowledge the contribution to this report and to much of the work of the committee by my colleagues on the committee: the members for Forest Hill, Altona, and Preston in this place, and in the other place Mr Philip Davis, Mr Pakula and Mr David O'Brien. I also want to acknowledge the work put in by the secretariat, particularly Valerie Cheong, the executive officer. The committee staff get through a huge amount of work. When we were preparing this report for tabling in March — I presented it to this house on 14 March — we were also in the process of preparing another substantial report, which I understand will be tabled fairly soon, and of course we are now in the

process of preparing for the estimates hearings as well, so it is a considerable workload.

As this report covers a number of areas, clearly I will not have the opportunity to address all of them today — particularly the matters of the police code of conduct relating to the investigations into family violence. That is a significant matter in its own right, and I would like to come back to that, should the opportunity arise, at a later date.

The report made 111 findings and 41 recommendations. I wish to speak particularly about the issue of school funds. Some \$711 million is held by schools around the state. That was the figure at 30 June last year, and it is a significant figure. The Auditor-General recommended that there was a need to:

reinforce to schools the importance of school cooperatives fulfilling all of their legislative annual reporting requirements ...

A further recommendation was that the Department of Education and Early Childhood Development should:

provide guidance to schools regarding the insurance implications ...

There were also some issues about the clarity of the legislation. I understand a subsequent legal opinion dealt with that issue to the satisfaction of the Auditor-General.

In terms of the issue of communication, the committee was of the view that perhaps the communication is still not as good as it could be. It recommended on page 9 of the report that:

... the Department of Education and Early Childhood Development should ensure that school councils have a clear understanding of the legal criteria for establishing an 'arms-length' arrangement for these purposes.

It is a matter of making sure that the volunteers on school councils actually have the opportunity and the skills to deal with these issues. There are also similar issues surrounding insurance.

Clearly, noting the clock, I am not going to have the opportunity to get to the infringement matters, but hopefully there will be an opportunity to look at that at some later point. I commend the report to the house.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

DISTINGUISHED VISITORS

The SPEAKER — Before calling for questions, I acknowledge two special people in the gallery today. I welcome the 2012 National Youth Week Victorian young member, Stephanie Raike, and also Keith Remington, a former member for Melbourne — nice to see you, Keith.

QUESTIONS WITHOUT NOTICE

Metro Trains Melbourne: job losses

Ms RICHARDSON (Northcote) — My question is for the Minister for Public Transport. Can the minister confirm whether or not the Liberal government will take steps to ensure that there are no further sackings by Metro following today's announcement of 108 redundancies, with another 700 on the chopping block, or does he simply not care, because in his own words, public transport is 'back where it should be'?

The SPEAKER — Order! The member's last comment was unnecessary.

Mr MULDER (Minister for Public Transport) — I thank the member for Northcote for her question. I understand the contract with Metro was signed by the former Labor government in Victoria. I also understand that since Metro has taken over the contract 800 new people have been recruited to the business to improve services. As the member would be aware, the government has added over 1300 new services since coming to office. The services that have been expanded and the maintenance that has been carried out on the network have naturally required additional staff to carry out the tasks.

Metro has recruited in line with the commitment to maintenance that this government has made. I understand that some of the redundancies that have taken place — 51 — are a result of streamlining some of Metro's back-office functions. No front-line staff have been affected as a result of this announcement by Metro. As I indicated, 800 new staff have been recruited by Metro.

The evidence is there for everyone to see, with customer satisfaction improving under the new government because of the relationship it has formed with Metro and new services being delivered across the network. Metro is heavily involved with the Baillieu government in the scoping of railway stations for the rollout of 940 protective services officers across the state — 940 additional people who will be there to

provide a safe environment for the people who use the public transport network.

Honourable members interjecting.

The SPEAKER — Order! Points of order will be heard in silence

Ms Hennessy — On a point of order, Speaker, on the grounds of relevance: the minister was asked about jobs and whether or not he would protect them.

Dr Napthine — On the point of order, Speaker, the minister was asked about a broad range of issues in the question, particularly jobs, and he is talking about jobs in public transport. He is talking about extra staff employed by Metro and about 940 protective services officers. It may be that the opposition does not like the answer, but he is being absolutely relevant to the question asked.

The SPEAKER — Order! I do not uphold the point of order. The minister was being relevant to the question that was asked.

Mr MULDER — As I pointed out, 800 new jobs are being provided by Metro to improve services. That service delivery, that improvement, is evident when you look at the statistics that have been presented since the coalition came to power. Since the Baillieu government took over there has been a rapid improvement. You cannot do that without having the staff to back up those roles. On top of that, can I just point out again that 940 Victorian Police protective services officers — —

Mr Merlino interjected.

Mr MULDER — What plastic police? They're not the plastic police. You're the only piece of plastic in this place.

The SPEAKER — Order! The minister can conclude his answer now and sit down. One more outburst like that from the member for Monbulk, and he will be out of the chamber for an hour.

An honourable member interjected.

The SPEAKER — Order! I have sat the minister down.

Occupational health and safety: national harmonisation

Mrs BAUER (Carrum) — My question is to the Premier. Can the Premier advise the house as to the results of the COAG (Council of Australian Governments) meeting in relation to the

commonwealth proposals to change occupational health and safety (OHS) legislation in Australia?

Mr BAILLIEU (Premier) — I thank the member for her question and for her interest in this issue, which is of such importance to Victorian business. Last Thursday I joined the Prime Minister, other state leaders and leaders of the business community at the COAG business forum and at the COAG meeting which took place on the following Friday. The business leaders who attended the forum, and indeed on a wider basis, and the first ministers agreed with Victoria that Australia should introduce national occupational health and safety laws, but they agreed on the basis that these should be best practice not average practice.

An honourable member interjected.

Mr BAILLIEU — Indeed, as the opposition says, Victoria's OHS laws are widely regarded as the best. Those laws developed over the — —

Honourable members interjecting.

The SPEAKER — Order! We are into only the second question of the day, and I think the house should come to some sort of order. This is not Thursday; it is only Wednesday. I ask the house to come to order, and the next person who wants to have an outburst can do it outside.

Mr BAILLIEU — Those laws were developed through the 1990s and indeed through the previous government. I acknowledge that. They are widely regarded as best practice; they are efficient, with the lowest workplace injury rates and the lowest premiums for business. The rollout of new model laws was intended to be based on the Victorian system; however, the proposed laws fall far short of it. Through that process they come at huge cost. The proposed laws do not deliver on the intent of the COAG reform which was agreed in 2008, which was aimed at reducing the cost of regulation and enhancing productivity and workforce mobility. That was very clear.

Last week the Victorian government released the results of a study by PricewaterhouseCoopers of the impact of the proposed model laws on Victorian business. It is quite clear that if the model laws were introduced, as has been proposed by the commonwealth, and indeed as has been supported by the Victorian opposition, then the impact on Victorian businesses would be more than \$3 billion over five years. That is under the proposal of the commonwealth and is supported by the opposition, which has been silent on this proposition. Most of the costs will be borne by small enterprises, which make up 90 per cent of the businesses involved. This so-called

reform would take Victoria's businesses backwards and impact severely on productivity in this state.

At the COAG meeting last week the Prime Minister specifically rejected Victoria's proposal for the new laws to be urgently reviewed and reviewed to best practice. The Victorian government will, I assure you, Speaker, continue to prosecute the case for the introduction of Victoria's laws nationally — for other jurisdictions. What was also evident at the COAG meeting was that some jurisdictions, including Labor jurisdictions, which have introduced the model laws are already regretting it, with complaints from business and the costs on business rising.

We will not cop inferior laws in this area. We will not take Victoria backwards. We will not impose massive costs on Victorian business, and we will not be silent about it, as the opposition has been silent about it. We will not sign up to the commonwealth's inferior laws. We will put Victorian businesses and Victorian jobs first. We have been arguing for this for many months. We will continue to do so. What is a great shame is that the opposition has been silent on this — Labor first, Victoria second.

Teachers: job losses

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Education. I refer the minister to a weekend advertisement for a \$300 000-a-year executive director of communications in his department, who, as the position description says, will be 'strategising and executing all activities across the communications mix', and I ask: how is a spin doctor deemed to be front line and essential when this minister and this government are more than willing to take the axe to reading recovery teachers and Victorian certificate of applied learning (VCAL) coordinators?

Mr DIXON (Minister for Education) — I thank the Leader of the Opposition for his question. What we are doing in the Department of Education and Early Childhood Development for education here in Victoria is protecting our front-line services. Our teachers, our reading recovery teachers and our student support officers are the people we are supporting.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has asked his question.

Mr DIXON — When members consider the student support officers, they will remember that under the previous government they were removed from schools, they did not have a relationship with their schools and

they were hardly in their schools. Teachers had to fill out massive forms to get these very important services to the front line and to the children who really needed them.

Mr Merlino — On a point of order, Speaker, under standing order 58(1)(a) the minister is required to be factual. The western region and the northern region of the Department of Education and Early Childhood Development have had their reading recovery funding cut, and \$50 million has been cut from VCAL. The government is cutting front-line services.

Honourable members interjecting.

The SPEAKER — Order! We do not have supplementary questions in this house. The question has been asked, and the minister was answering the question. I do not uphold the point of order.

Mr DIXON — As far as the reading recovery teachers are concerned, there has not been one single cut to reading recovery teachers — —

Ms Thomson interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Footscray

The SPEAKER — Order! The member for Footscray can leave the chamber for 1 hour. She was warned.

Honourable member for Footscray withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Teachers: job losses

Questions resumed.

Mr DIXON (Minister for Education) — Every school in its student resource package receives enough funding for reading recovery teachers, if it is its decision to have them at the school. On top of that, they receive funding as part of that package for tutors to train those reading recovery teachers. That training of reading recovery teachers is still going on throughout our schools.

If members want to talk about VCAL, that is an interesting one. Opposition members have been talking about the changes to VCAL as if they were the end of

the world. If so, why is it that 15 new schools have taken on VCAL this year?

The SPEAKER — Order! The question did not relate to VCAL. I ask the minister to get back to answering the question.

Mr DIXON — The Leader of the Opposition also talked about VCAL and the personnel involved in VCAL. In 2007 the previous government actually cut funding for new schools that took on VCAL as a program.

Honourable members interjecting.

The SPEAKER — Order! Again the house is getting out of order. If members want answers from ministers, they should listen to them in silence. Members of the government should also show some respect for the ministers.

Mr DIXON — We are delivering improved front-line services. We have more primary welfare officers. We have our student support service officers out working on the front line with the kids who really count.

Mr Andrews — On a point of order, Speaker, the question clearly related to an advertisement placed in the newspapers on the weekend. I am happy to seek leave to table this advertisement so the minister can be updated on what he is out there doing. I seek leave to table this document for the minister's benefit.

The SPEAKER — Order! Leave is not granted. The minister had concluded his answer.

Child protection: sex offender registry

Mr BULL (Gippsland East) — My question is to the Deputy Premier and Minister for Police and Emergency Services. Can the minister update the house on how the coalition government is working with Victoria Police and government agencies to further strengthen the protection of Victoria's children?

Mr RYAN (Minister for Police and Emergency Services) — I thank the member for his question. In February 2011 the Victorian Ombudsman's report on his investigation into the failure of agencies to manage registered sex offenders was tabled in this Parliament. The report highlighted some extremely disturbing issues that had left children in our state vulnerable. It also revealed how the previous Labor government had chronically underfunded management of the sex offenders register and how that had led to a failure in the system. The coalition government acted swiftly to establish a high-level ministerial task force in response to the Ombudsman's report. The ministerial task force,

which I chaired and which included the Attorney-General — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition will not be warned again.

Mr RYAN — The Minister for Corrections and the Minister for Community Services have overseen the work on all of the Ombudsman's report recommendations. We have done so, as was said at the time, as a priority.

The final component of the work has now been completed, with the Attorney-General today tabling the Victorian Law Reform Commission's (VLRC) final report into sex offender registration in Victoria. That report was commissioned by the Attorney-General in response to one of the recommendations made by the Ombudsman in his February 2011 report. The registration and the management of sex offenders is a highly complex area, and the government wants to ensure that the scheme provides effective protection to Victoria's vulnerable children and the wider community.

I can advise the house that the government will therefore consider the VLRC report's findings and recommendations in detail as part of its deliberations in response to the Cummins inquiry, the Protecting Victoria's Vulnerable Children Inquiry. As I have said, the VLRC's report that was tabled today is the final component of the work of the ministerial task force to which I have referred. That task force has overseen the substantive completion of all 10 of the Ombudsman's report recommendations, and the work of the task force will now conclude.

That work has included information exchanges across agencies that the Ombudsman recommended, which are still occurring. Victoria Police has established a Sex Offender Governance Committee. A governance model for the operation of the sex offenders register to promote better collaboration between the Department of Human Services (DHS) and Corrections Victoria has been established. Victoria Police has also allocated more staff to the sex offender registry team to improve the quality and regularity of the training delivered to sex offender case compliance managers.

The Chief Commissioner of Police has issued a standing order to require regular audits of the information received at the registry to ensure that all offenders who have disclosed unsupervised contact with a child are reported to DHS. An evaluation of the Nexus pilot, where registrants are case managed by

Victoria Police, Corrections Victoria and DHS, is well advanced.

The task force has worked well. I commend the agencies on their cooperation in putting these important steps in place. The safety and welfare of children is of paramount importance to the coalition government, and we will continue to work with all the agencies on these issues. We will remain vigilant as a government in regard to the needs of our vulnerable children. In addition to these matters, other initiatives have recently been put into place. A new specialist task force, Taskforce Australia, has been set up to crack down on child exploitation and the increasing incidence of sexual approaches being made to children online. A new detective superintendent position has been created to oversee much of the work now being done by the police. The work of the VLRC report will be considered in due course.

The SPEAKER — Order! The minister's time has expired.

Member for Mordialloc: conduct

Mr WYNNE (Richmond) — My question is to the Minister for Local Government. I refer the minister to reports in the *Sunday Herald Sun* that the member for Mordialloc when mayor of the City of Casey allegedly authorised the expenditure of public moneys to defend a sexual harassment complaint that remained secret. I ask: what discussions has the minister or her office had with the member for Mordialloc to satisfy herself that these actions were not in breach of the Local Government Act 1989?

Mrs POWELL (Minister for Local Government) — I thank the member for his question. I have had no discussions with the member for Mordialloc about this issue.

Desalination plant: water order

Mr ANGUS (Forest Hill) — My question is to the Minister for Water. Can the minister outline to the house the decision taken by the coalition government in relation to ordering water from the desalination plant?

Mr WALSH (Minister for Water) — I thank the member for Forest Hill for his question and for the great contributions he has made in this place. As everyone in this house would know, under the contract that was signed by the previous government with AquaSure for the delivery of water from the Wonthaggi desalination plant, an order has to be placed on 1 April each year for how much water will need to be delivered in the following financial year. It is rather ironic that

that water order is placed on 1 April — April Fools' Day! One wonders if that is actually an omen about the previous Labor government.

Members of this house can very well remember the red helicopter television advertisement with the announcement of a desalination plant project and the commitment the Labor government made at that time that the desalination plant would produce its first water in December 2011 and would be in full production by June 2012. As we all know, at best we are going to have first water in November 2012 and most likely full production in February 2013. That particular project is nine months late, which just goes to prove something that everyone in Victoria already knew, which is that the Labor Party cannot manage major projects. That project is over time and over budget.

In determining whether a water order should be placed for water for the 2012–13 financial year, one only has to look at the Melbourne water storages and the fact that they were 64.8 per cent full on 1 April and that the Yarra storages were in excess of 80 per cent full. If you look at the Sugarloaf Reservoir, you see that for the last two years it has effectively been full and cannot receive any water. The reasons that Melbourne water storages are in this condition are twofold. One is that it has rained, but also Melburnians have become very good at conserving water and being sensible in their water use. We should congratulate the people of Melbourne on what they did through the drought and what they are continuing to do.

It is useful to remind the house how much the desalination plant is going to cost Melbourne water customers. It is going to cost them \$654 million per year to have the desalination plant sitting at Wonthaggi. That is \$1.82 million per day for Melbourne water customers or \$400 per household each year. When the people of Melbourne get their water bills in the future and each year those bills have \$400 embedded into them for the cost of the desalination plant, the people of Melbourne will remember the legacy the previous Minister for Water left them by having the Holding desalination tax embedded into Melbourne water bills for the next 27 years.

Member for Mordialloc: conduct

Mr WYNNE (Richmond) — My question is to the Minister for Local Government. I refer the minister to her previous answer, and I ask: can the minister advise the house if the actions of the former mayor of the City of Casey, who is the current member for Mordialloc, were in breach of section 140(2)(c) of the Local Government Act 1989, which requires that all money

expended by the council be correctly expended and properly authorised?

Mr Ryan — On a point of order, Speaker, the standing orders make it clear that a legal opinion cannot be sought. If the member wants an interpretation of this matter in the context of the relevant legislation, he should seek a legal opinion accordingly.

Ms Hennessy — On the point of order, Speaker, the minister was not being asked for a legal opinion. She was being asked whether the Local Government Act, an act she is responsible for administering, has been breached.

Mr McIntosh — On the point of order, Speaker, it does not matter what you call the thing, it is still a legal opinion. The member has sought an opinion from the minister about the Local Government Act and about how it related to some hypothetical circumstance.

Mr Merlino — On the point of order, Speaker, on the basis of the arguments that the government is putting forward, the opposition would never be able to ask any minister any question about any act they were responsible for. The minister is responsible for this act. It is appropriate for the opposition to ask the minister as to whether her act, which she has been responsible for, has been breached.

Mr Clark — On the point of order, Speaker, as I heard the question from the honourable member, he was asking about the application of a nominated provision of the Local Government Act to a specified set of facts, so that was in fact asking the minister for a legal opinion about the application and interpretation of that act in the context of the facts that the member postulated.

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

Mrs POWELL (Minister for Local Government) — I thank the member for his question. Obviously before we can decide whether there is a breach or not, there has to be an investigation. There has been no investigation. I can advise the house that the Casey council has referred the matter to the Ombudsman and the Auditor-General and is also doing an internal investigation. Once those issues are dealt with —

Mr Wynne — On a point of order, Speaker, going to question of relevance, we are well aware that a number of investigations are being undertaken by independent bodies. That is very appropriate, and the minister's answer is correct in that context. What I am seeking to know, though, is what action she is seeking

to take as the minister responsible for the Local Government Act 1989?

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

Mrs POWELL — As a former minister you would know you need evidence and you need to have it investigated — —

The SPEAKER — Order! The minister will address her answer through the Chair.

Mrs POWELL — There needs to be evidence. What the member is going on are reports in the paper. What we will do is make sure that the council has already referred those matters to the Ombudsman and to the Auditor-General. We will be doing an internal investigation, and while there is an investigation there is no need for me to make a comment.

Ms Hennessy — I wish to raise a point of order under standing order 58, which requires the minister's answers to be factual. The minister asserted that Casey council had in fact referred the matter to the Ombudsman and to the Auditor-General for investigation. We understand that that is not in fact the case, and we would ask that the minister provide evidence-based answers and not just stuff that she reads in the newspaper.

Mr O'Brien — On the point of order, Speaker, I think the opposition is misunderstanding the reference to the term 'factual' contained in the standing orders. The term 'factual' is a counterpoint to opinion. The use of the term 'factual' in the standing orders is not an opportunity for members of the opposition to stand up and cast aspersions on the veracity of the answer given by a minister. It simply provides an opportunity to test whether a matter is an opinion or a statement of fact.

Through their points of order members of the opposition are seeking to cast aspersions on the veracity of answers given by ministers. That is a misunderstanding of what the standing order requires, and I therefore ask you, Speaker, to rule the point of order out of order.

Mr Merlino — On the point of order, Speaker, either the council referred the matter to the Ombudsman and the Auditor-General or it did not. It is a fact; what it did — —

The SPEAKER — Order! This is not further to the point of order. The member is trying to raise new information. I do not uphold the point of order. Has the

minister concluded her answer? The minister has concluded.

National Youth Week

Mr SOUTHWICK (Caulfield) — My question is to the Minister for Youth Affairs. As we celebrate the contribution of Victoria's 1 million young people during National Youth Week, can the minister outline how the government is supporting this celebration and the participation of young people in their communities?

Mr R. SMITH (Minister for Youth Affairs) — I thank the member for Caulfield for his question. I am delighted to have the opportunity to talk about National Youth Week, and I would like to join you, Speaker, in welcoming Stephanie Raike, the young member representing Victoria to the Victorian Parliament. Isn't it great to have another such young Victorian come out of Frankston! That is fantastic. I would like to take this opportunity to thank her for her time as young member and to acknowledge her very busy schedule over the course of this week.

The theme for National Youth Week this year is 'Imagine. Create. Inspire'. And that is what over 20 000 young Victorians are doing right across this state in 80 different events that are supported by the Baillieu government in partnership with the Australian government and Youthbeyondblue. Over the course of this week young Victorians will be showing their creativity through art and performance exhibitions and inspiring all of us with their sporting achievements and their visions for the future of this state and of the country. I was delighted to launch National Youth Week last Thursday at the Prahran Junior Jam, a basketball round robin event which included rappers and dance performers — I know the member for Prahran was down there as well, and I am sure he enjoyed himself too.

I was speaking to one of the organisers, a young man named Eamonn, and I was extremely impressed with the work he has done in reclaiming Princes Park and the basketball courts down there for the community. He told me that in the past the place had not been all that great for families and young children. He was very pleased to be able to put this event together in order to bring the community down there together in a safe place. He said the basketball courts had been his second home since he was nine and that he thought it was extremely important to bring a sense of his upbringing to the broader community. I acknowledge the work he did as an organiser of that event. His story and his passion epitomise the theme of youth week. I know the member for Prahran is justifiably proud of his very

vibrant community, as are we all proud when we think about the great work young people do in all our electorates right across the state.

The Baillieu government is not only supporting young Victorians' participation in National Youth Week but has also increased investment in a whole range of different programs that support young Victorians' engagement in employment and their involvement in community decisions and in programs that encourage their creativity in the arts and in enterprise. These programs include the Advance program in our schools, a program this government increased funding for in last year's budget, and the Engage! grants, which support more than 102 different organisations right across the state that assist young children through mentoring and skills training. I know members from both sides of this chamber have benefited from those grants going to their electorates.

We have had the very popular and long-running FReeZA program, which was put together by the now Treasurer and delivered under a former Minister for Youth and Community Services who is now the Minister for Ports. We have supported scouts and guides and their efforts in helping young Victorians to be their best. Very importantly we have continued support for the Rock Eisteddfod Challenge, the funding for which was cut by the previous youth affairs minister. We will certainly be funding that one in the future.

We have given grants to SYN FM and regional radio to make sure that kids can get a start in the broadcasting industry. We are also helping young people to have a say about the future of their state by supporting the YMCA's Youth Parliament and the formation of my youth advisory body, the Involve committee. All these things contribute to supporting young Victorians right across the state, and I congratulate all Victorian young people who have been participating in National Youth Week. I encourage them to keep doing so in the future, and I wish them all the luck for the remainder of this week and for their future.

Freedom of information: government performance

Ms HENNESSY (Altona) — My question is to the Premier. I refer to the Auditor-General's report tabled today which reveals repeated political interference by the Premier's private office in independent FOI decisions and — I am quoting here, Speaker — 'the lack of strong leadership and the tolerance of a culture that resists transparency', and I ask: is this what the Premier meant when he said that when it comes to accountability what you see is what you will get?

Mr BAILLIEU (Premier) — I thank the member for her question. What is apparent from the member's question is that she was not a member of the previous government.

Mr Noonan interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Williamstown

The SPEAKER — Order! The member for Williamstown can leave for half an hour.

Honourable member for Williamstown withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Freedom of information: government performance

Questions resumed.

Mr BAILLIEU (Premier) — The Auditor-General's report tabled today covers a substantial period of the previous government. The Auditor-General's report tabled today also says the introduction of the FOI commissioner presents an opportunity for more proactive FOI leadership, which is exactly what we are doing. We are introducing an FOI commissioner for the first time in Australia, and that FOI commissioner will have the capacity to review decisions — —

Ms Hennessy — On a point of order, Speaker, the Premier is clearly debating the question. He was asked about the political interference by his office, and I ask that you ask him to answer the question about the political interference by his office and to cease debating the question.

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

Mr BAILLIEU — As I was saying, we are introducing an FOI commissioner, and that commissioner will have the capacity to review decisions — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has been warned. I will not take any more

interjections from him. If he wants to stay in to hear this answer, he should be quiet.

Mr BAILLIEU — The commissioner's key functions will include reviewing decisions from agencies, monitoring compliance with the act and providing education and guidance to agencies on meeting their obligations under the act, and that includes taking over from the leadership role of the Department of Justice in FOI management across the public service. The commissioner will be able to receive and consider complaints about FOI management by agencies.

Mr Andrews — On a point of order, Speaker, the question clearly related to the Auditor-General's commentary on the inappropriate behaviour in the Premier's private office. It is that that the Premier ought to answer. What is going on in the Premier's office and how does it fit with his commitments?

The SPEAKER — Order! The answer was relevant to the question that was asked, which was in relation to FOI.

Mr BAILLIEU — The government is taking steps to improve the delivery of FOI after years and years of failure under the previous government. The previous government had an opportunity to introduce the FOI commissioner. What it is good at doing is making FOI submissions, but it is not good at dealing with FOI. We have improved the system, and I can assure you, Speaker, that all departments are working to improve the performance of FOI under this government.

Crime prevention: government initiatives

Mr NEWTON-BROWN (Prahran) — My question is to the Minister for Crime Prevention. Can the minister inform the house what action the coalition government is taking to improve public safety in Victorian communities?

Mr McINTOSH (Minister for Crime Prevention) — I thank the member for Prahran for his excellent question, and I also congratulate the member for Prahran on his interest in public safety. Last weekend I had the opportunity to join the member for Prahran, the mayor of the City of Stonnington, Mr John Chandler, and Inspector Adrian White from Prahran police, in Chapel Street. I was there mainly because of the advocacy of the member for Prahran and the commitment that we made in the lead-up to the last election when we promised some \$330 000 to install CCTV (closed-circuit television) cameras in and around Melbourne's famous Chapel Street.

As all members of the house would know, Chapel Street is a significant and vibrant hub in Melbourne. Its precincts of bars, restaurants, nightclubs and boutiques can attract thousands and thousands of people at any one time. However, regrettably such an influx of people can also attract antisocial and sometimes criminal and violent behaviour.

For several years the City of Stonnington, local traders and many others, including the member for Prahran, have been calling for the installation of CCTV cameras in that precinct. I was very pleased to make that announcement in answer to the calls of local community, which understands the importance of such devices in deterring crime. The money will pay for the installation of 10 CCTV cameras in Chapel Street in the worst hot spots and crime areas as determined by local police in conjunction with the City of Stonnington.

The coalition government understands that the essence of crime prevention is about local communities identifying their concerns in relation to criminal behaviour and providing local solutions. During the course of the week I also had the opportunity of travelling to Ballarat to announce some \$200 000 to install CCTV cameras at Ballarat's bus interchange. This was again supported by the local council, the local traders association and local police.

I also had the benefit of travelling to the electorate of the member for Bentleigh and was joined by her, again with the local mayor and councillors and the local police — again this was members of a local community identifying their concerns about crime and developing local solutions. I was taking the opportunity of meeting with those local people and dealing with their concerns.

Local communities identifying local crime issues and developing local solutions is of course the essence of what crime prevention — —

Mr Merlino — On a point of order, Speaker, the minister is clearly reading from a document. I ask him to table that document.

The SPEAKER — Order! Is the minister reading from a document?

Mr McINTOSH — Copious notes.

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

Mr McINTOSH — The essence of crime prevention is local communities identifying their local concerns and developing local solutions. I was very pleased during the course of the week to travel to

Stawell to make an announcement in relation to the Public Safety Infrastructure Fund, with \$2.4 million this year to provide local solutions. In Stawell it provided for the installation of lighting and at St Arnaud it provided for the lighting at the Queen Mary Botanical Gardens as well as CCTV cameras in Horsham. This is about a coalition that understands the essence of crime prevention — local communities, local crime problems and then providing the solutions.

STATEMENTS ON REPORTS

Statements resumed.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 2)

Mr FOLEY (Albert Park) — I take the opportunity to discuss the most recent volume of the three-volume Public Accounts and Estimates Committee report on the review of last year's state budget. As the PAEC reports go to some considerable detail on a portfolio-by-portfolio basis, rather than traversing all those areas in the limited time available to me, I wish to confine my remarks to volume 2 of the most recent report, dealing with the performance of the Department of Sustainability and Environment and particularly its role as the oversight agency and its reporting through the Minister for Environment and Climate Change to the people of Victoria.

I refer to that part of the report dealing with the change in the policy environment of the government. I focus particularly on how personal watercraft (PWC), which are more commonly known as jet skis, are regulated in Victoria. I do so against the background of having written on this issue to the Minister for Environment and Climate Change in his role as the coordinating minister for Parks Victoria, seeking a combination of factors in the change in the policy environment that the PAEC report refers to.

The changes that are needed as part of the change in the policy environment involve a number of issues. Firstly, there is the issue of how the 14 000 PWC now registered in Victoria operate on our waterways in conjunction with an increasing recreational swimming and recreational boating community. I note with some interest the comments reported in today's media from Victoria's water police in which they identified some of these machines as being of substantial weight and able to hit more than 110 kilometres per hour on Victoria's waterways and bays. To quote the inspector, they are able to take people's heads off. That is what I am concerned about, because when those substantial

machines collide with swimmers, the heads and shoulders of swimmers are sticking out of the water and sadly what the inspector is quoted as saying has happened. That has happened in recent times in my electorate, where one of my constituents sadly was killed when swimming, having apparently been struck by a PWC going at some considerable pace.

In the changing environment of regulation, it strikes me that when the members of PAEC revisit this issue in the next regular round of assessments of such issues they might well turn their minds to considering a combination of factors relating to how to properly and safely regulate these areas. That might include reviewing, through the marine division of Transport Safety Victoria, the licensing of those substantial machines. The committee might also go to the issue of ensuring that there is adequate insurance. I was disappointed to receive a letter on this very issue from the Assistant Treasurer. He indicated that the government would not be taking up the suggestion of either providing compulsory third party insurance or requiring insurance of any type at the point of granting licences for PWC. All that that will do is ensure the continuation of the current policy vacuum, which means that when accidents occur either the person injured or the person driving the vehicle will have to take court action in the civil area, with no winners.

Beyond licensing and insurance, there is also a need to revisit the areas where PWC can operate. I call on Parks Victoria and the water police to ensure that a 400-metre no-go zone is placed around all the bays and Port Phillip's beaches to ensure the safety first and foremost of passive recreational users in this important area.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Mr McCURDY (Murray Valley) — I am also delighted to rise to make a contribution on the committee reports. I too would like to home in on the Public Accounts and Estimates Committee (PAEC) report, but on part 1.

An honourable member — Good committee.

Mr McCURDY — It is a good committee, and a lot of work has been done by that committee. I draw attention to paragraph 8.9.3 on page 93 of part 1, where the portfolio of sport and recreation is addressed and reference is made to the provision of sports facilities and infrastructure. I want to take a moment to go over some of those opportunities that have been provided in the Murray Valley electorate and particularly in a place called Katamatite — a community that is very dear to

my heart. Over many years the town has struggled to get resources and infrastructure. The local football club, the mighty Tigers, plays in the Picola District Football League, and its members are great advocates for the development of junior sport, including football, and for the whole community.

Recently the community was devastated by floods that, as members are well aware, were felt through the whole region, where people were hit particularly hard. These smaller communities need all the support they can get. On many occasions the Minister for Sport and Recreation has spoken about the importance of people, both adults and children, staying active. It was wonderful to see him take up the invitation to come to Katamatite to try to understand not only the issues caused by the floods but also how important infrastructure is. Back in March the minister made an announcement about a new facility at the recreation reserve in Katamatite. It will act as clubrooms for the footballers, cricketers and netballers and as meeting rooms for the small community that certainly is in dire need of other infrastructure.

It is a great acknowledgement of this community that it has been rewarded. People who have worked so hard in this community, including Sue and Russel Barnes and Max Wright, who is the president of the football club, the Flanagan family and the Edis family, were very keen and supportive of all of this and have done a lot of work to date to make sure this happened. The minister confirmed his support by giving \$750 000 from the state government, which is going to be matched by a further \$750 000 from the Moira Shire Council. A further \$146 000 will be raised by local community organisations. This will complete this project over the next few years.

Chapter 7.12 of PAEC's report on the 2011–12 budget estimates, part 1, covers the racing portfolio. A commitment to country racing and harness racing has been made by the Minister for Racing. The minister has been true to his word in returning harness racing to six clubs throughout rural and regional Victoria, including Wangaratta Turf Club. Something was proved when there was an opportunity to get racing back to Avian Park for the first time in many years. Over 4500 people attended to support this, which proved the fact that investment in harness racing has been embraced by the Wangaratta community.

I thank the minister for the work he has done in that area and for supporting harness racing like he supported the Wangaratta Turf Club by upgrading the sandtrack. There has been damage to the turf club during recent rain events, and there has been the opportunity to repair

that and ensure that the local racing fraternity is well catered for. When the recent Wangaratta Cup Day event was postponed because of rain, it was rescheduled and another exciting event was held.

As indicated by this report, both ministers have shown great support for these communities. I commend the report to the house.

ROYAL WOMEN'S HOSPITAL LAND BILL 2012

Second reading

Debate resumed from 28 March; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Ms NEVILLE (Bellarine) — I am pleased to have the opportunity this afternoon to speak on the Royal Women's Hospital Land Bill 2012. This bill seeks to revoke permanent reservations that exist over two parcels of Crown land: the first is the land of the former Royal Women's Hospital site; the second relates to land occupied by the Royal Dental Hospital. The revocation of these reservations does not impact in any way on the dental hospital and the land it currently occupies under lease.

These changes will enable the sale of the site of the former Royal Women's Hospital. The opposition is not opposing this bill, although a number of important questions remain unanswered about the potential use of the land. We would like further details to be provided to us in relation to those questions. We reserve our right to explore these matters further in the other place if our concerns are not addressed. I will come back to these shortly.

The Royal Women's Hospital has a very important place in the hearts and minds of Victorians, particularly Victorian women. It has occupied the site on Faraday Street in Carlton for over 120 years, and many hundreds of thousands of women and children have benefited from its services. Back in 1996 I spent many weeks at the Royal Women's Hospital prior to and post the birth of my son, who was born in August of that year. I fortunately had the opportunity to get to know many of the staff and the hospital very well during that period of time. The reason I chose to have my child at the Royal Women's Hospital — I am sure many other women have had similar reasons for making such a decision — was because of the amazing quality of care, medical expertise and the hospital's reputation. The staff there provided some of the best quality health care

to women and young children, particularly when there was some risk in relation to pregnancy.

Given the importance of the Royal Women's Hospital in relation to the care of women and children across the state, the former Labor government committed to rebuilding the hospital to ensure that it was well placed to continue to maintain that reputation and deliver the highest quality maternal and health care to Victorian women. This resulted in the announcement of a decision to build a new \$250 million world-class facility, which commenced operation in 2008. It was a project that was on time and on budget, and it was delivered by the former Labor government.

At the time of the announcement of the project in October 2003, the then Premier, Steve Bracks, was reported in a media release as having said that the new hospital would be one of the Southern Hemisphere's leading women's hospitals and was further proof of the state government's commitment to the health of Victorian women and their babies. Anyone who has been to the new hospital would agree that this aspiration of being one of the leading women's health services in the Southern Hemisphere has been achieved.

In the same media release the then Minister for Health, the member for Melbourne, who oversaw most of the redevelopment — it was one of her aspirations to see this great hospital rebuilt — was reported as having said that the new Royal Women's Hospital would retain its iconic status for thousands of Victorian women. That is absolutely right. Many women have already gone through the new hospital over the last four years, and one would expect many thousands more will go through the hospital in the future.

It is quite a large number, as I said, and hundreds of thousands of women and children have already benefited. There are about 12 000 operations and 11 000 day procedures undertaken at the Royal Women's Hospital each year, and there is also an extensive range of outpatient, women's health, pregnancy care, breastfeeding education and support services that are provided each and every day to many women in Victoria. This now all occurs in more modern, comfortable and family-friendly surrounds with the same excellent care and medical support. The new hospital designates half the rooms as single-bed rooms and the remaining have a maximum of two beds. This increase in privacy can make such a difference to the opportunity of enjoying that new life with family and friends. Certainly when I was there for some period of time I was in a four-bed room. Again the quality of care was fantastic, and it was great to have the opportunity to share those many weeks with other

women. Having access to privacy when dealing with difficult health situations or just celebrating a new life can make that experience even better.

In the new hospital there are garden courtyards and overnight accommodation for families when emergencies arise. Importantly there have been some improvements in space in the intensive care and special care nurseries to provide for parents, medical equipment and staff, as well as for some family lounge areas. Although I was fortunate that neither my newborn son nor I ever required intensive care or special care nursery access, a number of the women I shared time with in hospital did unfortunately need to rely on intensive care services. It was an extraordinary experience to go up and visit those areas where very unwell babies were being cared for by some of the best nursing and medical staff that we have in this state. I could tell that it was a very difficult time for many women and their families, who were often dealing with it for hours at a time and weeks on end, especially when there was no privacy and no opportunity to grieve on one's own or share that experience just with family members and make those adjustments. The new space is absolutely fantastic.

Victoria is one of the safest places to have a child, and the redevelopment of the Royal Women's Hospital has contributed further to providing specialist care to those families and babies who need it. Aside from its commitment to a new women's hospital, the former government also contributed significant new funding to cater for the additional births that are occurring each year in Victoria by providing new maternity beds and special care nurseries.

In the redevelopment of the Royal Women's Hospital, it was always intended that the former site in Faraday Street, Carlton, would ultimately be used for other purposes, that it would be sold to offset some of the costs of the redevelopment. That announcement was made back in 2003 when the former government announced the \$250 million redevelopment. There was an indication at that time that an estimate of around \$60 million would be offset once the land could be used for other purposes. The minister's second-reading speech talks about that and says:

The government anticipates innovative and exciting opportunities for the former Royal Women's Hospital ...

It goes on to say that it 'provides an opportunity to use the land in new ways to benefit the people of Victoria'.

Those statements were very welcome. I was very pleased to see those words during the minister's second-reading speech and to see that we were talking

about new ways to use the land to benefit all Victorians and about innovation and an opportunity for Victorians to appreciate and continue their identity with this important site in the future. As I said, this land sits in a very important precinct, with the universities and other health services located in the same area. It is a unique area in Australia, having so many education and health services together in the one place. The land has given enormous benefit to many Victorians for over 120 years.

We are aware of the University of Melbourne's potential interest in this particular site. When we were in government the university indicated an interest in having discussions about the potential use of the site going forward, and when I saw the minister's comments in his second-reading speech I was heartened to think that the University of Melbourne may be an important partner with the state government in ensuring that this land has an ongoing benefit to the Victorian community. It fits very well with the minister's stated aims in his second-reading speech. There may be some other public organisations of a similar nature that have innovative ideas for research and teaching opportunities in that important precinct. Despite the minister's comments in his second-reading speech, in the briefing that was provided to the opposition those sentiments seem to have disappeared.

Firstly, I would like to thank the department for the briefing provided to the opposition members who attended it. However, during that briefing officers from the Department of Treasury and Finance indicated to the opposition that they wanted to maximise income from the sale of the land, intimating that it is likely to be sold to a private developer at the highest possible price. This view obviously does not take into account the public community benefit and value that would come from ensuring that the best possible use of the land for the broader community is the main driver. It is also a factor that is taken into account when you look at the actual return on that particular land.

Although the University of Melbourne is likely to be interested in purchasing the land on the site, I think most members would agree that it could not do so at any cost and certainly would not be able to compete with the private sector and the potential urban residential development that could occur on that site.

I am sure we are all aware in this house that there is a process required under the Land Act 1958 for the disposal of Crown land. Firstly, the land is made available to other state government departments that may be interested. If it is not required by other state government departments, there is a hierarchy of

organisations like universities and councils to whom it is offered before it is offered for sale on the market. I think the university in that hierarchy would rank over and above the City of Melbourne, for example.

What is unclear is whether the government will play a role in ensuring that the sale of this land benefits Victorians. Will it, for example, commit to working with interested parties like the University of Melbourne to explore new opportunities for the use of this land? Will it proactively do this, and how will this fit with the Treasury's view of maximising profit from the sale? I am interested in knowing whether the government has had discussions already and whether it is the Minister for Environment and Climate Change, the Treasurer, the Minister for Health or the Minister for Higher Education and Skills who has carriage of this bill. I would like to know whether the government has had discussions with the University of Melbourne or other potentially interested public entities about its possible use.

We are also very keen as an opposition to understand whether the government is committed to taking into account its community value when assessing the final sale price of the land. We would be very concerned to see this opportunity missed. It is an opportunity to put in place an organisation and facility that would provide long-term benefits to all Victorians. These are very critical questions, and the opposition is concerned to ensure that the people of Victoria do not lose the opportunity to receive a broader benefit from land that has been so critical to the health and wellbeing of so many women and families in this state. We are keen for clarity and some guarantees around these issues that I have raised today. As I indicated earlier in my contribution, if these issues are not addressed in some way through feedback from the government, we will look at pursuing these matters further in the other place.

The Royal Women's Hospital undoubtedly has a proud history and one that now continues in a new state-of-the-art modern facility on a new site. Members of the opposition support the reuse of the former site, but we are urging the government to move away from a 'highest bidder' mentality and ensure, as the minister said in his second-reading speech, that the land is used in new ways to benefit the people of Victoria

Mr BULL (Gippsland East) — I am pleased to rise and speak in support of the Royal Women's Hospital Land Bill 2012. The purpose of this bill is quite clear in that it revokes the permanent reservation over two Crown land sites in Carlton formerly occupied by the Royal Women's Hospital and the adjacent Royal Dental Hospital. The reason is to allow for the land in

question, excluding that occupied by the Royal Dental Hospital, to be sold for redevelopment and in the process to offset the costs of the new Royal Women's Hospital development, which we just heard from the previous speaker was completed in 2008.

The existing permanent reservation classification in this case is what is termed a 'lying-in hospital'. This classification is historically quite common and can only be removed by legislation to allow projects supported by the government of the day. It is well known and has been clearly documented and publicly stated that the government intends to sell the property in question for appropriate development, and its location is sure to make it a keenly sought after asset. In the event that the land is sold for redevelopment the proceeds will be paid into consolidated revenue, and that will partly offset the initial investment of \$250 million in the new Royal Women's Hospital redevelopment, which as I said earlier was completed in June 2008.

The component of this property that is earmarked for sale has been assessed as surplus to the requirements of the Department of Health, and it is appropriate that the parcel of land in question be offered for sale without a restriction on its title. The office of the valuer-general will undertake a valuation of the property based on its highest and best use. This can only be done without the existing restriction on the title, hence it needs to be removed. It is also worth mentioning that the Royal Women's Hospital supports the disposal of the former hospital site, but of course if for some reason the sale does not proceed, the land will remain the responsibility of the Department of Health.

It is important to note that the adjacent Royal Dental Hospital will not be impacted. It will continue its critical work that dates back as far as the 1890s, when dentists began volunteering their services to assist members of the community, albeit initially at a Lonsdale Street site. The dental hospital moved to its present site in 2003, and it is worth noting that the current classification of the property as a 'lying-in hospital' also does not suit the purposes of the hospital. That will be better reflected in this legislation. Dental Health Services Victoria has been notified that its lease interests and ongoing future operations will not be affected by this bill.

As the previous speaker, the member for Bellarine, pointed out, the Royal Women's Hospital at its former site has a long history of serving the Victorian community. The member mentioned that she gave birth to her son at that facility. I have a brother who worked there and family members who utilised the hospital's

services. I am well aware of its exceptional reputation not only in Victoria and Australia but internationally.

It is therefore important that the wider community has confidence in our health system. Clearly, the Women's, as it is known, has forged a strong reputation and played an important role in giving the wider Victorian community confidence in the health system. It occupied this site for over 120 years until completion of the new facility. The redevelopment has provided an opportunity to make use of this site now for other purposes that will benefit the people of Victoria. Of course the future use of the land will be determined by any new owner, but its location is certainly prominent in the city, and I am sure it would be considered quite an exciting development opportunity by many organisations and individuals.

At this point, with the pending sale of the property, it is certainly relevant to recognise the great work done historically by the Royal Women's Hospital. It is Australia's largest specialist hospital and has always maintained a very strong focus on the health and wellbeing of women and, of course, of newborn babies. It was also the first public women's hospital in Australia, and one statistic that struck me as being quite remarkable was that by the second half of the 20th century more women were giving birth at the Royal Women's Hospital than at any other hospital in the entire commonwealth. I find that to be an amazing statistic and one that recognises the importance of the hospital.

Each year the Women's cares for more than 200 000 women — another extraordinary figure — from 165 different countries, and dealing with patients from 165 different countries means you are dealing with an enormous number of language barriers, with people from various religious and cultural backgrounds, and the work that would need to go into dealing with that demand in an appropriate manner is enormous and deserves recognition.

The hospital has also been a teaching hospital of renown that is internationally regarded as a medical research leader. Not only is it providing a great service itself but it is also providing a great teaching environment for our medical professionals not only in Victoria but internationally. The work being done at the Royal Women's as a leader in medical research is breaking ground for the health sector across the board. It has grown from being a hospital where women living in poverty could give birth and receive medical attention and nursing. While that is obviously still a focus of the hospital, it is now dealing with many more issues that are a reflection of today's society. Among

those are stress, income pressures, housing and substance abuse. Although they have all been issues for quite a period of time, the number of cases involving those issues has increased.

The Royal Women's Hospital truly is a unique health service that has been shaped over time to meet the needs of the day. Throughout the entire period of its existence it has maintained a strong voice as an advocate in highlighting women's health issues and tackling them. This hospital has a very proud history of serving the Victorian and Australian communities, and indeed the international community, and the great work that went on over many years on the existing site is continuing on the new site.

The government anticipates many innovative and exciting opportunities for the former hospital site. It is certain to create a great deal of interest. It represents the first step in realising the potential of the site and provides the opportunity to use the land in new ways that will undoubtedly continue to benefit the people of Victoria, as has traditionally occurred. With those words I wish the bill a speedy passage, and I commend it to the house.

Mr WYNNE (Richmond) — I support the Royal Women's Hospital Land Bill 2012. This is a relatively simple bill, but its outcome will be very important for a number of reasons. The first is that it revokes the permanent reservation over two Crown allotments in Carlton. One is the old Royal Women's Hospital, and the previous speaker quite eloquently indicated its history and the importance of the former hospital to the community of Melbourne. It has played an iconic role, and people driving past that hospital will see that there have been extraordinarily significant benefactors to the hospital. Indeed I think the 3AW sign is still up there on the Swanston Street frontage. I know that that radio station was a very big supporter of the hospital itself. Similarly the iconic name of the Syme family is a part of that complex as well.

The lifting of the reservation at both the Royal Women's Hospital and dental hospital sites is important. The Royal Women's Hospital moved to its outstanding new facilities adjacent to the Royal Melbourne Hospital in 2008. As an aside, our colleague and friend the member for Bendigo East had her baby there a couple of weeks ago — a little girl. I was in conversation with her recently, and she was saying to me what magnificent service she received as a patient of the Royal Women's Hospital. It was really first-class service.

The disposal of the Royal Women's Hospital site was flagged by the previous government and is being implemented by this government because some of the revenue that will be derived from the sale has in effect been hypothecated to the new Royal Women's Hospital construction project. The funds that will be derived from the sale of the old Royal Women's Hospital site will be hypothecated to paying down the debt on the new Royal Women's Hospital, and that is a very appropriate use of public funds in that context.

One issue is the tension that exists for the government in this situation. Where we have the disposal of a government asset, the broad public policy consideration is that surplus government land or buildings are offered in the first instance to other arms of government to see if they have an interest in those properties. After that the property is offered to associated government entities, including organisations such as universities, VicUrban, or what is now called Places Victoria, and outer portfolio areas such as that. Following that the third opportunity is provided to local government.

It is in the context of how the government will seek to derive income from this site while trying to achieve what we hope to be broader social and public objectives that this will be interesting. If you think about a site like this and its extraordinary service to Melbourne as the home of the Royal Women's Hospital, you realise it will be difficult for the government to resolve these tensions.

Clearly one of the potential purchasers of the site is the University of Melbourne, and it is right and proper and quite appropriate that the university have an interest in this property. Those of us who follow these things in the inner city closely would be well aware of the extensive building program that the university is undertaking right through the Carlton and south Carlton precinct. At the moment it has a major construction project under way on the corner of Grattan and Elizabeth streets. At one level that is quite controversial because it was agreed through the Victorian Civil and Administrative Tribunal that quite a historic building — an art deco building that was an old motel sited on that corner — would be demolished. The decision VCAT reached in this matter was one that may potentially have created quite a significant precedent going forward. In essence, the VCAT decision was that the building could be demolished, significant as it was, because the future use of the site would be of greater social benefit. I think it was quite an interesting decision and one that will potentially create a precedent in the future as we go forward in the planning regime.

From the opposition's point of view, we think it is appropriate that the government consider perhaps not taking the highest and best use, which of course would always be the position of the Department of Treasury and Finance — we understand that. That is the business they are in: the business of ensuring that they maximise government assets. However, I think this is quite a unique circumstance. This is not just an ordinary parcel of land that we would find anywhere within Melbourne; the Royal Women's Hospital has a very deep history and a very deep association with so many families. Its social value, we would argue, is almost as important as its economic value.

Of course the government must get a reasonable price for it. We understand that \$60 million has been hypothecated to the redevelopment of the Royal Women's Hospital, but nonetheless I think if we are able to satisfy the competing demands in that tension and get an outcome that achieves recognition of the social significance of this site, provides a reasonable economic return to the state and satisfies the encumbrances that pertain to this site because of the hypothecation of the purchase to the Royal Women's Hospital, that would be a very good outcome. If that ultimately means that the purchaser is the University of Melbourne for further educational outcomes, that would be a win as well.

As for the Kathleen Syme Centre, I am sure members of the house would be well aware that this site is not part of this revocation. In fact it is a site of very keen interest to the City of Melbourne. There were continuing discussions with the City of Melbourne, the Carlton community and the previous state government about opportunities for this to become a broader community hub. It is an ideal site, as many members would know; it is the site adjacent to the north of the Royal Women's Hospital, and you would be hard pressed, I think, to find a better site for a major community facility like that.

So if we can find an opportunity to get an outcome whereby the City of Melbourne is able to produce a community hub in that precinct, that would be a fantastic outcome. If we get an opportunity whereby the site is disposed of to another broad public interest — and in this context clearly the University of Melbourne would be one of the obvious purchasers of the site — and if we can satisfy the encumbrances on the Royal Women's Hospital, there would really be a win all round in relation to this project.

Finally, we on this side of the house will watch with great interest the commencement of the redevelopment of the former Royal Dental Hospital site for the new

Victorian Comprehensive Cancer Centre. I suspect that at some other point there will be a land revocation for the existing Peter MacCallum Cancer Centre in East Melbourne, and we will deal with that then.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to contribute to this debate on the Royal Women's Hospital Land Bill 2012. As members who spoke before me have highlighted, this bill seeks to remove the permanent reservation for what was known as a 'lying-in hospital' over Crown land in Carlton that in part was the former Royal Women's Hospital site and in part is currently the Royal Dental Hospital site. It will also seek to revoke a restricted Crown grant for the purpose of a lying-in hospital to the extent that it may apply to the land occupied by the former Royal Women's Hospital.

This is a significant piece of legislation with respect to the future use of this site. As members before me have highlighted, the future use of the site is currently under discussion, but what this bill seeks to do is formalise the process of the removal of those existing reservations which have been in place for many years, as members can appreciate, for the provision of health services in the Carlton precinct.

The former Royal Women's Hospital occupies a site at 132 Grattan Street in Carlton. I was not born in that hospital; like the minister at the table, the Minister for Multicultural Affairs and Citizenship, I was actually born outside Victoria.

Mr Kotsiras — I was born in Greece.

Mr WAKELING — You were born in Greece; well, that is clearly outside the state!

Mr Kotsiras — In a village.

Mr WAKELING — The minister was born in a village. I at least was born in a modern hospital — but I digress.

Part of the site is Crown land which was permanently reserved in 1886, so we are clearly talking about a long time for land to be reserved for the purposes of a lying-in hospital. The relocation of the Royal Women's Hospital to its current site in Parkville occurred in 2008. I have had the pleasure of visiting this fantastic facility in my capacity as Parliamentary Secretary for Health, and I was there recently for the unveiling of an Aboriginal mural in the hospital. To tour this fantastic facility is amazing. It is an amazing hospital that will take the provision of health services in this state well into the 21st century.

In respect of the dental hospital site, the bill will revoke the reservation. The Royal Dental Hospital of Melbourne is currently on Crown land adjacent to the site of the former Royal Women's Hospital. This land is subject to the same 1886 permanent reservation. Clearly the reservation purpose does not reflect the current use of the land as a dental hospital. The bill will remove this inconsistent reservation. The site is currently leased to Dental Health Services Victoria through a 99-year lease under the Land Act 1958.

The Royal Women's Hospital is one of those important community institutions. The Minister for Multicultural Affairs and Citizenship, who is at the table, would be aware of the ethnic mix in our state. I am told that each year the hospital cares for upwards of 200 000 women from 165 countries, who between them speak 60 languages and follow 42 religious faiths. Anyone who has visited the hospital would have seen the ethnic mix of the people utilising its services. The hospital provides a comprehensive service, ranging from promoting health to providing clinical expertise and leadership in maternity services, gynaecology, cancer services and specialist care for newborn babies. It is an important facility that the state holds dear.

The history of the Royal Women's Hospital and the provision of its original services goes back to its establishment by a committee of women led by and under the stewardship of Mrs Frances Perry, a name that is synonymous with health services in Carlton. The work of people like Frances Perry in the 19th century in the provision of services to women stands today as a clear testament to their efforts. It is their legacy.

As I said, the new facility opened on 22 June 2008. It was delivered by the former government at a cost of \$250 million. It was an important facility that was delivered by the former government under the Victorian government's Partnerships Victoria model. We as a government think it is important to place women's health and women's health services at the forefront of working towards bettering the facilities we currently have not only at this important facility but also throughout the state.

In respect of the important dental health services that are provided at the site, Dental Health Services Victoria clearly undertakes an important role in regard to the provision of dental services. In 2009–10 approximately 1.7 million Victorians were health-care card holders or concession card holders or their dependants. In that time over 334 000 people were treated through Victoria's public dental services — 9136 more than in the previous year. Significant numbers of people access public dental services through Dental Health Services

Victoria. It is clearly an important issue. We all understand that more needs to be done in this area, but significant numbers of Victorians already access public dental health services in this state. Of those who accessed these services — 215 000 adults and 119 804 children — 140 539 were emergency patients. It is clear that a significant number of Victorians are accessing dental health services at those critical times when an emergency situation arises.

Victorians can access services through 87 public dental clinics at 58 community agencies. There are 368 public dental chairs, which play a significant role in this state. In my electorate the Knox Community Health Service provides important public dental services to people in the Knox community.

The Royal Dental Hospital of Melbourne has 139 dental chairs. It treated over 51 000 patients between 2009 and 2010. Interestingly, in that period 27 679 fillings were placed and 2742 dentures were made at the hospital. I only mention that in passing for the Minister for Multicultural Affairs and Citizenship, who is at the table and clearly has an interest in this issue. He understands the importance of oral health.

The member for Melbourne interjected last night that she had more plaques with her name on them than anyone else. I think that is a great segue to the topic of dental health services in Victoria, which we are talking about now.

With those comments, I support the bill. The provision of health services is of paramount importance to the state. I wish the bill a speedy passage.

Mr McGUIRE (Broadmeadows) — I rise to make a brief contribution in the public interest to the debate on the Royal Women's Hospital Land Bill 2012. As has been said by other members in their contributions, when we are talking about the Royal Women's Hospital, we are talking about one of our major institutions, an iconic institution in this city and an institution of international renown in terms of the quality of its services. This is a proposition that needs to be taken seriously and treated with due deference.

This bill revokes the permanent reservation over two Crown land sites in Carlton — the old Royal Women's Hospital site and the site partly occupied by the Royal Dental Hospital. These are sites familiar to all members across the chamber. The current restricted Crown grant, which was gazetted way back in 1886, states that the sites will be used as a 'lying-in hospital'. With the way that hospital services and facilities have developed since that time, this is now no longer accurate. As the

Royal Women's Hospital site is surplus to the government's needs, the land will be sold by the Assistant Treasurer following the normal process for the sale of government land.

The opposition does not oppose this bill; however, we do have significant concerns, and reserve the right to take the bill into a committee stage in the other place should our concerns not be addressed. The key issue I want to address in my contribution is that this is an issue of trust. It is also an issue of significant interest to all Victorians, particularly women. There could be no greater demonstration of this being an issue of trust than the minister's second-reading speech, which I want to quote from. The minister said:

The government anticipates innovative and exciting opportunities for the former Royal Women's Hospital site. This bill represents the first step to realise the potential of this site, and provides an opportunity to use the land in new ways to benefit the people of Victoria.

There is a simple issue at play here: you can only sell an asset like this once. That is the critical point, and that is why I am concerned that the minister cannot say precisely what benefit the Victorian people can expect to derive from the sale of their land. As the opposition lead speaker has pointed out, the likely best interested party is the University of Melbourne. It could offer a viable public interest dividend to the Victorian people on the sale of this land. This is of real interest to Labor. What we want to know is what needs to happen to get a dividend in the best public interest.

The government must demonstrate a commitment to it and put the long-term public interest over any short-term grab for cash, particularly as we move into the budget process. The only information we have from the minister is that the government anticipates being able to do something. The issue here is one of trust. I am very alive to it, as the member for Broadmeadows, because in Broadmeadows we were given an allocation of \$14.8 million for a new government services building in the first budget and that money has now gone. A line has been put through that project, and it is not going to happen. There are issues of trust concerning what the government will do. The issue of trust is the core point of my contribution on this bill.

Less than four weeks ago we had the Premier raising questions on radio, on television and in the print media about the sale of state assets. The ABC reported on 23 March:

Premier Ted Baillieu says he was speaking generally when asked about using asset sales to fund government infrastructure.

'I was making general commentary rather than anything specific', says the Premier.

Ms Asher — What do you want to do — give the land away?

Mr McGUIRE — No, the value has to be there, but what we are trying to do is get the balance right. This is an iconic site that is of major importance, particularly to women, and the handling of it goes to the issue of our building of institutions and our institutional reputation. It goes to the whole proposition of why we are one of the world's most livable cities — as I am sure the Minister for Tourism and Major Events would completely understand. This is about how you build a community, how you build a city, how you build a state and how you build an international reputation. These are the issues that I am putting on the record today in this contribution. I think that is the point we have to deal with, particularly in tight budget times — and we have to accept what the government is saying about that. I think it is really about how we get this balance right. We have to look at how the government will respond. We want to make sure there is a balance between the rhetoric and the reality we are seeing being played out.

During the government's time in office debt has gone up and investment has gone down, unemployment has gone up and workforce participation has gone down, the cost of living has gone up and investment in programs that make a real difference to the lives of struggling families has gone down. Given the coalition's record, the Victorian people are justified in asking questions regarding the Royal Women's Hospital Land Bill. Who will this land be going to and what will it be used for? What benefit can the Victorian people expect? From the sale of this land the government must be able to demonstrate a public interest dividend, a financial value, but I would also argue for a public interest dividend, given the site's historic nature and iconic status. To put it simply, the government is saying, 'We're not sure what is going to happen, but we're hoping for the best'. I am saying that the test should be higher than that, and we would like to see a return from the sale that is in the public interest.

Ms ASHER (Minister for Innovation, Services and Small Business) — I wish to make a couple of brief comments also on the Royal Women's Hospital Land Bill 2012. As other speakers have indicated, the purpose of this bill is to revoke the permanent reservations over the adjoining allotments of land in Carlton, one of which was previously occupied partly by the Royal Women's Hospital and the other of which is currently occupied by the Royal Dental Hospital. The

bill will in part remove an old-fashioned permanent reservation over the land, which is known as 'a site for a lying-in hospital'. The end result of the bill will be that these allotments will return to their original status as unreserved Crown land.

As other speakers have indicated, the Royal Women's Hospital is now located in new premises in Parkville and the land has been declared surplus to requirement, which is of course a government term. All governments use that term. When land is deemed surplus to requirement it is then handed over to Treasury and Finance and dealt with according to the wishes of the government of the day, not necessarily according to the wishes of Treasury officials. Removal of the permanent reservation will allow the land to be used for the benefit of the Victorian community.

The appropriate development of the former Royal Women's Hospital site offers an outstanding opportunity for the government and the community. It is in a historic Parkville precinct, and that already brings together world-leading education, research and industry partnerships. The Labor Party has touched on some potential uses already. The Royal Women's Hospital has been consulted and is in favour of the bill before the house, I am advised.

The property interests of the Carlton site of Dental Health Services Victoria will not be affected by this bill before the house as the bill preserves the continuing operation of a long-term Crown lease for the provision of dental services through the Royal Dental Hospital of Melbourne. The bill will ensure the removal of a reservation that is inconsistent with the site's current use and purpose.

I would like to, in the course of my brief contribution on this bill, take up the comments of the member for Bellarine, the member for Richmond and indeed my constituent the member for Broadmeadows. A number of comments have been made by those members in relation to the University of Melbourne's interest in this site. I also wish to refer to the second-reading speech, where the minister makes it very clear:

The government anticipates innovative and exciting opportunities for the former Royal Women's Hospital site. This bill represents the first step to realise the potential of this site, and provides an opportunity to use the land in new ways to benefit the people of Victoria.

Again I emphasise that the government has said and the minister has said that this bill is a first step. What the Labor opposition is doing today in this chamber is demanding to know what will happen in the future. It wants the crystal ball out and wants us to assume the

role of clairvoyant. Obviously that is not the bill before the house. However, I am prepared to add to discussion on this by saying that one possible use for the site — and I stress one possible use for the site — is an innovative proposal from the University of Melbourne.

Ms Pike interjected.

Ms ASHER — I am absolutely sure the University of Melbourne told the previous government this, and I would hope that it did. Indeed these matters are on the public record, and I would refer members of the house to a document entitled *The University of Melbourne Enabler Strategy — Building Infrastructure 2011–2014*. This is not some little pearl of wisdom that was passed on and has not been passed on to someone else. This is something that is on the public record. I again refer members of Parliament to page 8 of that document where there is reference to a project called Carlton Connect. I assume that when the member for Richmond, the member for Bellarine and my constituent the member for Broadmeadows spoke earlier they were referring to this Carlton Connect project. Indeed, I can help the Labor opposition again. If members go to page 21 of that particular document, they will see a chapter called 'The 10-year capital plan'. The University of Melbourne says:

Collaboration is a key driver for bringing together partners to deliver solutions to some of society's pressing health and social problems. By 2020 students and researchers will benefit from the university's engagement with a number of different partners which will be facilitated by the following capital infrastructure projects.

The university is happy to talk about 2020, but the Labor opposition wants to know what we are going to do today. The minister has made it clear that this is the first step and that the Carlton Connect project is one that has been on the public record and has been put on the public record by the University of Melbourne. I would urge the Labor opposition to read those documents.

I am interested in how this site will be used. As I said, one of the possibilities is the Carlton Connect project, which has been put on the table by the University of Melbourne. This is a long-term project, and it is a project that will continue well into the future. It is in the university's 10-year capital plan. As I said earlier, this land has the potential to be used for an innovative purpose, and the minister has spelt this out clearly in the second-reading speech, but it is at that point that I think the Labor opposition stopped reading the second-reading speech and did not move onto the valid point raised by the minister that this bill is the first step. The opposition is asking the government to simply make an announcement in the course of this debate.

The University of Melbourne wants to develop it a little bit further, and I suspect there may well be private sector partners that will want to look at options. What the government is doing today is step one. We are going to remove the permanent reservation should this bill pass both houses of the Parliament, and this will be a first step to the further use of the land.

The University of Melbourne of course has proven success in generating commercial outcomes through research and innovation, and it is a very strong university. One of Victoria's great strengths is indeed its university sector and its capacity to innovate, both within the university sector and within the commercial sector. Whilst I am conscious of the fact that it is a very narrow bill before the house, given my portfolio of innovation I am obviously keenly interested in Victorian strengths in this area. I would have thought that many members of this house would be interested in innovative outcomes for Victoria as well, as indeed has been mentioned by the minister in the second-reading speech.

I look forward to the long-term outcome of this bill, but I think for the opposition to be demanding to know today what may happen in the future is a bit rich. I understand oppositions behave as oppositions will, but I refer the opposition to the fact that in the public documentation released by the University of Melbourne it has framed this project as a 10-year capital plan and is referring to the date 2020. I would urge opposition members to read the publicly available documentation and not make assumptions based on their own prejudices.

Mr CARBINES (Ivanhoe) — I am pleased to make a few comments in relation to the Royal Women's Hospital Land Bill 2012. I will keep my comments relatively brief to allow other speakers the opportunity to make a contribution.

It is interesting to reflect on some of the comments made in the minister's second-reading speech, and it is good to see the member for Melbourne at the table. I remember working with her under the previous government, when we invested significantly in the biomedical precinct in Carlton, which forms part of her electorate. That meant it was important to not only make sure there were opportunities to negotiate the aspirations of the local community but also deliver broadly for Victorians in terms of their investments in and expectations of medical services in Carlton. I refer not only to the \$250 million Royal Women's Hospital, which was built by the previous government, but also to the previous government working hand in hand with

the University of Melbourne and the Royal Melbourne Hospital.

One of the other initiatives that was delivered by the previous Labor government under the stewardship of the member for Melbourne was a dental hospital, at a cost of \$52 million. It is interesting that the bill we are looking at today talks about those legacy sites that have been left over from significant investments made by the previous Labor government in the new Royal Women's Hospital and the new dental hospital for Melbourne. What is important to pick up on is that this does matter; it is very important to that biomedical precinct or hub, which is internationally renowned as a leader not only in Victoria and Australia but also internationally. We want to make sure we continue to use the valuable land resources available to us in Carlton to continue to build on the biomedical precinct that was established under the previous Labor government in partnership with organisations like the University of Melbourne.

The current government, under its Minister for Health, David Davis, released a metropolitan health plan that did not detail much of a plan at all and certainly did not detail any financial commitments to improve health services for Victorians. Also missing in the plan were details of land use delivery and what would be the future land use of the sites where facilities are no longer required, such as the women's hospital site. In planning for the future it is important that governments outline what they intend to do with surplus land, because such land belongs to the Victorian taxpayers.

Given the significant investment by Victorians and the previous government in developing the biomedical precinct in Carlton, it would be useful to be able to see from this government a plan to continue to use available land in that area and to continue to develop and grow the biomedical research precinct. That is critical and very important. We have not heard any aspirational statements from the government about whether it would like to work with partners in the tertiary education field, researchers or the health services community to perhaps continue to develop those sorts of services in Carlton, and that is disappointing.

I note that in the second-reading speech the minister said:

The redevelopment of the Royal Women's Hospital provides an opportunity to make use of this site for other purposes that will benefit the people of Victoria.

What we on this side of the house say is that it would be good to have some explanation from the government as to what it believes the benefits for Victorians will be

in relation to health services. In relation to my own electorate of Ivanhoe, to choose a parallel example if you like, where there are vacant school sites available, my expectation of the government is that those vacant government land sites that were previously used for educational purposes will continue to be used to invest in the ongoing provision of education capital. That is similar to this case in that we would like to see that taxpayers' resources, such as the women's hospital site, will also be made available for health services in this particular case. That is a fair and reasonable expectation, otherwise we just see a continuing diminution of what is available to invest in health services in areas where there are shortages of land for the kinds of services that are available in the Carlton biomedical precinct.

The previous Labor government was not shy in making sure that it made significant investments in a new women's hospital and a new dental hospital in the Carlton precinct and a significant investment in the Royal Melbourne Hospital. Through all of that and all the discussions and negotiations we had with the University of Melbourne and other research organisations, we developed a very significant precinct that is internationally renowned and brings international researchers to Melbourne, and that is something we need to continue to build on. We are seeing that with the cancer services and research institutes that are being constructed there. We need to make sure we think very carefully about surplus land sites that become available out of the health field and how they fit into the long-term planning for the provision of health services and biomedical research in Victoria, particularly in the CBD.

With those comments I reflect on the fact that it would be helpful to hear from the government about what its long-term plans are for health services in Victoria. The previous Labor government demonstrated a very significant commitment to health services. It is there in Carlton for all to see — that is, our commitment to biomedical research, to health services and to working in partnership with the research community here in Victoria and internationally. We are yet to see any commitment from the current government in relation to these matters. The member for Brighton indicated that we should watch this space.

At this stage the government only intends to pursue the sale of the site, but what we would expect on this side of the house is that the government should be able to walk and chew gum at the same time. It should be able to not only act as a real estate agent on behalf of the people of Victoria and sell Victorian assets but also outline a vision, a plan and a commitment to ensure that

those funds that are raised from those assets that belong to the people of Victoria are also invested in the ongoing provision of health and education services to the people of Victoria, particularly those in the Melbourne CBD and the electorate of Ivanhoe.

Mrs BAUER (Carrum) — I am pleased to make a contribution to the debate on the Royal Women's Hospital Land Bill 2012. The main purpose of the bill is to revoke a permanent reservation over land in Carlton, part of which was previously occupied by the Royal Women's Hospital and part of which is currently occupied by the Royal Dental Hospital of Melbourne.

The bill aims to remove existing reservations over the two sites. These reservations were gazetted in 1886, and the sites were to be used for a lying-in hospital. It is quite interesting to look at the definition of a lying-in hospital. A lying-in hospital allows for the old childbirth practice of a woman resting in bed for a period after giving birth. Although the term is now usually defined as the condition of a woman in the process of giving birth, it previously referred to a period of bed rest that was required even if there were no medical complications.

A 1932 publication refers to a required lying-in period that ranges from two weeks to two months. That indicates that these restrictions on the use of the existing reservations are quite outdated. They do not reflect the current use of the sites, and revoking these permanent reservations will allow the land to be sold. This has been mentioned by other speakers before me. I believe this is a really common-sense bill, and I commend the minister for all the research that has gone into it. We have heard that the future use of the site will be discussed. It will certainly continue to benefit the people of Victoria. I believe that the Royal Women's Hospital has been consulted on the bill and is very happy with the direction that it takes.

The Royal Women's Hospital was Australia's first public women's hospital, and it was established in August 1856. It is the country's largest specialist hospital dedicated to improving the health of all women and newborn babies, and it is among the oldest and most distinguished of its kind in the world today. The Melbourne Lying-in Hospital and Infirmary for Diseases of Women and Children, as it was called, opened its doors to the poorest and most needy women in 1856. This was less than two decades after the official foundation of Melbourne, which occurred in 1837. In fact 1856 was a very busy year for Melbourne. Members will know that Parliament House on Spring Street, where we are today, was also opened in 1856 under the Premier of the day, William Haines, so it was

certainly an incredibly busy and exciting year for the city of Melbourne.

The Royal Women's Hospital certainly has a long and proud history. It is iconic and well loved, not only in Melbourne but right across all of our electorates and certainly in my Carrum electorate. A new modern hospital with great facilities opened at Parkville in 2008. Affectionately known as the Women's, the hospital each year provides over 200 000 occasions of care for women from over 165 countries who between them speak 60 languages and follow 42 religious faiths. The range of services the hospital provides is incredibly wide and varied and includes pregnancy and birth services, as I mentioned earlier; special care for babies; women's health services; fertility and infertility services; mental health services; cancer services; services relating to sexual assault; and support services, including childbirth education classes, nutrition and diet, and physiotherapy.

We have heard from members already about how well valued the Royal Women's Hospital is across Victoria. Though the Royal Women's is not in my electorate, due to the world-class services the hospital offers many of my female constituents regularly use the services and facilities of the hospital. I would particularly like to acknowledge the wonderful work and skills of the staff at the neonatal unit. I am very happy to mention that in 2005 Jasmine and Gabriella Reeve were both born 10 weeks premature and spent their first eight weeks at the neonatal unit. I am told they received superb care at the hospital as they battled for survival. Now, almost seven years later, they are happy and confident girls in level 2 at Aspendale Gardens Primary School. That is a terrific example of how the Royal Women's Hospital affects and services people right throughout Victoria and certainly in my Carrum electorate. Since I was elected as the member for Carrum I have had the great pleasure of meeting staff, including nurses, who work at the Royal Women's and who live in my electorate, and they are very grateful for the world-class facilities there.

We have heard that revoking permanent reservations is the first step in looking at potential uses for the site. I have full confidence in the coalition government and the minister and full confidence that this is certainly only a first step and that all of the possible uses for the site will be examined in full detail. In closing I would like to emphasise that the Royal Women's has had a long and proud history. It is very well loved. I am sure it will continue to be well loved for many decades and centuries by the people of not only Melbourne but Victoria. I would like to commend the bill to the house.

Mr HERBERT (Eltham) — It is a pleasure to speak on the Royal Women's Hospital Land Bill 2012. What a great hospital the Royal Women's Hospital has been for Melbourne and Victoria. It has been a great part of our state's development and of our development as a people and as a society. We should acknowledge the terrific part it has played in our state and in the lives of so many people. We should also acknowledge that Labor's new \$250 million Royal Women's Hospital will play an equally important role in terms of giving great service to women of all ages for many decades to come. As has been said, this bill revokes the permanent reservation of Crown land in Carlton, a site previously occupied in part by the old Royal Women's Hospital and currently occupied in part by the Royal Dental Hospital. Of that currently restricted Crown land, which was gazetted in 1886 — some 126 years ago, if my maths is right — it was stated that the purpose would be for a lying-in hospital. That is clearly no longer accurate and it is a redundant reservation, and no-one would object to this revocation of it. Basically this bill enables the site to move to a new future and to become a new part of Melbourne.

I understand there are issues about this. It has been commented on by all, and the main question of concern for many members in this chamber — certainly on our side of the house — regarding the sale is: what will ensure that the public benefit and not just the public profit of the site is maximised? We seek to protect the public benefit, and as has been noted, we retain our right to ask further questions in the other chamber later on, depending on what government members say in their contributions. We should never forget that this site has a long history of serving the community. As I say, it can continue to serve the community. The site's history is one of 126 years or so, and the site is a major part of Melbourne's past and should be a part of its future.

It is sad that despite the rhetoric and comments of the minister and the member for Brighton about what has been said about what is going to happen with the site, I have been told that at the briefing on the bill Department of Treasury and Finance officials made it absolutely clear that they would be looking to maximise income from the sale of the land. That is in stark contrast to what we hear in the mealy-mouthed contributions from those across the chamber: 'We're going to be a long time coming. Let's see what happens. We'll wait and see.' Basically 'Let's put everyone to sleep before we flog it off' is what I have taken from the contributions of those opposite.

Let us be clear: we do not believe that this land should just be sold to the highest bidder. We know the government wants cash flow of at least \$60 million

from the sale. We know that it will be offered, as in normal asset sales, to other government departments, the University of Melbourne, other agencies and then the Melbourne City Council before being put on the market. But unfortunately the estimated value of \$60 million is probably too expensive for the university to purchase and develop the land in its own right.

In fact as we heard from the member for Brighton, Carlton Connect has great plans for the site. To actually ensure that the 10-year plan referred to in the Carlton Connect document can be realised the university needs to be flexible on the issue. It needs funding and support, not just rhetoric. It needs a government that does not have short-sighted views. This is an incredibly significant location. It is an incredibly significant biomedical precinct for Melbourne, and the capacity for Melbourne University to do something great with this land in the long term is immense. This is something that we do not often talk about here — the capacity of research activity to do a great deal for our state and society.

On that point I would like to take this opportunity to quote Professor Glyn Davis, the vice-chancellor of Melbourne University, who stated in his book entitled *The Republic of Learning — Higher Education Transforms Australia*:

... good research requires more than cash. It needs a supportive environment, which means recognising that economic returns may be distant, even impossible.

How starkly different that viewpoint is to that of the Treasury officials, who simply want to get the cash for this site back into the coffers.

Professor Davis went on to say:

Public investment in such research produces two key benefits for society.

The first is all around us — the numerous ways our lives are made better. Improvements to health science have produced an almost three-fold improvement in life expectancy for the developed world ...

...

The second benefit is the opportunity opened up for the human race. At its most impressive, research speaks truth to power, embodying the enlightenment ideal of using evidence to interrogate the world.

That epitomises what the real public interest in this site is. Melbourne University is a big player in the precinct and in Victoria's overall research effort. In fact because of its research effort it has climbed the ladder of international excellence. Those who have anything to do with academic endeavour around the world know

just how important that rating is. Melbourne University has been ranked 43rd in the reputation index of The Times Higher Education World University Rankings 2012. It is an incredible achievement for a country the size of Australia to be in the top 50. To be ranked 43rd is an achievement that is the envy of universities not just in Australia but around the world.

The reason Melbourne University is so high in the world rankings out of the thousands and thousands of universities that exist around the world is its great and significant major research activity and the capacity of that research activity to benefit not just Melbourne, Victoria and Australia but also the world we live in.

Perhaps the most significant aspect of that research activity is the medical research that we see occurring in this precinct. This is a precinct that has the Bio21 Institute and incubator, the Royal Melbourne Hospital, the Royal Children's Hospital, the Howard Florey Institute and the Walter and Eliza Hall Institute of Medical Research and that in the future will have the Peter Doherty Institute, which will conduct research into infectious diseases and immunity. I understand that the institute is due to start a lot of its activity in 2014. These are just a few examples of the great cluster of research activities that we see occurring around this precinct.

It is a precinct in which we see a concentration of hospitals, research centres and biomedical facilities. It is the most concentrated in Australia. In world terms it is recognised as a very significant world-class research precinct. It has not become that by chance. It has taken enormous effort from previous governments, the university, the biomedical research industry and hospitals to get this world-class precinct happening.

It should be genuinely bipartisan, but it takes work. It does not take toecutters from Treasury saying, 'We want our \$60 million', and then on the other hand rhetoric from government saying, 'Yes, but we're open to ideas'. What we need is the government to sit down with Melbourne University, put the rhetoric aside and see exactly what it can do to contribute to this vision. We need it to understand the benefits that will come from using this site as part of that biomedical research precinct and thus ensure that we will see major medical breakthroughs in Victoria which will benefit our economy and enable this precinct to develop into an even better world-class facility that will benefit the people of Melbourne, Victoria and Australia into the future.

In finishing, we want more from this government than just rhetoric. We want to see the proof in the pudding.

We want to see that site developed. We want to see genuine collaborative efforts with Melbourne University. This state will then be in a far better place than if we simply flog the land off for \$60 million.

Mr NEWTON-BROWN (Pahran) — What an astounding contribution from the member for Eltham — ‘Yes, we want to sell the site, and no, we don’t want the market value for it’. It is symptomatic of the way the previous Labor government and indeed Labor governments throughout Australia deal with money while they are in government. The results of this are reflected in the parlous state in which our finances were left both here in the state of Victoria and in other Labor states across Australia.

It is intended that the proceeds of this sale will go into consolidated revenue to partly offset the government’s \$250 million investment into the new Royal Women’s Hospital. This project was completed in June 2008. This money has been spent. A lot more money has been spent than will be recouped from this sale. But it is certainly an irresponsible assertion from the member for Eltham when he says, ‘This money has been spent. We’re getting a bit more in. Great, we can afford to give that away to someone else’. It is certainly not the most appropriate way of dealing with this site.

How appropriate it is that the member for Melbourne is in the chamber. She has been lobbied for years by the Melbourne City Council to do something about this area. Indeed the site could have been developed much earlier than this government has been able to facilitate. The City of Melbourne has lobbied — —

Mr Herbert — On a point of order, Speaker, this debate is wide ranging, but at the very least the comments should be accurate and factual, and what we have just heard from the member opposite is something that he has simply made up in his mind and which does not have any factual support. I ask him to be accurate when he is talking about other members in this place in his contribution. It is simply outrageous.

The ACTING SPEAKER (Mr Blackwood) — Order! I do not uphold the point of order, but I ask the member to come back to the bill. Even though it is a very narrow bill and I have given a fair bit of leniency to everybody who has spoken on it this afternoon, the member should come back to the bill.

Mr NEWTON-BROWN — Adjoining this site is the site that the Minister for Planning dealt with swiftly and in an expeditious manner when he came to his position. The Melbourne City Council was keen to

create community facilities and to have some more land to do that.

Ms Pike interjected.

Mr NEWTON-BROWN — Indeed what the minister did on taking office was deal swiftly with the Melbourne City Council. He created an opportunity for new community facilities to be developed — and who knows what will be put there eventually. There could be public libraries or health or education facilities. Certainly the former minister, the member for Melbourne, was lobbied at the time to help with activating this site and she was paralysed. I am not sure whether it was due to just general ineffectiveness or — —

Honourable members interjecting.

Mr NEWTON-BROWN — It took the coalition government to activate this site in a way which will benefit the community.

The purpose of the bill is to revoke the permanent reservation for a lying-in hospital over two adjoining Crown allotments in Carlton. The land was occupied in part by the former Royal Women’s Hospital and in part by the Royal Dental Hospital. The bill removes the terms and conditions of the restricted Crown grant for the purpose of a lying-in hospital. The revocation of the permanent reservation on the site is being sought to enable the development of the land to its maximum potential. Two Crown land sites are affected by the bill. There is existing Crown allotment 2008 at Carlton in the parish of Jika Jika. That block at 132 Grattan Street, Carlton measures 9202 square metres and was partly occupied by the former Royal Women’s Hospital. Existing Crown allotment 2007 at Carlton in the parish of Jika Jika is the other site. It is 994 square metres. The bill does not affect any freehold land and there are no native title issues.

As to why it is necessary to enact this legislation, I point out that in most circumstances a permanent reservation can be removed only by legislation. Permanent reservations are historically quite common. A bill such as this is required to remove them and to facilitate projects on Crown land, to renew Crown land sites and to reactivate them in ways that the community wants in modern times.

The Royal Women’s Hospital has a quite interesting history, and I would like to spend a bit of time detailing that history for the record. The Royal Women’s Hospital was Australia’s first public women’s hospital and was established in August 1856. It is one of the oldest and most distinguished hospitals of its kind. It

was founded as a place where underprivileged women could give birth and receive proper medical and nursing attention and was called the Melbourne Lying-in Hospital and Infirmary for Diseases of Women and Children. It has become known as the Women's. It was the second hospital established in Melbourne — the first was the Melbourne Hospital — and it was first located in a leased terrace house in Albert Street, East Melbourne, not far from this place.

The hospital was established by a committee of women led by Mrs Frances Perry — whose name now adorns the private women's hospital in Carlton — the wife of the then Anglican bishop of Melbourne. Two doctors, Dr Richard Tracy and Dr John Maund, were also active in getting it established. In 1884 its title was simplified and it was called the Women's Hospital; the 'Royal' title was conferred on the hospital by Her Majesty Queen Elizabeth on 6 September 1954.

The hospital was initially a charity hospital, and it served the needs of women who were unable to afford private health care. At that time Melbourne was a wealthy city, due to the fortunes that had been made through the mining of gold. It was a significant hospital and it provided much-needed services to women in Victoria in the early years of the state. Demand for the hospital's services was strong and sustained, and in its first decade nearly 3000 women were admitted and many more were treated as outpatients. By the second half of the 20th century more women gave birth in the Women's maternity section than in any other hospital in the commonwealth, so it really was a very significant hospital for not just Melbourne but the commonwealth.

The bill moves that history on. The site is no longer needed for a hospital. The new Royal Women's Hospital has been completed and the site would be more appropriately used for other purposes. The government is activating the site to enable it to be developed in the most appropriate way and at the same time acting in a financially responsible manner by recouping some of the funds which were put into the new hospital. I commend the bill to the house and wish it a speedy passage.

Ms PIKE (Melbourne) — I am very pleased to have the opportunity to speak on the Royal Women's Hospital Land Bill 2012 because while some members in their contributions today have been identifying the bill as step 1 in a process, in fact it is actually the final step in a long process that has seen the building of a world-class women's health facility. I am delighted that the Leader of the Opposition is in the house at the moment because it was a former Minister for Health, John Thwaites, who began the initial planning and

work and in fact signed the contract for the public-private partnership that would develop the new Royal Women's Hospital adjacent to the Royal Melbourne Hospital. Over the next five years as health minister I oversaw the development of the Royal Women's Hospital. Unfortunately for me, but fortunately for the Leader of the Opposition, I moved to the education portfolio and he got the joy and pleasure of opening the new Royal Women's Hospital building.

As I said, the bill is the final step in a long and very successful project to have a new Royal Women's Hospital for the women of Victoria. Of course the original Royal Women's Hospital had a very long and proud history of service to this community. Now we have a world-class facility which was fully funded by Labor and delivered on time and on budget — as of course were all health facilities built during our many years in government.

If members take a walk now along Flemington Road, they will see an absolute transformation of that part of Melbourne. Walking along, we come to the new Royal Children's Hospital and then the Bio21 Institute. Behind Bio21 will be the science wing for University High School. The Walter and Eliza Hall Institute has doubled in size. The Royal Melbourne Hospital has a brand-new \$52 million emergency department. Across the road the Victorian Comprehensive Cancer Centre is taking shape. That replaced the dental hospital. I had the pleasure of opening the new Royal Dental Hospital of Melbourne in Swanston Street. As we heard from the member for Eltham, we then have the Florey Neuroscience Institutes and the Peter Doherty Institute. That whole precinct has been completely transformed.

An honourable member interjected.

Ms PIKE — It was not David Davis, the current Minister for Health, who did it in 15 months. In fact it was done through investment by our government, which I was not only very proud to be part of but which I must say it was very rewarding to be part of.

This, as I said, is the final step in the process of the development of the Royal Women's Hospital. I think it was a bit rich for the member for Brighton to come into this chamber and throw criticisms towards opposition members for saying that we think this presents a unique opportunity for our state to continue very good work in relation to health, medical research and education in community facilities.

I am fully aware of the financial arrangements that were put in place when the new Royal Women's Hospital was being developed; I am fully aware that the financial

arrangements included funding that would be available from the sale of the site that would go into consolidated revenue as part of the package of funding. I think it is important that that initial aspiration is realised, because that was the deal. We signed up to the deal, so the government is doing the right thing. But that does not preclude the opportunity for the community to have a say about potential uses for the former hospital site, and it does not preclude the opportunity for the university and other stakeholders to also have input into the potential uses for the site. It does not preclude the government from considering all reasonable proposals and potentially adding some additional resources which may be required to develop something that is genuinely in the public's interest. I do not believe the financial aspirations and the aspirations about the public good are separate. I think they can come together for something very meaningful to be developed on that site. That site would not be available, and we would not be having this conversation in the first place if there had not been the vision to redevelop the Royal Women's Hospital.

An important thing about the redevelopment was the conversations that took place between Victorian women. There was a lot of consultation about the nature of the service delivery model, the kind of hospital that would be built and the shape of what was to come on the site adjacent to the Royal Melbourne Hospital. Therefore given the consultation, conversations and participation that have been part of the history of this journey, it is appropriate to continue that and to give people who live near the old Royal Women's Hospital site, who work near there and who have strong aspirations, visions and dreams about the use of what were public resources, the opportunity to be part of a conversation in the future. I am hopeful that the government will do that, because as the member for Eltham said, it is a unique site. It can be added to that stream of sites that you see as you go along Flemington Road, Grattan Street and into the precinct.

I want to say a little bit about women's health, because the work that has been undertaken by the Royal Women's Hospital is absolutely outstanding. I think we are incredibly fortunate in this state to have people of such high calibre serving our community. The issues are often very complex. There are many newly arrived refugees in my electorate, there are people from all parts of the world and there are very needy people. Those people find a lot of support and assistance and a lot of cultural sensitivity in public hospitals. The Royal Women's Hospital in particular is an absolutely critical service for women from the African community because of the specialisation the hospital has developed in relation to refugee health.

The Royal Women's Hospital is a very courageous institution. The hospital takes on the tough issues like abortion and other sensitive women's health and reproductive issues. I commend the hospital staff members not only for the way they cope with huge demands but also the way in which they deal with the ethical issues they have to face. The new facilities enable them to serve the women of our state more effectively. It was an enormous pleasure to work with staff from the Royal Women's Hospital and to be part of the development process. I am delighted that we are continuing now with what is actually the final step — not the first step — in a redevelopment process.

Mr WELLER (Rodney) — It gives me great pleasure to rise this afternoon to speak in the debate on the Royal Women's Hospital Land Bill 2012. This bill is about two particular pieces of land. I will refer to the schedule at the back of the bill and speak about these pieces of land. The first piece of land is the former Royal Women's Hospital land in Carlton. The schedule states that it is situated in the 'Parish of Jika Jika, County of Bourke, 9202 square metres, being Crown Allotment 2008 at Carlton'. I thought it was good to read the history of it. The schedule also states that it was reserved by an 'Order in Council dated 30 March 1886', not quite two centuries ago. It was gazetted on 4 March 1886 and is found in the Crown grant volume 1849. The purpose of the reservation was a site for a lying-in hospital. We had a different term for hospitals back then, but that was what the site was.

The extent of the revocation includes Crown allotment 2008 at Carlton in the parish of Jika Jika, county of Bourke. There is also the Royal Dental Hospital of Melbourne land in Carlton, which again is in the parish of Jika Jika, county of Bourke. This piece of land is only 994 square metres, being Crown allotment 2007 at Carlton. It was also gazetted on 2 April 1886 as the site of a lying-in hospital.

The Royal Women's Hospital provides a tremendous service, and the members of staff are beyond praise — they are right up there. Fortunately they were there in February 2011 when my wife's daughter-in-law gave birth to twin babies at 28 weeks. She stayed there for about two months; she was in there for a couple of weeks before the babies were born and then stayed for another 6 to 7 weeks before the babies were allowed to go back to Tasmania. The Royal Women's Hospital services more than just Victoria; it also has a role in servicing Tasmania. A lot of people from the Riverina also access the Royal Women's Hospital for the services it provides.

In the member for Melbourne's contribution she quite rightly pointed out that this is the final step in a long process. She also pointed out that it is a unique piece of land — as it was when she signed the agreement that the money go back to general revenue.

Ms Pike — And I agreed with that.

Mr WELLER — We have agreed. We are in full agreement that this is the final step and we are actually carrying out the wishes of the previous government. I give the member for Melbourne credit; she has done the right thing and said, 'Yes, the government of the day is now carrying out the spirit of the agreement that was made back at the start of the process'. It is a good process, and now we are at the stage where the land needs to be sold.

The member for Eltham made a contribution in which, contrary to the member for Melbourne, he said that the land should not be sold off and that there are research opportunities and those sorts of things. What the member for Eltham did not say was that when the opposition was in government it actually closed five research farms and tried to sell the one in my electorate at Kyabram, but it could not even get that right. The then government put it up for auction but could not sell it. There was a contract, but then the contract fell through. Once again our government comes in and has to clean up the mess. That land has now sold. The former government could not sell off a research farm; much as it tried, it could not. The sale fell through.

Mr Madden interjected.

Mr WELLER — The member for Essendon interjects, but we will ignore that. I know it is wrong to take up interjections, Deputy Speaker, so I will ignore that comment.

I discovered when I was doing my extensive research that the history of this site is very interesting. It goes back to 15 March 1848, the date of the opening of Melbourne's first general public hospital, the Melbourne Hospital. Then in 1856 a group of ladies raised the need for a lying-in hospital with the Anglican Dean of Melbourne, Dr Hussey Burgh Macartney. On 8 August the ladies committee joined forces with Dr John Maund and Dr Richard Tracy, who had independently seen the need for the establishment of a lying-in hospital. They then had a meeting on 14 August, and a committee of management was formed, with the wife of the Anglican Bishop of Melbourne elected as president. The hospital was named the Melbourne Lying-in Hospital and Infirmary

for Diseases of Women and Children. That was the start.

On 19 August 1856 the first two midwifery patients were admitted to Australia's first public women's hospital and Melbourne's second public hospital, so on 19 August we had the first patients admitted to a facility on this site. That is something we ought to recall here. What a great history the Royal Women's Hospital has had — some 156 years later it is still giving the best treatment available in the world at this wonderful site.

The member for Eltham made out that the revocation of the land is something that the opposition has never done, but it was actually in the original agreement that it drew up. The opposition, when in government, tried to sell off land but failed. There are processes that the opposition cannot manage when it comes to these sorts of things. However, it is important to note that this is a unique piece of land, as the member for Melbourne noted, and that it was a unique piece of land when all the contracts and the processes were set in motion. The people of Melbourne and those of that area in particular will take the opportunity to utilise whatever is established there. As the member for Brighton noted, there are a wide range of opportunities for the utilisation of this site.

Having said those few words, I commend the bill to the house, and I must say that I was most impressed by the member for Melbourne saying that this is the final step in the process she started. We are finalising the agreement that was reached at that time.

Ms GRALEY (Narre Warren South) — It is a pleasure to speak in the debate on the Royal Women's Hospital Land Bill 2012. This bill, as we know, revokes the permanent reservation over two Crown land sites in Carlton. One is the old Royal Women's Hospital site and the other is a site partly occupied by the Royal Dental Hospital.

I have to say that I have a relationship with the Royal Women's Hospital, because I had my three children at Frances Perry House. It was a very strange time for me because it was the first time I had given birth, and I gave birth to twins. The hospital provided an enormously supportive environment with so many dedicated nurses and expert medical attention. It was home to my twins, who were born a few weeks prematurely. The staff at the hospital looked after them during that time and gave me the opportunity to visit when I needed to see them and be reassured that they were going to be all right. My husband and I, and of course the girls, will always be thankful for the level of support the hospital staff provided.

I found myself returning to the hospital some weeks later to have some surgery and thought, 'How am I going to cope with this?'. Staff at the hospital went out of their way to make sure my twin girls could be on the ward with me. They had their own nursing staff, and I had my own medical staff so that I could get well and look after them again. It was during that time that I realised just what an important institution the Royal Women's Hospital is to Victorians, especially Victorian women. It was the little extras this hospital was able to provide for me and my family at that time that made me so thankful. It provided me with the opportunity to get well, to take my twin babies home, to look after them and to see them grow up to be 27-year-old well-educated girls who love life.

I was therefore very proud to be part of a government that redeveloped the Royal Women's Hospital at a cost of \$250 million. I wish I had had the facilities that are there now when I was going through my period of ill health, because they really are fantastic. They are there not only for the patients but also for the families so that they can support the patients, the mothers and their new babies during these very challenging times. The Royal Women's Hospital is not just a place where babies are born and mothers and babies are looked after following the birth, because 12 000 operations and 11 000 day surgeries a year are performed there. It is a really busy place, so it is very important that this hospital receive all the support we can possibly give it.

I acknowledge the comments of the member for Rodney and the members for Eltham and Melbourne. The member for Melbourne was a visionary Minister for Health who had a really strong idea about how that whole Carlton-Parkville precinct was to be redeveloped, and she went about it with gusto. I know that she has acknowledged in this house that when Labor began the construction of the new hospital it stated that the sale of the old land would offset the cost of the new hospital building, and it was estimated at that time that the likely sale figure would be somewhere in the vicinity of \$60 million.

As well as having been a patient of the Royal Women's Hospital I have also been a student and teacher at the University of Melbourne, so I realise how important this precinct is to Melbourne. It is the location for world-class hospitals and a world-class university. I think the university has been rated 43rd in the world. My time there as both a student and teacher gave me a great deal of pleasure, and I learnt a lot. Some of the things I learnt during my experiences at the University of Melbourne I use every day. The university is also the home of some really world-class research facilities. The whole Parkville precinct is so important in making

Melbourne not only a world-class city but also a city where people can access great educational and health facilities. They know that through the research capabilities of the people at the Florey Neuroscience Institutes or the Walter and Eliza Hall Institute of Medical Research their lives in the future will continue to be improved. You have only to go to other university towns like Harvard in the United States and Cambridge and Oxford in England to see that our world-class hospital, university and research facilities make a terrific combination and make the town they inhabit well regarded worldwide.

Whilst we acknowledge, as the member for Melbourne has, that there is some money to be made out of selling this land, one would hope that there are proper consultation processes undertaken as a prelude to its sale. We do not want a 'get rid of it quickly fire sale, get some cash into the Treasury' approach. We would hope there is some consultation with major institutions in the area and with members of the community who live in that area, because what goes on this landmark historical site that has such significance for so many people in Melbourne and Victoria is very important. Let us hope that the government can get its act together and undertake a consultation process that everybody in this chamber will be happy with. We want members to be happy to say, 'That is exactly what we would like to see happen on the Royal Women's Hospital site'. We should continue the great traditions of this site and make it a world-class site along the lines of what is already happening in the Parkville precinct.

There is a lot to be done in the health area. I acknowledge that. It does not come cheap, but I hope the tradition that was established in the last period of government of building world-class hospital facilities is taken up by this government. It is good to see that the Parkville Comprehensive Cancer Centre will be followed through and that the Olivia-Newton John Cancer and Wellness Centre will also be funded. I look forward to seeing the Casey Hospital in my electorate of Narre Warren South fully funded and special care nursery cots opening there, as well as the Monash Children's hospital opening, because often parents and other family members cannot get all the way from Narre Warren South into the Royal Women's Hospital. It would be great to see those facilities in the outer suburbs being given the attention they deserve. The Royal Women's Hospital is a great hospital, and I hope the bill receives a speedy passage through the house.

Ms McLEISH (Seymour) — I rise to support the Royal Women's Hospital Land Bill 2012. It gives me great pleasure to speak on the bill for reasons that will become apparent during my contribution. We have

heard from a number of speakers that the primary purpose of the bill is to revoke the permanent reservation over two Crown land sites in Carlton. One is the site of the former Royal Women's Hospital and the other was partly occupied by the Royal Dental Hospital. As has been said by the last few speakers, this is the final milestone for the Carlton site of the Royal Women's Hospital.

I want to spend a little time going through the history, and importantly deal last with the hospital before it moved. The hospital was established in 1856, which is well over 150 years ago, and the reservation was gazetted in 1886. In those days hospitals relied completely on charity and did so for many decades, which is quite different from the way we operate now. Charitable donations are still gratefully received, but in those days the hospital system was very much based around charities. This was a place where the underprivileged could give birth and receive proper medical attention. There was no social security system in those days, and you can imagine what it must have been like some 150 years ago in early Melbourne. A lot of women were left alone as their husbands raced off to the goldfields looking for immediate wealth. It left a lot of women in a very desperate situation.

At the time it was called the Melbourne Lying-in Hospital and Infirmary for Diseases of Women and Children. It was not far from here — in Albert Street, East Melbourne. Two years after it opened it moved with the help of benefactor support and also of the colonial government, which was pretty cashed up because of the goldfield taxes at the time, to Madeline Street, North Melbourne, which is now Swanston Street, Carlton. At this site there was always a very strong demand for the services, and that has continued to this day at a different site. What I also find particularly interesting is that it was a teaching hospital virtually from the word go. Nursing was taught in the late 1850s, and after being established in 1856 the hospital was pretty well up and running as a nursing teaching hospital, providing gynaecological and obstetrics services, from 1865. In the 1950s it was given the royal title.

I pay tribute to a relative of mine who was involved with the hospital — A. J. Cunningham. Many people may have seen the wing at the Carlton site which was called the A. J. Cunningham Wing. Arthur James Cunningham, or Jim as he was known, married the twin sister of my father-in-law. He married Gwen, whose twin was Ken, and Jim went on to be a long-serving manager of that hospital. In 1947 he became manager-secretary, a title he held for 30 years. Prior to that he had been employed for 12 years, mostly as a

cost clerk, and it was the vision of Jim Cunningham that made the Royal Women's Hospital at the Carlton site what it is. It is worth reflecting on Jim's achievements. On his retirement in 1977 he was described by Len Swinden, the then manager of the Royal Melbourne Hospital, as a master planner and builder, because he totally rebuilt the hospital and was involved in every facet of it.

I want to emphasise the 'planner' part here, because to rebuild this hospital he and his wife spent three months travelling all around the world to look at women's hospitals and models of service delivery and design. The obstetric ward in particular was revolutionary at the time. The obstetric ward was designed in such a way that five or six wards could be covered by a single nurse. It was pleasing to hear the member for Narre Warren South describing the attention she received when she had her twins there, and to hear about the way the nurses managed the wards and how she very much benefited from that. It was a world-leading design.

Another world-leading aspect of the hospital at the time was that because of its location, universities placed their professors within this environment. This academic environment also helped to make the hospital particularly renowned, as we saw doctors and academics from around the world, including from hospital and medical administration, gather at the Royal Women's Hospital to see how it worked and to learn from it. I am talking about the period between the 1950s and the 1970s, when the hospital still relied very much on charitable donations. G. J. Coles was the major patron at the time. He was actively involved in fundraising to support the growth of the hospital.

Jim Cunningham was also described as an entrepreneur. He introduced commercially viable proposals into the hospitals that have been continued ever since and adopted by many other hospitals in the state and the country. These proposals included facilities such as medical consulting rooms, car parks and staff housing. At the time the Royal Women's Hospital, under Jim, purchased almost half of Carlton, and this lead was followed by many other hospital administrators throughout the state and indeed the world. Jim himself was a teacher and was on the teaching staff at the University of Melbourne, and many people learned the art of administration from him. He held other roles, including chair of the Australian Hospitals Association, and following his retirement in 1977 he worked as a hospital accreditor for five years. The model he developed in the 1950s and the 1960s, as he rebuilt that hospital — the wing was named the A. J. Cunningham Wing — was certainly revolutionary for Melbourne.

The sorts of services that the Royal Women's Hospital began to deliver in those days were obstetrics and gynaecology, outpatients and women's health. It has now moved to the areas of infertility, mental health, cancer services, sexual assault services and refugee health. You can imagine how difficult some of these areas are to work in. Often people do not have a second language and their cultural values may clash with ours. It is an extremely tough environment for many of the nurses but also for the administrators and the allied health workers, and I commend them on the work they do for women's health in those roles.

The hospital has now well and truly relocated to the developed site on Flemington Road — and that medical precinct was described by the member for Melbourne. It is a terrific precinct. I heard that the hospital was delivered on time and on budget, and I cannot help but comment because I did a number of sessions with many hospitals in Melbourne only a few years ago, just after the Royal Women's Hospital was established. Immediately they knew it had been designed too small. From day one they knew that the outpatients department had to be expanded by 25 per cent; there was no room. They had this wonderful, beautiful-looking outpatients department, and they had to get a random hotchpotch of chairs because the waiting room was too small. The design and the layout were flawed. They had not spoken to the staff, who, as the end users, could have had valuable input into some of the design. I think it is always useful to have that input.

By contrast, there was another new hospital I visited where the design and the layout were much better. The staff there were particularly happy — actually buzzing — compared to those at the Royal Women's Hospital, who felt a little bit duded. They certainly were not happy, and they were under a lot of stress. Given that the women's hospital is already a very tough environment for a lot of the people working there, that made it difficult. I hope those issues have now sorted themselves out. I wish this bill a speedy passage through Parliament, because it is the final step and we do not want to — —

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

Ms HALFPENNY (Thomastown) — I rise to speak on the Royal Women's Hospital Land Bill 2012. As members would be aware, the opposition is not opposing this bill, but it does have concerns about it. The bill allows for the sale of the land on which the old Royal Women's Hospital was built. That hospital has now been relocated just a short distance away. A

brand-new Royal Women's Hospital is now there for the enjoyment and use of the people of Victoria.

Members of the government keep carrying on and saying, 'What's the big fuss? We are just trying to sell a piece of land'. But this is not just any ordinary piece of land. The fact that legislation is required to allow it to be sold shows that this is obviously not just any ordinary piece of land. It is Crown land, and it is held in trust for the Victorian people. Surely if it is going to be sold and, as other members of the opposition have previously said, there is no problem with selling it, then the proceeds of that land should go towards the cost of building the new hospital. You would think that members of Parliament have the right on behalf of the Victorian public to debate and discuss what is the best use of that land, seeing as it is Crown land and has been held in trust for the Victorian people. That is why we are expressing our concern in this debate.

A second issue relates to the fact that this land is in a precinct with many health and educational institutions, and even private owners of land often try to look at and plan for the future uses of the land they are trying to sell. We are just making the point that there should be some planning, sharing of views and discussion and debate about what this land could be used for. Of course it should be sold, and the proceeds should go towards the cost of the hospital.

This is in contrast to a piece of land — not Crown land — in the seat of Thomastown that originally had on it Lakeside Secondary College. I have repeatedly called on the Minister for Education to sell that land to allow for the development and rebuilding of William Ruthven Secondary College, which lies in a state of disrepair while that land lies vacant and is subject to vandalism and rubbish dumping. That land has been vacant since 2010. If the government wants to get on with the job and show that it is efficient and good at disposing of land and getting money for it, then perhaps it should look at the land at Radford Road in Reservoir that is lying vacant and in disrepair and sell that so the proceeds can be used to fund what the people of Reservoir and the students of William Ruthven and their families need — that is, a new school to ensure that their education is — —

Mr Wells — Ahem.

Ms HALFPENNY — Ahem, what?

Mr Wells — I am not sure whether that is part of the bill.

Ms HALFPENNY — Okay, I will come back to the bill. All I was trying to do was point out that there could be a speedy sale of land that could be used for any purpose and the proceeds could be used to support education and students. On that note, I again urge the government to sell that land to redevelop the school in Reservoir.

While the opposition is not opposing the bill insofar as it relates to the disposal of the land that was the old women's hospital site, we think there should be further consideration and discussion about what use that land will be put to and whether it could continue to be used in a manner that is aligned with the purposes of the institutions surrounding that site.

Debate adjourned on motion of Mr WATT (Burwood).

Debate adjourned until later this day.

PORT MANAGEMENT FURTHER AMENDMENT BILL 2012

Statement of compatibility

Dr NAPTHINE (Minister for Ports) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Port Management Further Amendment Bill 2012.

In my opinion, the Port Management Further Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill improves the safety and environmental management plan (SEMP) scheme in the Port Management Act 1995 through a number of means including establishing a statement of objectives for SEMPs and requiring three-yearly audits to be undertaken of all port managers. The proposal also establishes the Victorian Regional Channels Authority as the responsible authority for the port development strategy required under the Port Management Act 1995 for the port of Geelong. Finally, the bill clarifies the regulation of hazardous activities at the port of Melbourne.

Human rights issues

No human rights issues arise from the bill.

Conclusion

In my opinion, the Port Management Further Amendment Bill 2012 is compatible with the charter act.

The Hon. Dr Denis Naphthine, MP
Minister for Ports

Second reading

Dr NAPTHINE (Minister for Ports) — I move:

That this bill be now read a second time.

This is a small bill which is consistent with the government's clear long-term vision for the development of commercial ports in Victoria. This bill improves standards and efficiency at Victoria's ports.

The bill improves the safety and environment management plan (SEMP) scheme in the Port Management Act 1995 by ensuring that the SEMP process is more outcome focused. This is achieved by establishing a statement of objectives for SEMPs, which are to promote improvements in safety and environmental outcomes and an integrated and systematic approach to risk management.

Port managers are required to set out how they intend to improve port safety and environmental outcomes. Certification requirements are also removed to eliminate duplication with audits and to reduce the red tape burden on industry. Audits will be needed for all ports every three years. Port managers will also need to provide an annual report to the minister on port safety and environmental performance.

The bill also establishes the Victorian Regional Channels Authority as the responsible authority for the port development strategy required under the Port Management Act 1995 for the port of Geelong. This change facilitates better coordination of whole-of-port planning for the port.

The bill also makes a small change to improve the hazardous activities scheme at the port of Melbourne.

Honourable members are referred to the explanatory memorandum and clause notes for the bill for more detailed information about the proposal.

I commend the bill to the house.

Debate adjourned on motion of Mr MADDEN (Essendon).

Debate adjourned until Wednesday, 2 May.

GAMBLING LEGISLATION AMENDMENT (TRANSITION) BILL 2012

Statement of compatibility

Mr O'BRIEN (Minister for Gaming) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Gambling Legislation Amendment (Transition) Bill 2012.

In my opinion, the Gambling Legislation Amendment (Transition) Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Gambling Legislation Amendment (Transition) Bill 2012 makes a number of amendments to the Gambling Regulation Act 2003 which are intended to facilitate the transition to the new gambling industry structure which will commence on 16 August 2012.

The bill also amends the Gambling Regulation Act 2003 and the Casino Control Act 1991 to ensure that the prohibition that will apply to automatic teller machines located in gaming venues from 1 July 2012 is not undermined by the proliferation of new types of cash access devices.

Human rights issues

Human rights protected by the charter act that are relevant to the bill

Section 13: privacy and reputation

A person has the right —

- (a) not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) not to have his or her reputation unlawfully attacked.

Clause 14 of the bill amends the Gambling Regulation Act 2003 to require certain persons conducting technical work for a venue operator or the monitoring licensee to hold a gaming industry employee's licence.

An application for a gaming industry employee's licence requires an individual to provide information to the Victorian Commission for Gambling and Liquor Regulation (commission) and for the commission to make an assessment of the integrity, responsibility, personal background and financial stability of the applicant, the general reputation of the applicant having regard to character, honesty and integrity, and the suitability of the applicant to perform the type of work proposed to be performed by the applicant.

While the requirement to apply for a gaming industry employee's licence may engage the section 13 right, it does not limit the right to privacy because the interferences with

privacy are proportionate and not unlawful and arbitrary. The commission is tasked with monitoring the conduct of gambling and the licensing process is necessary to ensure that gambling is conducted honestly and is free from criminal influence and exploitation. The commission is subject to a general duty of confidentiality under section 10.1.30 of the Gambling Regulation Act 2003.

Conclusion

I consider that the bill is compatible with the charter because it does not limit any human rights under the charter act.

Hon. Michael O'Brien, MP
Minister for Gaming

Second reading

Mr O'BRIEN (Minister for Gaming) — I move:

That this bill be now read a second time.

Since coming to office in 2010, this government has worked closely with industry to facilitate a smooth transition from the existing gambling licences to the new industry arrangements.

New licences for keno, monitoring and wagering and betting have been issued. Further measures to assist transition to the new gaming industry arrangements were enacted through the Gambling Regulation Amendment (Licensing) Act 2011.

Under the new industry arrangements, the Victorian gaming industry will transition from the current duopoly gaming operator system, comprised of Tattersall's and Tabcorp, to a venue operator structure. From 16 August 2012, venue operators will have direct control over their gaming operations.

The transition to this new industry structure is a significant project and the commencement of these new licences is rapidly approaching.

This bill has two purposes. The first is to deliver on the government's commitment announced in December last year to extend the ban on automatic teller machines (ATMs) in gaming venues. The second is to further enhance and strengthen the legislative framework to facilitate a smooth transition to the new industry structure.

I now turn to the main provisions of the bill.

The bill demonstrates the coalition government's commitment to taking strong and effective action to tackle problem gambling.

From 1 July 2012, a new prohibition on ATMs in gaming venues and the casino will come into effect. From this date, a venue operator will be prohibited

from providing, or allowing another person to provide on the venue operator's behalf, an ATM in an approved gaming venue unless the venue operator holds an approval granted by the Victorian Commission for Gambling and Liquor Regulation that authorises the provision of the ATM. The commission can only grant exemptions for venues to retain an ATM in very limited circumstances.

This bill extends the prohibition on ATMs to include alternative cash access devices which do not require staff interaction before any decision to withdraw cash is actioned by the customer. A cash access device that does require staff interaction before action to withdraw cash is taken by the customer will not be prohibited and will instead be subject to the existing restrictions on EFTPOS devices in gaming venues.

The prohibition will apply to gaming venues and to the casino.

The government is taking this action after being made aware of the marketing to gaming venues of alternative cash access devices that have the capacity to undermine this important harm minimisation measure. These devices appeared to be a means of providing ready, anonymous access to cash in gaming venues, with staff interaction only taking place after the customer had initiated a transaction.

The government has consistently said that it would not allow the policy intent of the ATM ban to be undermined by devices clearly designed to circumvent the ban on ATMs. Such devices are not captured by the existing legislated prohibition. The introduction of this bill to extend the existing prohibition is further evidence of the government's strong commitment to tackling problem gambling.

The prohibition on ATMs will require gaming venue patrons to leave the venue in order to access cash from an ATM. This provides patrons with a break in play that will give them the opportunity to make a decision, outside the gambling environment, about whether to continue gambling.

Ms Green — Speaker, I draw your attention to the numbers in the house and the lack of a quorum.

Quorum formed.

Mr O'BRIEN — The extension of the prohibition is based on available research. The Productivity Commission's 2010 report into gambling found that face-to-face interaction when making a withdrawal is less risky as it can deter problem gamblers from withdrawing large sums of money.

It is important to note that patrons will still have the opportunity to withdraw cash in gaming venues where there is face-to-face interaction with staff, subject to the existing restrictions that apply to EFTPOS facilities, including a \$200 withdrawal limit per transaction and a prohibition on such facilities in gaming areas of venues.

These measures will ensure that Victoria has the strongest regulation of ATMs in gaming venues of any Australian jurisdiction. The changes that will commence on 1 July go further than the Productivity Commission's recommendations or measures proposed by the commonwealth government.

In addition to this responsible gambling measure, the bill makes a number of amendments to the Gambling Regulation Act 2003 and other gambling legislation to facilitate a smooth transition to the new gambling industry arrangements that come into effect on 16 August 2012.

Under the current legislative structure the two gaming operators have responsibility for the installation, maintenance and repair of gaming machines and they employ technically qualified persons as licensed gaming industry employees to undertake those functions.

Gaming industry employees are licensed by the Victorian Commission for Gambling and Liquor Regulation. In assessing an application for a licence, the commission considers the responsibility, personal background and financial stability of the applicant, as well as their general reputation having regard to character, honesty and integrity, and the suitability of the applicant to perform the type of work they are to be licensed to conduct.

Under the new industry structure the work currently undertaken by the gaming operators' licensed gaming industry employees will become the responsibility of venue operators and of the monitoring licensee. Venue operators will need to employ their own staff or engage service providers to undertake technical work such as the installation, repair and maintenance of gaming machines, and the monitor will also employ staff to link gaming machines to the monitoring system and to maintain that system.

It is necessary to amend the Gambling Regulation Act 2003 to ensure that individuals performing these technical functions are required to be licensed. Additionally, the bill will require any provider of services to a venue operator to be listed on the roll of manufacturers, suppliers and testers if the provider installs, services, maintains or repairs gaming

equipment for venue operators. These amendments will assist to maintain the integrity of gaming and ensure that the management of gaming machines and gaming equipment is free from criminal influence and exploitation.

The bill also contains a number of other amendments which are necessary to facilitate the transition from the current gaming operator structure to the new venue operator model for gaming.

In 2009 the previous government introduced legislation providing that for the period following the allocation of gaming machine entitlements until 16 February 2013, six months after the commencement of the new industry structure, a venue operator who sold gaming machine entitlements for a profit would be required to pay a 75 per cent tax on the profit made. The purpose of this tax was to deter speculative bidding in the auction for gaming machine entitlements.

An exemption from the tax can be given if the Treasurer is satisfied that the reason for the transfer is that a government agency has refused to give an authorisation, such as a liquor licence or premises approval, which has resulted in the original purchaser being unable to use the entitlements.

The bill will extend the grounds for an exemption to include where the Victorian Commission for Gambling and Liquor Regulation refuses to grant an application by a venue operator to amend their venue operator's licence to increase the number of gaming machines permitted in an approved venue. The commission may refuse an application for an increase to the number of gaming machines for a range of reasons, and it is not appropriate that the venue be subject to a penalising tax for selling entitlements they cannot use if this occurs.

The taxation arrangements for the current gaming operator structure include the payment of a health benefit levy by the gaming operators. The levy applies on the number of gaming machines operated by the gaming operators. Venue operators, under the new industry structure, will not pay the levy.

The Gambling Regulation Act 2003 provides the formula for calculating the quantum of the levy and the dates on which payments of the levy are due to the state. The act provides that the levy is to be calculated in November each year, in reference to the average number of gaming machines in operation from December in the previous year to November in the current year, and for payments to be due at set dates.

The prescription of specific dates for calculating the quantum of the levy and due dates is inappropriate at

the end of the gaming operator's licences and creates uncertainty with respect to determining how the levy will be calculated and when it is due for the final financial year.

The bill amends the act to provide the Treasurer with flexibility as to when he or she can determine the quantum of the levy and when the levy is payable. It is important to note that this amendment is not intended to increase the quantum of the levy that would have been payable by the gaming operators for the period until 16 August 2012 if the gaming operator licences had not ceased. The gaming operators are currently responsible for all aspects of the operation of jackpots on gaming machines, including accounting for money in the jackpot prize pools and payment of winnings. From 16 August 2012, venue operators will be responsible for conduct of jackpots.

It is likely that on cessation of the gaming operators licences there will be funds remaining in the jackpot prize pools. Any money remaining in the jackpot prize pools will be unwon player funds, and it is important that it is distributed appropriately. While it is the government's preference that this money is paid to players before the cessation of the licences, in the event that there are remaining player funds in the jackpot prize pools, the government believes this money would be best directed to the Victorian Responsible Gambling Foundation. For this reason, the bill amends the act to provide that any money remaining in the jackpot prize pools at the end of the gaming operators licences be directed to the foundation.

Money paid to the foundation will contribute to the provision of education and information programs to promote responsible gambling behaviours and to provide treatment and counselling services in relation to problem gambling. The payment of this money to the foundation is consistent with the purposes and objectives of the Gambling Regulation Act 2003.

The bill also creates a new transitional provision that will only apply from its commencement until 15 August 2012. The bill provides that the existing restrictions on the authority conferred by the act on venue operators licences and gaming operators licences do not prohibit the supply of gaming machines by venue operators to gaming operators. This amendment is intended to overcome obstacles faced by venue operators in ensuring that gaming machines that they have purchased are installed in venues and ready for operation by 16 August 2012.

Finally, in relation to transitional issues, the bill imposes an explicit requirement on the outgoing

gaming operators and the wagering licensee to ensure that they continue to discharge any obligations remaining at the end of their licences and do everything necessary to conclude their obligations.

These obligations include the payment of moneys due to the state and the payment of prizes to players.

Ms Green — Acting Speaker, I direct your attention to the state of the house.

Quorum formed.

Mr O'BRIEN — The bill also makes a number of technical amendments to the Gambling Regulation Act 2003 including the repeal of provisions that have been identified as obsolete under the new industry structure.

In summary, this bill further strengthens the legislative framework for transitioning into the new industry arrangements and builds on the government's commitment to strong and effective action to tackle problem gambling.

I commend the bill to the house.

Debate adjourned on motion of Ms GREEN (Yan Yean).

Debate adjourned until Wednesday, 2 May.

PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2012

Statement of compatibility

Mr WALSH (Minister for Agriculture and Food Security) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Primary Industries Legislation Amendment Bill 2012.

In my opinion, the Primary Industries Legislation Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill amends the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, Domestic Animals Act 1994, and Livestock Management Act 2010.

Human rights issues

Powers of authorised officers to require documents

Clause 5 of the bill amends the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 ('the act') by extending the power of authorised officers to require the production of documents for determining compliance with any regulation or order made under the act.

This amendment to section 54(1)(g) of the act potentially engages the right to freedom of expression in section 15 of the charter act, which includes a right not to impart information. Section 15(3)(b) of the charter provides that the right to freedom of expression may be subject to lawful restrictions reasonably necessary 'for the protection of national security, public order, public health or public morality'. The act, and the regulations and orders made under it, impose controls in relation to the use of agricultural and veterinary chemicals for a number of significant purposes including the protection of the health of the general public, the environment, the health and welfare of animals, and trade in agricultural produce and livestock. To the extent that these information-gathering powers engage the right to freedom of expression by restricting a person's right not to impart information, the restriction is lawful and reasonably necessary to ensure compliance with orders and regulations made under the act and thus for the protection of public order and public health.

Conclusion

For the reasons given in this statement, I consider that the bill is compatible with the charter.

Hon. Peter Walsh, MLA
Minister for Agriculture and Food Security

Second reading

Mr WALSH (Minister for Agriculture and Food Security) — I move:

That this bill be now read a second time.

This bill amends the following acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992;

Domestic Animals Act 1994; and

Livestock Management Act 2010.

The Agricultural and Veterinary Chemicals (Control of Use) Act 1992 is the principal legislation regulating the 'use' of agricultural and veterinary chemicals in Victoria. The act imposes controls over the use of agricultural and veterinary chemicals to ensure their use does not lead to the contamination of livestock and agricultural produce, or to financial losses resulting from damage to plants and livestock. The act also imposes controls in relation to the use, application and sale of agricultural and veterinary chemical products to protect domestic and export trade in agricultural

produce and livestock, public health, the environment, and the health and welfare of animals.

This bill proposes minor amendments to this act to ensure its effective and efficient administration. The amendments have been developed in consultation with the Victorian Agricultural Chemicals Advisory Committee which is established under section 65 of this act, and is represented by industry, local government, chemical manufacturers, primary producers and conservation interests.

The bill will enable an authorised officer to require the production of documents, to ascertain compliance with the regulations and orders established under the act, as well as ensuring the two year time limit for commencing prosecutions also applies to offences under regulations.

The bill provides for a new offence where a person who fails to return a suspended or cancelled authority to the chief administrator.

The bill amends the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 to provide for consistent reference to an authorised officer identification certificate or card, and to increase the maximum allowable penalty for an infringement notice from 2 to 5 penalty units.

Importantly, the bill will require a seller of livestock to inform a buyer if the livestock has consumed agricultural produce that has been harvested or obtained within the withholding period for an agricultural chemical product that has been applied to it. A withholding period is the minimum interval that must elapse between the last application of a chemical product to a crop, pasture or animal, and the harvesting, grazing, cutting or slaughtering thereof. Withholding periods are specified on chemical product labels to prevent the contamination of agricultural produce with agricultural and veterinary chemicals.

The bill benefits industry and consumers of agricultural produce in this state, and helps to protect access to our export markets through improved regulation of the risks arising from the use of agricultural and veterinary chemicals.

The bill also amends the Domestic Animals Act 1994.

Currently under this act, a 17-year-old person can legally be responsible as owner of a dog or cat, rather than their parent or guardian. However, if a 17-year-old person commits an offence as the owner of a dog or cat, charges against this person must be heard in the Children's Court. Changing the age at which a person is

responsible as an owner for the purposes of the act from 17 years to 18 years will ensure that all charges brought under the Domestic Animals Act 1994 are heard in the Magistrates Court.

The Domestic Animals Act 1994 allows a council to resolve not to register or renew the registration of a dog or cat unless it is desexed. A proviso applies if the dog or cat is the subject of written veterinary advice that its health is liable to be significantly prejudiced if it is desexed. The bill will ensure that this proviso can only apply where the veterinarian has personally examined the dog or cat before providing advice, and further, that the advice include reasons why the health of the dog or cat is considered liable to be significantly prejudiced if it is desexed.

Microchipping of a dog or cat was introduced as a temporary qualification for a reduced rate of registration in 2005. Mandatory microchipping for all newly registered dogs and cats became effective from 1 May 2007. It was agreed at that time that it would be removed after five years of gradual implementation.

Councils have indicated that there has been a reduction in desexing rates as a result of mandatory microchipping. There is a need to focus the owners' attention back on desexing their animals. It has now been five years since mandatory microchipping was introduced and it is time for the default fee reduction to be revoked. The bill will remove this basis for the reduced fee but not for current owners of microchipped or registered animals. As requested by councils, the change will be delayed so it only applies to new registrations on or after the commencement of the relevant provisions.

This bill also makes administrative amendments to the Livestock Management Act 2010. The key change to this act will ensure that the existing unintended limitation on which standards can be enforced through regulation is removed. This will allow the Department of Primary Industries and industry better enforcement options and ensure more effective delivery of compliance and enforcement activities, thus ensuring that Victoria can continue to meet its national expectations.

I commend the bill to the house.

Debate adjourned on motion of Ms GREEN (Yan Yean).

Debate adjourned until Wednesday, 2 May.

FORESTS AMENDMENT BILL 2012*Statement of compatibility***Mr R. SMITH (Minister for Environment and Climate Change) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Forests Amendment Bill 2012.

In my opinion, the Forests Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to insert a new legislative scheme in the Forests Act 1958 (Forests Act) to provide for the collection of firewood for domestic purposes from areas of state forest without a licence or permit. The bill will insert a similar scheme into the Crown Land (Reserves) Act 1978 (Crown Land (Reserves) Act) to apply to certain land reserved under that act. The bill will also make consequential amendments to the Land Act 1958 (Land Act), the National Parks Act 1975 (National Parks Act) and the Wildlife Act 1975 (Wildlife Act).

Human rights issuesRight to privacy

Section 13 of the charter act provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with or to have his or her reputation unlawfully attacked.

An interference with privacy will not be unlawful provided that it is permitted by law, is certain and is appropriately circumscribed. Any interference will not be arbitrary provided that the restrictions on privacy are reasonable in the particular circumstances and are in accordance with the provisions, aims and objectives of the charter act.

Clause 11 of the bill engages the right to privacy because it makes a consequential amendment to section 83 of the Forests Act, which relates to search warrants. The amendment engages the right to privacy to the extent that section 83 relates to residential land.

Presently, a warrant may be sought under section 83 only where an authorised officer believes that forest produce that is liable to the payment of royalties, dues or other charges has been taken from state forest. Following the amendments made by the bill, only some, but not all, forest produce, will continue to be liable to the payment of fees, dues and royalties: the new scheme creates circumstances in which firewood will be free. This creates a gap in the applicability of section 83. In order to avoid this, clause 11 amends section 83 so that a search warrant may also be sought where timber (as defined in section 3 and which includes the wood subject to the new firewood scheme) is suspected of having been taken in contravention of the act or the regulations, and regardless

of whether the forest produce is liable to the payment of royalties, dues or charges. This will be a more relevant basis for seeking a warrant when wood subject to this scheme is potentially involved in suspected criminal activity under the Forests Act.

Warrants under section 83 (as amended by the bill) will still only be able to be sought from a magistrate based on the sworn evidence of a member of the police force or an authorised officer as to suspected illegal conduct with respect to forest produce. In this respect, the reach of the amended provision will be similar, if not identical, to the reach of the existing provision. As such, entry to land under section 83 will continue to be lawful, reasonable and not arbitrary, because an authorised officer will be acting under the authority of a search warrant issued by a magistrate and within defined parameters specified by the warrant. For these reasons, to the extent that section 83 relates to residential land, it will not limit the right to privacy.

Cultural rights

Section 19 of the charter act provides that Aboriginal persons have the right to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs. The bill may engage this right.

Clauses 5, 16, 22 and 23 of the bill insert consistent offence provisions into the Forests Act, the Crown Land (Reserves) Act, the National Parks Act and the Wildlife Act, in relation to the unauthorised collection of fallen or felled trees (within the meaning of the term in the bill). The insertion of the new offences may be perceived to restrict the ability of Aboriginal persons to conduct hunting and gathering activities involving firewood on the various tenures of Crown land to which these acts relate. However, as the unauthorised collection of firewood is already an offence under various provisions (for example, section 96 of the Forests Act and section 190 of the Land Act), the new offences do not create any new restrictions nor do they restrict the exercise of any current rights of Aboriginal persons to collect firewood. The bill does not therefore deprive Aboriginal persons of a relationship with the land.

Right to be presumed innocent

Section 25(1) of the charter act provides that an accused has the right to be presumed innocent until proven guilty according to law. Clause 10 of the bill amends section 82 of the Forests Act by changing the existing reverse legal onus to a reverse evidentiary burden, in relation to the ownership of timber (as defined in section 3), which includes the wood subject to the new firewood scheme. Although the change results in a lesser burden applying to an accused, the change nevertheless limits the right in section 25(1) of the charter act.

(a) The nature of the right being limited

The right to be presumed innocent until proven guilty is a fundamental common-law principle. It requires that the prosecution must prove that the accused committed the charged offence beyond reasonable doubt. This means that the prosecution must generally prove all elements of a criminal offence.

Human rights jurisprudence provides that limitations on the right are generally able to be reasonably justifiable in circumstances where they require an accused to adduce (or

present) evidence in order to raise an exception to an offence (as distinct from proving the exception, or disproving an element of the offence) and where the ability to do so relies on particular knowledge of the accused. As the discussion below illustrates, that is the case in relation to the amendment to section 82 of the Forests Act.

(b) The importance and purpose of the limitation

The amendment to section 82 of the Forests Act is being made to ensure that the presumption as to ownership of forest produce in that section can continue to operate in a fair and reasonable manner following the introduction of the new scheme. The presumption is central to the effective enforcement of the Forests Act, which, in turn, supports the sustainable management of forests and forest produce. This is an important purpose because forest produce (for example, a wide range of wood products including firewood, as well as other products such as honey and eucalyptus oil) supports a range of private consumption and commercial and industrial activity in Victoria. The continued existence of these resources depends on management of the various naturally occurring ecosystems from which they grow, and the effective enforcement of the act enables this to occur.

(c) The nature and extent of the limitation

The amendment to section 82 will require an accused to produce evidence to a court on the question of having a lawful basis for having acquired timber. In the case of a person to whom proposed section 57Q(4) applies, the accused will be required to present or point to evidence as to the taking of fallen or felled trees from a particular firewood collection area during a firewood collection season for domestic use as firewood. In all other cases, an accused who has been acting lawfully will be able to present evidence as to ownership by producing a licence, permit or other authority which authorised the accused to interfere with or acquire the forest produce in question.

The accused's right to be presumed innocent is limited because he or she could be found guilty of an offence under sections 57Q or 96 of the act if he or she fails to present evidence that raises the exception in section 57Q(4), or that otherwise indicates that the accused held a valid and relevant licence, permit or other authority.

The extent of the limitation is reasonable because the evidentiary burden should be easy and practical for an accused (who has been acting lawfully) to discharge. The evidentiary matters discussed above will always be within the particular knowledge of the accused, and it will seldom be the case that any other person has evidence in relation to those matters.

Importantly, too, it should be noted that, before any person can be found guilty of offences such as those mentioned above, the prosecution will still be required to prove the basic elements of the offence beyond reasonable doubt (for example, that a person has taken fallen or felled trees from state forest).

(d) The relationship between the limitation and its purpose

The limitation achieves the purpose of enabling the Forests Act to continue to be effectively enforced. It does so by avoiding the scenario where, without the evidentiary burden, prosecutors would need to prove beyond reasonable doubt in

each case that a person took timber from a place in state forest other than a firewood collection area and at a time other than during a firewood collection season, and that it was taken for a use other than domestic use as firewood. If the act required this, few prosecutions under the act would ever be successful, because the prosecution will seldom have the benefit of knowing, or being able to prove, precisely from where in state forest timber has been removed. The enforceability of the act would be compromised.

(e) Any less restrictive means reasonably available to achieve its purpose

As noted above, the evidentiary burden in section 82 is required for the effective enforcement of the act. State forest comprises approximately 3.4 million hectares, or approximately 15 per cent, of the land area in Victoria. It would be impossible and unrealistic for prosecutors and enforcement staff to be required to produce evidence about the exact location from which a person removed timber from state forest in every case. Accordingly, there is no less restrictive means that is reasonably available to achieve the purpose of the limitation.

(f) Any other relevant factors

There are no other relevant factors.

For the reasons set out above, I consider that the amendment to section 82 of the Forests Act is compatible with section 25(1) of the charter act.

Clauses 18 and 21 of the bill make corresponding amendments that apply with respect to firewood collected under the Crown Land (Reserves) Act. The amendments have the same effect as the amendment to section 82 of the Forests Act in that the existing reverse legal onus provision in section 200 of the Land Act ceases to apply to timber collected from regional parks in which the new firewood scheme operates. Instead, a reverse evidentiary burden will apply in new section 30A of the Crown Land (Reserves) Act.

The analysis and conclusions for clause 10, above, apply equally to clauses 18 and 21 of the bill, although the importance of the purpose of the limitation is to promote the enforcement of the Crown Land (Reserves) Act rather than the Forests Act. This is important in its own right because of the need to protect the natural resources specified in section 200 of the Land Act which are found on land reserved under the Crown Land (Reserves) Act.

Conclusion

I consider that the bill is compatible with the charter act because, although it may engage the section 13 right to privacy and the section 19 cultural rights, those rights are not limited by the bill, and the limitation on the right to be presumed innocent under section 25(1) is justified under section 7(2) of the charter act.

The Hon. Ryan Smith, MP
Minister for Environment and Climate Change

Second reading

Mr R. SMITH (Minister for Environment and Climate Change) — I move:

That this bill be now read a second time.

Firewood is an important source of fuel for heating and cooking in many parts of regional Victoria. The government is committed to making domestic firewood collection on public land simpler and more affordable by abolishing the need to obtain a firewood permit. This will reduce the burden of red tape associated with personal firewood collection and make it easier for households to access an annual supply of firewood.

The Forests Amendment Bill 2012 (the bill) will create the legislative framework for the new scheme. It will amend the Forests Act 1958 (the Forests Act), make related amendments to the Crown Land (Reserves) Act 1978 (the Crown Land (Reserves) Act) and make consequential amendments to the Land Act 1958 (the Land Act), the National Parks Act 1975 (the National Parks Act) and the Wildlife Act 1975 (the Wildlife Act).

Overview of the legislative scheme

The new legislative scheme will apply to the collection of firewood in state forest and in those regional parks where firewood collection for domestic use is currently allowed. The scheme will apply to fallen or felled trees — or parts of those trees — collected in designated firewood collection areas during firewood collection seasons.

In summary:

the bill will abolish the need for a domestic firewood permit;

it will establish two firewood collection seasons in each financial year;

it will establish a process for designating firewood collection areas in state forest and those regional parks where firewood collection is currently allowed;

it will provide the flexibility to ensure that firewood supply can be managed over the long-term and local needs and unforeseen circumstances are able to be dealt with;

it will create a series of offences aimed at encouraging appropriate collecting behaviour; deterring illegal commercial firewood collection activity; and providing checks and balances to

ensure that firewood collection is sustainable into the future and is undertaken in a socially and environmentally responsible manner; and

it will enable a person who is unable to collect firewood for themselves to nominate another person to do so on their behalf.

Previously, firewood permits typically contained information on where, and how much, firewood could be collected and under what conditions. In the absence of permits, these and other matters will now be dealt with in legislation, either in the relevant acts or in regulations. In this way, the Victorian community will have clear, legislatively defined, expectations of the scheme.

While the bill will reduce the red tape burden on individuals, it does not alter the basic position that the government, through the Secretary to the Department of Sustainability and Environment (the secretary), retains control of the firewood resource in state forest and other relevant public land, and its supply from that land. The supply of domestic firewood from these areas will complement what is available from commercial suppliers operating on both public and private land.

Establishing firewood collection seasons

The bill will create two firewood collection seasons in each financial year — a spring season from 1 September to 30 November and an autumn season from 1 March to 30 June. These seasons will be consistent across the state and aim to minimise the risks to people, the environment and infrastructure by avoiding firewood collection during winter, when the ground is wet and at risk of damage, and during summer, in the period of highest fire risk.

The secretary will be able to shorten a season, either across the state or in part of the state, if it is considered necessary to do so for reasons of public safety because of actual or likely fire danger.

Designating firewood collection areas

The bill will enable the secretary to designate firewood collection areas where firewood may be collected. Firewood collection areas will be located, where possible, to avoid sites of environmental and cultural significance and make use of the by-products of activities such as commercial timber harvesting and road construction.

The bill will provide the secretary with the flexibility to open and close firewood collection areas during a firewood collection season. This will assist in managing

the supply of firewood through a firewood season and also the availability of collection areas should unexpected conditions, such as floods, affect particular areas.

Ensuring a sustainable firewood supply

The bill includes several features which aim to ensure that there is a supply of firewood for those who need it, particularly in parts of the state where the firewood resource is limited. These provisions will assist in managing firewood supplies from public land over the long term.

In particular:

the bill will impose various limits on the amount of firewood which can be collected, personally or on behalf of another person or by a household. The maximum personal collection limit will be 2 cubic metres per person per day, regardless of whether the firewood is collected personally or on behalf of another person. The maximum household collection limit will be 16 cubic metres per financial year. This may be collected by members of a household or on behalf of a member of a household;

the bill will enable the secretary to limit the amount of wood a household can collect in a financial year from a particular region, should this be considered necessary in the interests of ensuring the long-term supply of firewood in that part of the state;

the bill will also enable the secretary to restrict collection in specified firewood collection areas to a class of persons — for example, the residents of a particular municipality — if required to manage firewood supply.

Establishing appropriate firewood collection rules

The bill recognises that the new scheme requires checks and balances — or rules — for it to work. It strikes the appropriate balance between introducing a simpler and more affordable system for domestic firewood collection on the one hand and, on the other, ensuring that there is a sustainable firewood resource, that appropriate environmental safeguards are in place, and that there are strong deterrents to illegal commercial operations.

The bill will therefore create a series of offences with appropriate penalties, depending on the severity of the offence. Currently, the penalties for most offences under the Forests Act relating to illegal firewood collection include up to one year's imprisonment. These offences can only be dealt with through the

courts. Consequently, several new offences will be created as strict liability offences to establish the basis for their enforcement through the issuing of infringement notices. This will provide a compliance tool to encourage adherence to the collection rules, while retaining the option of taking a case to court if warranted in the circumstances.

There are two main sets of new offences:

those relating to firewood collection outside a firewood collection area and/or outside a firewood collection season, or otherwise relating to exceeding the limits imposed by the scheme; and

others relating to breaches of the firewood collection rules inside a firewood collection area during a firewood collection season.

In relation to the first category, the bill will create offences in the Forests Act, the Crown Land (Reserves) Act, the National Parks Act and the Wildlife Act in relation to the unlawful collection of wood on land under those acts. These aim to deter illegal firewood collection in areas where firewood collection is not permitted. To ensure that there is no incentive to collect domestic firewood illegally in one land category or another, the offences and associated penalties will be identical in each of those acts.

To encourage compliance, the bill will create a strict liability offence of unlawfully collecting up to 2 cubic metres of wood, and more serious offences, with penalties consistent with the existing offences in the Forests Act, of unlawfully collecting more than 2 cubic metres. The more serious offences also aim to deter illegal commercial operations.

Offences in the second category include those aimed at protecting the environment — in particular, cutting down or damaging a tree (or shrub), whether dead or alive, and cutting or taking away wood which is visibly hollow or growing moss or fungi.

In addition to the serious offences previously referred to, the bill will create several other offences aimed specifically at deterring illegal commercial operations. These include:

selling wood collected under the scheme;

requesting or accepting reward for collecting firewood on behalf of another person; and

collecting more than the maximum amounts per household per financial year.

The penalties for most of these offences are high but are equivalent to those under the Forests Act currently applying to illegal firewood operations.

The bill will also enable regulations to be made which will supplement the rules included in the primary legislation. The regulations will cover matters of an operational nature and additional measures to protect environmental values.

Informing the public

The bill will require the scheme to operate transparently. In particular:

any determination of the secretary must be published in the *Government Gazette*;

the plans of the firewood collection areas must be lodged in the central plan office; and

signage must be erected at firewood collection areas.

In addition, the Department of Sustainability and Environment is committed to placing a range of information on its website and in departmental offices, and to publicising key elements of the scheme.

Consequential and other amendments

The bill will make several consequential amendments to the Forests Act and the Land Act to ensure that various provisions, which previously applied to domestic firewood collected under a permit, will continue to apply in the absence of firewood permits and associated fees. These provisions include the power in the Forests Act to apply for a search warrant when it is suspected that forest produce has been illegally taken, and provisions in the Forests Act and the Land Act that deal with the ownership of forest produce.

Conclusion

The bill reflects the government's commitment to removing the need for domestic firewood permits and to creating a simpler and more affordable system for domestic firewood collection. At the same time, appropriate checks and balances, including a strengthened regulatory framework, will ensure that the scheme will be sustainable and that firewood will continue to be available to the Victorian community for domestic use.

I commend the bill to the house.

Debate adjourned on motion of Ms GREEN (Yan Yean).

Debate adjourned until Wednesday, 2 May.

COURTS AND SENTENCING LEGISLATION AMENDMENT BILL 2012

Statement of compatibility

Mr CLARK (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Courts and Sentencing Legislation Amendment Bill 2012.

In my opinion, the Courts and Sentencing Legislation Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Courts and Sentencing Legislation Amendment Bill 2012 will make amendments to the Children, Youth and Families Act 2005, the County Court Act 1958, the Judicial College of Victoria Act 2001, the Juries Act 2000, the Magistrates' Court Act 1989 and the Supreme Court Act 1986 to:

improve Children's Court processes;

clarify the jurisdiction of Koori courts;

allow the Judicial College of Victoria to provide education to judicial registrars;

improve the processes for empanelling juries;

provide immunity for assessors in the County and Supreme courts.

The bill also makes the following amendments to sentencing laws relating to community-based corrections:

streamlining the process for charging offenders with contravention of a sentencing order;

modernising orders for converting unpaid fines to community work;

clarifying how money will be held and repaid under a community correction order (CCO) bond condition;

a number of other technical and minor amendments.

The bill provides for the continued use of infringement notices for the following offences on a trial basis for a further two years, until 30 June 2014:

shop theft of goods valued at up to \$600: section 74A, Crimes Act 1958;

wilful damage of property valued at less than \$500: section 9(1)(c), Summary Offences Act 1966.

Charter act right relevant to the bill — recognition and equality before the law (section 8)

Section 8 of the charter act provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

The bill may be considered to engage section 8 of the charter act, as it provides indigenous persons with different sentencing options in the courts on the basis of race.

The bill provides indigenous persons with the option of having a breach of a sentencing order made in any division of a court dealt with by the Koori Court division of the court.

However, this does not detract from the equal protection of the law for Koori and non-Koori people. All persons are subject to the same law and legal protections as regards sentencing options.

Furthermore, the fact that the Koori Court division provides for alternative sentencing procedures that have regard to the cultural background of the offender and seek to contribute to more effective sentencing and lower recidivism rates does not constitute discrimination within the meaning of the Equal Opportunity Act 2010 and thus within the meaning of the charter act.

While non-Koori people are treated differently, in that they do not have the option of access to the Koori Court division sentencing procedures, for the purposes of the Equal Opportunity Act 2010 this does not amount to either unfavourable treatment because of an attribute such as race or a practice which is unreasonable and has the effect of disadvantaging persons with the attribute.

Charter act right relevant to the bill — right to a fair hearing (section 24)

The bill will amend the County Court Act 1958 and the Supreme Court Act 1986 to provide that an assessor called in by the court has, in the performance of his or her duties as an assessor, the same immunity as a judge of the court has in the performance of his or her duties as a judge. This impacts on the right of individuals to institute proceedings against assessors in relation to acts or omissions committed in the performance of their duties.

Section 24(1) of the charter act provides that a person charged with a criminal offence, or a party to a civil proceeding, has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. It is possible that this right could be considered to be limited by the bill, given that it prevents a claim being brought against an assessor by virtue of the immunity.

However, it can also be argued that the amendment enhances the right to a fair hearing because it helps ensure that decisions will be made by an impartial court or tribunal. The immunity granted to assessors, who will help to make decisions about the rights of individuals, is intended to ensure that assessors will make decisions impartially.

The bill will provide the same immunity to assessors as is currently enjoyed by mediators, special referees and arbitrators. Assessors are called in by the court to provide independent expert assessments, assisting the court in

resolving complex technical and factual issues. The position of an assessor is substantively identical to that of special referees, and similar to mediators and arbitrators, who are called upon to determine issues or mediate between parties in an authoritative and impartial manner.

The functions of an assessor must be performed competently, independently and without fear or favour. Allowing these officers to be covered by statutory immunity for all acts or omissions committed in good faith in the exercise of their duties enhances the proper administration of justice.

The immunity also protects assessors from the distraction and cost of damages, claims that might otherwise provide an incentive to avoid making decisions that are likely to provoke personal retaliation from disgruntled litigants.

For these reasons, if there is any potential limitation of the right in section 24(1), the limitation is reasonable within the meaning of section 7(2).

Charter act right relevant to the bill — right to a fair hearing (section 24) and presumption of innocence (section 25)

The issue of an infringement notice does not constitute a charge. Accordingly, the bill does not engage or limit the right of a person charged with a criminal offence to be presumed innocent until proved guilty in section 25 of the charter act, or the right of a criminal accused to have their charge decided by a competent, independent and impartial court or tribunal after a fair and public hearing in section 24 of the charter act.

If, however, a person elects to have the matter heard and determined by a magistrate in open court, the Infringements Act 2006 deems the matter to be a charge and the usual rights of an accused person in relation to that offence would apply.

Conclusion

I consider that this bill is compatible with human rights as defined in the charter act because this bill does not unreasonably limit any right set out in the charter act.

Robert Clark, MP
Attorney-General

*Second reading***Mr CLARK (Attorney-General) — I move:**

That this bill be now read a second time.

The bill strengthens Victoria's justice system through various improvements to court and sentencing legislation.

The bill will improve the operation of the court system through amendments that:

clarify the jurisdiction of Koori courts;

improve various Children's Court processes and make other technical amendments;

correct anomalies in relation to the empanelment and excusing of jurors;

make judicial registrars a class of judicial officer that can be provided with judicial education by the Judicial College of Victoria; and

provide immunity to assessors in the Supreme Court and the County Court.

The bill will also improve the operation of community-based sentencing by:

streamlining processes for charging offenders with contravention of a sentencing order;

modernising orders to convert unpaid fines to community work;

clarifying how money will be held and repaid under the community correction order (CCO) bond condition; and

making further technical and minor amendments.

This bill also provides for a two-year extension of the power to issue infringement notices for two offences under the Justice Legislation Amendment (Infringement Offences) Act 2011.

Currently a Koori Court division can only deal with a contravention of a sentencing order if that sentencing order was made within the relevant Koori Court division. The bill corrects this anomaly to allow Koori Court divisions in the Magistrates Courts, County Courts and the Children's Court to deal with a breach of a sentencing order made in any part of the criminal jurisdiction of the relevant court. The bill also makes clear that a guilty plea and the offender's consent are a prerequisite for the Koori Court division to deal with offences. These amendments reinforce the role of the Koori Court division as a sentencing division and will assist in reducing delays by enabling a wider range of matters relating to an accused to be heard together.

The bill also removes anomalies in the Children's Court legislation. First, it clarifies how specified time periods are to be calculated in relation to bail provisions, which will improve operational arrangements for the Department of Human Services and the court. The bill also improves processes for hearing cases for breach of a probation order, youth supervision order or a youth attendance order. It will also enable a magistrate, other than the magistrate who originally imposed the sentence, to constitute the court. This will allow the court to schedule cases more efficiently and bring cases before the court more quickly.

The bill amends the Children, Youth and Families Act 2005 to clarify how to calculate the period for which a child may be remanded in custody. The bill will also address an operational and administrative issue regarding children taken into safe custody. At present, the legislation requires that the same member of the police force who executed a safe custody warrant must deliver that child to the location specified in the warrant. The bill will allow another member of the police force to bring that child to the location specified. The bill also clarifies that functions relating to the Children and Young Persons Infringement Notice System (CAYPINS) are vested solely in the principal registrar or the registrars, and cannot be exercised by a deputy registrar. This ensures that persons with the appropriate level of authority perform CAYPINS functions.

In addition, the bill corrects anomalies in laws governing juries. Under the Juries Act 2000, the court can empanel a jury by name or by an assigned number. Currently the Juries Act requires a list of names to be produced even where the empanelment takes place by number. This creates an unnecessary administrative step for the Office of the Juries Commissioner and may mean that a name is inadvertently disclosed. The bill will allow a document bearing the number and occupation of the juror to be produced instead. The bill also improves processes for excusing potential jurors so they can be returned as a group to the jury pool instead of individually. This saves time during the empanelment process.

The bill also amends the Judicial College of Victoria Act 2001. The Judicial College of Victoria provides education and professional development for judicial officers. The bill amends the definition of 'judicial officer' to include judicial registrars so that judicial registrars are eligible to take part in judicial education and professional development provided by the college.

The bill will also give assessors in the Supreme Court and County Court the same immunity as a Supreme Court judge. Assessors assist the Supreme Court by providing independent expert assessments and are currently utilised in the technology, engineering and construction list. The assessors' position is very similar to special referees, mediators and arbitrators, in that their role requires them to act in an authoritative and impartial manner. These other officers currently have immunity while assessors do not.

I now turn to the improvements to sentencing legislation contained in the bill. Last year, the government introduced legislation which made the most significant reforms to community-based sentences

in 20 years. The main provisions of the Sentencing Amendment (Community Correction Reform) Act 2011 (CCO act) came into effect on 16 January 2012. This act replaced the previous range of inflexible and cumbersome community-based sentences with a new single, flexible community correction order (CCO).

The bill will streamline the procedural steps for charging offenders with contravention of a sentencing order. Drawing on the Criminal Procedure Act 2009, the bill requires charges for a contravention of an order to be filed in the Magistrates Court. Once the summons is served or warrant to arrest is executed, the case will be transferred to the original sentencing court which will hear the case summarily. Where the offender is already before the Supreme Court and County Court for another offence committed during the term of the CCO, the bill gives that court the discretion to receive a charge for breach of a CCO without an adjournment. These amendments ensure that courts can properly consider the totality of offending by sentencing for both the new offence and the breach at the same time. This streamlined criminal process was developed following close consultation with the courts, the Director of Public Prosecutions, Victoria Police and Corrections Victoria.

This bill will further improve laws that allow unpaid court fines to be converted to community work. These reforms began in the CCO Act. In January this year, the previous fine default community based order was replaced by two new orders, called fine conversion orders and fine default unpaid community work orders. The bill continues the modernisation of these orders by amending the Sentencing Act to remove complicated and unclear provisions and improve the structure and processes surrounding these orders. The bill creates standard terms for the orders; allows them to be varied by application; preserves the secretary's power to suspend the order and change reporting processes; and deals with the status of orders made by the Court of Appeal. The sentencing regulations currently provide for many of these provisions and the relevant regulations will be revoked on commencement of this bill.

Another key component of the government's community correction reforms was the creation of a power for courts to impose a condition on a CCO that an offender pay an amount of money as a bond that can be forfeited upon breach. This component is scheduled to commence later this year. The bill clarifies the administrative processes for such bonds. The money will be held in a trust fund on behalf of the Crown, rather than held by the courts. The bill also makes clear that the Crown may hold the bond money for up to

three months after the CCO has expired. This gives prosecuting agencies time to determine if the offender has contravened the CCO. Where an offender is charged with further offences which, if proven, would contravene the CCO, the bond money is held and is not repayable until the criminal charges are finalised.

This bill also provides for a two-year extension of the power to issue infringement notices for two offences:

shop theft of goods valued at up to \$600;

wilful damage of property valued at less than \$500.

The 'infringements trial', which commenced in mid-2008, trialled the use of infringement notices for a small number of offences with varying complex aspects, with the aim of assessing their suitability for enforcement by infringement. The majority of these offences were made infringeable on an ongoing basis on 30 June 2011 under the Justice Legislation Amendment (Infringement Offences) Act 2011. That act also extended the trial in relation to shop theft and wilful damage for a further 12 months. The trial in relation to these two offences was extended because the initial evaluation indicated that further experience was needed and further consideration given to the impact of using infringement notices for these offences.

However, the additional year has not provided sufficient further experience of the trial in relation to those offences to enable stakeholders to resolve outstanding issues regarding the effects on deterring or otherwise modifying the behaviour of offenders and whether the rights of victims are adequately respected. The government is therefore extending the trial for a further two years to enable stakeholders to consider those issues further in the light of additional experience of the operation of the trial.

The amendments made by this bill are a further demonstration of the government's commitment to streamline court procedures and ensure stronger and more effective sentencing.

I commend the bill to the house.

Debate adjourned on motion of Ms GREEN (Yan Yean).

Debate adjourned until Wednesday, 2 May.

ROYAL WOMEN'S HOSPITAL LAND BILL 2012

Second reading

Debate resumed from earlier this day; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Mr WATT (Burwood) — I rise to speak on the Royal Women's Hospital Land Bill 2012. The bill affects two Crown land sites. One is the existing Crown allotment at Carlton in the parish of Jika Jika and is 9202 square metres of land at 132 Grattan Street in Carlton, which was occupied by the former Royal Women's Hospital. The other parcel of land is the existing Crown allotment 2007 at Carlton in the parish of Jika Jika and is some 994 square metres. It is currently partly occupied by the Royal Dental Hospital, which is located at 720 Swanston Street in Carlton.

In relation to the dental hospital site, which is Crown allotment 2007, the legislation is sought because the permanent reservation as a lying-in hospital does not reflect the current land use as a dental hospital. The Royal Dental Hospital dates back to 1890, when dentists began providing voluntary services out of 225 Lonsdale Street in Melbourne. Known then as the Melbourne Dental Hospital, it has moved a number of times. It moved to 189 Lonsdale Street, Melbourne, then to 193 Spring Street, Melbourne, and then to Grattan Street, Parkville, and it finally ended up at 720 Swanston Street in Carlton.

The current Royal Dental Hospital site is subject to the same 1886 permanent reservation for the purposes of a lying-in hospital as the former Royal Women's Hospital site. As I said, the reservation purpose does not reflect the current use of the land as a dental hospital. Dental Health Services Victoria leases that part of the Royal Dental Hospital site that is on Crown land allotment 2007 through a 99-year lease entered into in, I think, 2003 under the Land Act 1958. The bill preserves the continuing operation of the existing lease, and it will not be affected by the bill. There is no proposed change to the use of this site as a result of this bill. As I said earlier, the bill simply removes the reservation that is inconsistent with its current use.

Yesterday the member for Melbourne talked about all her plaques. I found it a bit humorous that in her contribution today she said that she left some plaque at the Royal Dental Hospital as well. The other part of the bill relates to the Royal Women's Hospital, and I think the member for Melbourne said that she had left some plaque there, too.

The Royal Women's Hospital is Australia's largest specialist hospital dedicated to improving the health of woman of all ages and newborn babies. I think most people in Victoria would have some affinity with the hospital. Each year the hospital provides 200 000 occasions of care for women from more than 165 countries who between them speak some 60 different languages and follow some 42 separate religious faiths. So it is a very broadly based hospital that sees a lot of patients from a variety of multicultural groups.

The Royal Women's Hospital was established in 1856 as the Melbourne Lying-in Hospital and Infirmary for Diseases of Women and Children. It began as a place where underprivileged women could give birth and receive medical attention and nursing care. On 22 October 1858 the hospital was officially opened on the site the subject of this bill by the then Governor of Victoria, Sir Henry Barkly. As I said about the site of the Royal Dental Hospital, in 1886 the Crown land for the former site of the hospital was permanently reserved.

The former site of the Royal Women's Hospital included Frances Perry House on levels 10, 11 and 12. I think the member for Narre Warren South said that she gave birth at Frances Perry House, which was opened in 1970 as the private wing of the hospital. It was named after the first president of the Royal Women's Hospital. The reason I raise that is that it also forms part of the site. I have been there on a number of occasions because my two boys were born on the upper levels of the Royal Women's House at Frances Perry House.

The site was used for the hospital until 2008 when the Royal Women's Hospital was relocated to Parkville, as has been said. Frances Perry House also moved to the new site in Parkville — to levels 4, 5 and 6, if I remember correctly. The former site is currently lying vacant and is no longer needed for a hospital, which means that the permanent reservation is now redundant.

In relation to the Royal Women's Hospital site, this legislation is sought to remove the outdated permanent reservation and Crown grant, to the extent it applies to the land, to allow for the sale of the bulk of land for redevelopment purposes. A number of members on the other side have talked about wanting to perhaps gift the land to somebody else, but the process for the disposal of such a site is as follows. The property is assessed as surplus to the Department of Health, and that has happened already. Then the permanent reservation affecting the land needs to be revoked. That is what we are doing in this house; we are revoking the permanent reservation. The Department of Sustainability and

Environment provides a government land or public land assessment to determine if the property is surplus to the state's Crown land portfolio, and that also has been completed. Then the Department of Treasury and Finance establishes whether there is interest in the reuse of the property by government agencies. They include the City of Melbourne, if it is so interested. If any government agency expresses interest in the property, a sale will occur at current market value.

Mr Brooks — Speaker, this is a government bill. As it is an important bill, I would have thought there would be more government members in the house. I draw your attention to the state of the house.

Quorum formed.

Mr WATT — As I was saying, the Department of Treasury and Finance establishes whether there is interest in the land by other government agencies, including the City of Melbourne. If any government agency expresses interest in the property, a sale will occur at current market value — I think that 'current market value' needs to be understood — as determined by Valuer-General Victoria. If there is no government interest in the property, it will be offered for sale on the public market. The property will be sold pursuant to the provisions of the Land Act 1958. This is expected to be completed for the 2012–13 budget. I must say that the Royal Women's Hospital is also supportive of the disposal of the site, as it is no longer in use and is currently vacant.

As I said, a couple of members on the other side talked about gifting the land to the University of Melbourne when the hospital moved off that site in 2008. If members opposite wanted to gift it to the University of Melbourne, they had the opportunity while in government to do that. Now they sit on the opposition benches and expect us to just give it away. I find that interesting.

In the short time left I thought I would raise the fact that the members for Ivanhoe and Thomastown talked of former school land in their own electorates that could or should be sold off. They neglected to say who was actually responsible for the closure of those schools. We understand that they were not members of the previous government, but I point out to them that I am sure they understand that those schools form part of a multitude of schools that were closed during the 11 long, dark, miserable years of hard Labor. I commend the bill to the house.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Royal Women's Hospital

Land Bill 2012. I have a great connection with the Royal Women's Hospital — I was an inpatient and delivered my first beautiful son, Blake, there some many years ago. I will not mention the date now because that would draw attention to my advancing years. I, like many hundreds of thousands of Victorian women, have had the benefit of health care at this great institution. It is something Labor is very proud of.

The reason we are debating the revocation of the reservation of this piece of land is that we have a beautiful new women's hospital that continues to serve the women of Victoria. The new Royal Women's Hospital is a \$250 million world-class facility; it was funded by Labor and was delivered on time and on budget. Members on the other side of the house might give some consideration to when they might deliver new hospital projects of their own. I am sure the community hopes they will pull their fingers out and fund some new hospital projects soon. Labor in government was committed to — —

Mrs Fyffe — On a point of order, Speaker, this is a very narrow bill, and the member is straying from aspects of it. I ask you to bring her back to the bill.

The SPEAKER — Order! I ask the member to come back to speaking on the bill before the house.

Ms GREEN — As I mentioned, this bill has come about because the Royal Women's Hospital is no longer located at its former Carlton site, although that site is still partly occupied by the Royal Dental Hospital of Melbourne. The current restricted Crown land was gazetted in 1886 for use as a lying-in hospital. That is no longer accurate, which means that the revocation of this reserve is necessary. The Royal Women's Hospital occupied the site for over 120 years, and it moved to the new Parkville facility in 2008. I have mentioned that the new hospital was built by Labor.

Opposition members had some concerns about the briefing they received from department officials regarding the government's proposals for the disposal of this land. The estimated value of the land to be sold is around \$60 million. When Labor built the new hospital, we outlined at the time that the sale of the land at the former hospital site would offset the cost of the new building. It is likely that the University of Melbourne would be interested in purchasing the site, and, as other members have said, it is possible that the City of Melbourne would also be interested. The University of Melbourne is an important part of the Carlton community and has a connection to that site. Officials from the Department of Treasury and Finance made it clear during the briefing that they would be

looking to maximise the income from the sale and intimated that the site would be more likely to be sold to a private developer than the university. That would be a great shame.

I was pleased and proud when the Queen Victoria Women's Hospital site was redeveloped and a part of it — that is, the Queen Victoria Women's Centre in Lonsdale Street — remained to benefit Victorian women. It is important to recognise the historical and community significance of former sites like those occupied by the former Royal Women's Hospital and the Queen Victoria Women's Hospital which continue to have that connection with and provide support for the community, particularly Victorian women. Labor is concerned about public benefit being maximised in relation to changes to reservations over such land. We demand that there be a public process prior to any release of public assets such as these.

There are several questions that need to be answered in relation to the government's intention in this respect. Unfortunately it has not been the practice of the government to allow any bills at all that have come before this house to enter the consideration-in-detail stage. I think a bill such as this warrants a consideration-in-detail stage in the Assembly. However, we retain our right to have this bill debated in committee in the upper house, as we may feel that our questions are not answered and the minister may not sum up debate on this bill, which has been the practice of ministers in this government — they have not summed up second-reading debates at their conclusion.

What does the government consider to be an appropriate process for land disposal, and how is that compatible with the Treasury's view of maximising profit from the sale of the former Royal Women's Hospital site? Has the university expressed an interest in purchasing the site, and if so, will priority will be given to it over private developers? Labor's sound financial management meant that we only needed to cover our costs through selling the land, leaving the land open to be purchased by an educational institution like the University of Melbourne and not having that institution locked out of the purchasing process because of the additional bidding capacity of private developers.

I thought it was rather interesting that the previous speaker, the member for Burwood, referred to the sale of school sites. I know that in the electorate of Burwood and in the adjacent electorate, the electorate of Forest Hill, there were numerous sales of school sites that had been — —

Mr Southwick — On a point of order, Speaker, the member is straying from the bill. The bill has nothing to do with the sale of school sites. We are talking about a bill that provides for the revocation of reservations over specific land. I ask you to draw the member back to the bill.

Mr Herbert — On the point of order, Speaker, I have been following this debate from the start, and I have also contributed to the debate. There has been the broadest possible debate on this issue. Members have spoken about their own personal experiences and a whole range of things. I would have thought that the member's contribution was right in line with the purpose of the bill and indeed more appropriate than many of the contributions we have heard today.

Mr Burgess — On the point of order, Speaker, it is clear listening to the member for Yan Yean's contribution — if you can call it that — that she is straying into all sorts of areas that are not on the bill, referring to various members and getting personal, as she always does, and really not doing anything that is on the bill. The bill is about the revocation for the allowance of the sale of land. If the member could return to the bill and make a contribution that we could all make some sense of, I am sure members would appreciate that.

An honourable member interjected.

Mr Burgess — I will not take up the interjection, but no doubt the house would be very relieved if the members could get some sense out of the member for Yan Yean.

Mr Perera — On the point of order, Speaker, the member for Yan Yean was talking about the sales process for Crown land, so it is relevant to whether it is a hospital site or a school site. This debate is about the priorities given to whether it is a government department or any other organisation which operates for the community's benefit. It is relevant because it is a sales process.

Mrs Fyffe — On the point of order, Speaker, I agree that it has been a wide-ranging debate, but it has not centred around the Royal Women's Hospital. The member for Yan Yean was referring to education and educational lands, and they are not at all part of this bill, nor are the personal comments on other people. I ask you to bring her back to the narrowness of this bill.

The SPEAKER — Order! I ask the member for Yan Yean to restrict her comments to the bill that is before the house.

Ms GREEN — In conclusion I am happy to support the bill as Labor has indicated. We have a great record on health, and we have made significant contributions. I commend the bill to the house.

Mr THOMPSON (Sandringham) — I am pleased to stand in support of the Royal Women's Hospital Land Bill 2012. I trust I will be able to direct my comments to the bill. Interestingly the bill deals with land ownership, and the Torrens system which registered the certificate of title volume and folio numbers was a great innovation in Victoria and was based on the system of boat ownership registration that gave certainty about the form of ownership with a central registry. When there was a change of ship ownership, or in this case land ownership, the title did not transfer until there was an amendment on the register or title system. This replaced a form of land ownership that was formerly known as general law title, which was dependent upon survey plans and a form of deeds to establish a chain of title.

Over a number of years there have been programs by the registrar of titles to convert all general law land into ownership under the Torrens system. It was a landmark system of land ownership that was implemented in South Australia, and it has provided security and certainty for landowners to date. It was introduced here in 1872 in the early days of Melbourne's health-care system, as was evidenced at that time. I will not digress down the path of the Victorian electronic conveyancing system in which over \$60 million has been invested but which is not operational at this stage. This would have affected the automated transfer of land in another way.

The bill itself in the present context revokes a reservation for the former Royal Women's Hospital land and also revokes a reservation in the name of all for the benefit of the Royal Dental Hospital in the parish of Jika Jika, county of Bourke and more specifically located in Carlton. It is an important piece of legislation in practical terms and notes the substantial contribution to public health that both the dental hospital and the Royal Women's Hospital have fulfilled.

There is also a social history that accompanies both the dental hospital and the Royal Women's Hospital. I know numbers of Bayside residents who have had children delivered at the hospital. I am aware of one long-term Bayside resident who delivered some eight children, the last six of which were delivered at Frances Perry House a number of years ago, and she had nothing but praise for the great work undertaken at the Royal Women's Hospital. She noted the contribution of the wonderful nursing staff at the hospital and the great

support of her obstetrician, Dr Graeme Ratten. Interestingly one of her children was delivered almost upon arrival at the hospital. She arrived at the hospital car park at 8.15 one morning and the young child was delivered shortly thereafter at 8.18 a.m. Later the same Bayside resident had one child delivered by caesarean section and another child spend some time in intensive care due to complications following a caesarean section delivery. A person who had given birth at the Royal Women's Hospital so many times was well known to staff members, and they always made her feel welcome and special. She had the highest regard for the work of the hospital.

There have been some great people who have worked in the field of obstetrics over the years. Certainly in the Sandringham electorate there have been people such as Dr Jim McDonald, who held a long-term obstetrics practice in the local vicinity. He noted that a hospital such as the Royal Women's Hospital provided the level of equipment, facilities and expertise necessary for tertiary intervention and care of a young child. Sandringham Hospital had historically been aligned with the Monash Medical Centre, which had a tertiary component, but it is presently aligned with the Alfred hospital, which does not have tertiary services. There have been ongoing discussions and there is currently a community consultation process under way in that regard.

Women's health is a critical issue. Recently I had correspondence from a constituent who is a paediatrician with expertise in the area of women's health. Her role required attendance at deliveries, predominantly at the Sandringham Hospital. She was required to be present where there might be prospective complications. Her expertise also extends to the area of supporting young people with eating disorders, including anorexia and bulimia. She has also seen an overview of public medical and mental health services and private services for young people with these most debilitating diseases. I am advised that they are increasing in number, with a number of young people becoming severely unwell. My constituent has advocated that there is a desperate need for early identification and intervention in relation to patients in these categories and for appropriate resources to support those sick enough to require hospital care.

In my time as a local member I have seen a number of people with confronting and tragic health issues who have been strongly supported by families but who have been unable to eat and manage a diet necessary to maintain good health in their individual circumstances. It is traumatic for parents as they try to get their children who are generally high achievers in their

school environment to manage their health and their dietary intake and deal with other challenges. Great skill in parenting, excellent medical support and ongoing support are required to ensure that these young children and young adults do not deprive themselves of the promise of life through their later adolescent years and deprive themselves of the opportunities to pursue and continue their studies, because of the difficulties associated with anorexia and bulimia.

I pay tribute to those people who have contributed to women's health care both at the Royal Women's Hospital and the Sandringham Hospital, which has maintained a very strong obstetrics practice over a long period of time in the face of significant challenges and will continue to do so wisely and well into the future.

Sitting suspended 6.29 p.m. until 8.02 p.m.

Mr BROOKS (Bundoora) — It is a pleasure to contribute to the debate on the Royal Women's Hospital Land Bill 2012, which revokes reservation status on certain land in Carlton which was previously the site of the Royal Women's Hospital, that hospital having now moved to Parkville. Part of that land is also currently occupied by the Royal Dental Hospital of Melbourne, and as previous speakers have mentioned, along with the minister in his second-reading speech, the Royal Dental Hospital will continue in its operation. The reason for the bill is to provide for the relocation of the Royal Women's Hospital to a new building in Parkville, which was completed by the previous Labor government.

It is a great project and one of which opposition members are rightly very proud. While I am talking about the Royal Women's Hospital and other health projects completed by the previous Labor government, I pay tribute to the fantastic health professionals who work in our hospital and health systems. They always provide great service and do a very difficult job. We should all thank them for the great work they do in ensuring that Victoria has one of the best health systems in the world. But the health system we enjoy is under attack by the Baillieu government. It is very disappointing to note that due to the funding reduction in the health system, amounting to \$500 million, there will be over 9000 fewer elective surgery cases taking place this financial year. That will have a huge impact on people waiting for elective surgery — people who are often in pain and need to have an operation urgently.

In addition, at the end of this financial year it is expected that an extra 7500 Victorians will be on the elective surgery waiting list compared with the same

time last year. That includes some 2000 kids at the Royal Children's Hospital who will be on the elective surgery waiting list as well.

Mr Watt — On a point of order, Acting Speaker, the bill is about the changing of a reservation, not about waiting lists. I ask you to bring the member back to the bill.

The ACTING SPEAKER (Ms Beattie) — Order! There is no point of order. The member for Bundoora, on the bill.

Mr BROOKS — The point I was wanting to make — for the benefit of the member for Burwood who might not have been following what I was saying — is that it is of great concern when we have a government that does not invest in the sorts of projects that we had under the previous Labor government, such as the Royal Women's Hospital project, which was a great project. The other one in that precinct is the Royal Children's Hospital, which was opened recently. It is another fantastic project undertaken by the previous Labor government, which was involved in investing in hospital projects rather than cutting funding from them.

The point I was making before I was interrupted by the point of order was that there will be an extra 2000 kids on the elective surgery waiting list this year because of government cuts. It is important, particularly for members of the back bench who are happy to make interjections in this debate, to stand up in their own party room and demand that the Minister for Health and the Premier reject these cuts and put some funding back into the health system. The situation is in stark contrast to the previous Labor government which put 10 000 nurses into the health system after the dark Kennett years, put on 3500 extra doctors and injected significant funds into health infrastructure. I am proud to be part of a government that delivered on the new Royal Women's Hospital at Parkville. This bill flows from that development, and I commend it to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the Royal Women's Hospital Land Bill 2012. The purpose of the bill is to revoke the permanent reservation over the land in Carlton that was previously occupied by the former Royal Women's Hospital, and part of which is currently occupied by the dental hospital. The second-reading speech gives us a very good indication of what has happened. As we all know, the land is no longer required. The existing reservation was gazetted in 1886, and I am grateful to the member for Rodney who enlightened us on some of the history of how that reservation came into being in 1886. It was a Crown grant that provided the site to be used for the

purpose of a 'lying in hospital' — a term we were not familiar with, but through this debate we have all become very familiar with just what that means. The obvious meaning is not what it means in terms of land.

That particular terminology currently restricts what can be done with the site, and the bill removes those restrictions and opens up the land for potential use, ensuring that the land is not subject to outdated reservations. The former Royal Women's Hospital has a long history of serving Victoria, and the completion of the Royal Women's Hospital redevelopment project in 2008 saw it fully moved to Parkville. The bill will remove the current permit reservation on the land that is occupied by the dental hospital, but that does not reflect the use of the land. The revocation of the reserve will not impact on the operation of the dental hospital or the Crown lease for Dental Health Services Victoria.

What is important about this former site is its original purpose, which was to provide specialist health services. For country people travelling to Melbourne, and particularly to the Royal Women's Hospital, it normally means that the situation is serious. Our current country hospitals can handle much of what comes their way, but when things go wrong we need specialist services such as those at the Royal Women's Hospital. Victoria should be proud that in 1886 our forefathers set about creating a specialist women's hospital, and it has served us well. What will happen to the current site? I understand that there are many plans, with some interesting neighbours, and it sits within a very prominent health and education precinct. I understand Melbourne University has some ideas in a plan for the area that goes out to 2020.

We know that our current health system is facing increasing demand and complexity, and that is due partially to our ageing population and a number of other issues. For country people to get to the Royal Women's Hospital, especially if things have gone wrong, we need ambulances. I was very pleased recently to have a tour of the Air Ambulance Victoria facility at Essendon Airport. I would like to thank Paul Holman, Simon Reynolds and Anthony de Wit for showing me around this facility, because this is the gateway that in a crisis many of our country people have to Melbourne health services. They have to come either by air ambulance to Essendon Airport or by helicopter ambulance directly to an emergency hospital. This action saves lives and helps to even out some of the imbalance between country and city for health services.

I was there to talk about night air ambulance retrievals from the Ouyen Airport. Again, I think this issue is largely resolved, with just some final paperwork to be

done. One of the things that country people, and particularly people in Ouyen, were concerned about was the ability to have the comfort of a night air ambulance retrieval from Ouyen should it be necessary. Again, I particularly thank Paul Holman from Ambulance Victoria for sitting down with me and others and with staff from the minister's office, and getting this issue resolved.

The Royal Women's Hospital has a long and proud history of supporting women and women's needs. It has moved to new premises, where it continues to meet those needs. The land is surplus to requirements, and this bill merely moves history along to have that land put to good use in the future. With those brief comments, I commend the bill to the house.

Mr PERERA (Cranbourne) — I wish to speak on the Royal Women's Hospital Land Bill 2012. The bill moves to revoke a permanent reservation over two Crown land sites in Carlton. One is the land formerly occupied by the Royal Women's Hospital; the other is the land occupied by the Royal Dental Hospital. Selling the land will make no difference to the operation of the dental hospital. The Royal Women's Hospital was located on this land for 120 years until it moved to Parkville. A lot of kids were born on this land and patients normally have a relationship with the land and the hospital. It is a sentimental thing attached to the land.

In 2005 the former Bracks government gave the green light to build Victoria's showpiece \$250 million new Royal Women's Hospital. The new hospital provides the very best care for mothers and babies in comfortable, family-friendly surroundings. Half of this nine-storey building has single-bed rooms and the other half has a maximum of two beds per room. It is a state-of-the-art modern facility. Today it welcomes more than 5000 normal babies and up to about 2000 premature and ill babies a year. Approximately 12 000 operations and 11 000 day procedures are performed there annually. It is part of the former Labor government's \$4.2 billion commitment to rebuild the Victorian health system.

When the former government planned to build this new hospital, the idea was to sell the current site to gain enough money to do so. Now there is surplus land that is available for the government to sell. The unfortunate part is that the Department of Treasury and Finance has already indicated that it will maximise the income from the land sale. For that to be the case the land would have to be sold to the highest bidding private entrepreneur. This is the wrong policy for selling government land, or any government asset for that

matter. The process should first be opened up to other state government departments at a moderate price; they may not be the highest bidder. If they are not interested, it should come down the hierarchy to other community organisations or education facilities. The last option should be to sell it on the open market. It is quite appalling to go against this decent process and offer the land on the open market. Such a deal would be almost impossible to reverse because the land would be redeveloped for housing or as a commercial property.

We understand that the University of Melbourne is the only interested party at this stage. It should be incumbent on the government to put on the record what sort of negotiations it has had with the university and what priority the university will be offered over private developers if it is seriously interested in the property. The priority in Crown land sales, in my view, should always be the benefit of the community, and that means the purchaser should not be locked in to matching the highest bidder.

The worry we in the opposition have relates to the coalition government's past record. I have had a few experiences in my electorate when it comes to Crown land sales. The coalition sold the former Frankston North Secondary School site to a private developer, and the incoming Bracks government had to buy it back and convert it into a beautiful park, which sits in the middle of Frankston North. The Carrum Downs Secondary School site was also sold, and again the incoming Bracks government had to build a secondary college with the proceeds gained from the sale of that property. The best example I can give is the merger of two primary schools in Frankston North, in my electorate. One vacated its site and joined with the other school. The vacated available site was sold to an aged-care facility with public beds. That was under the previous Labor government. That is a model that should be followed and explored.

Many communities are struggling to get a place of assembly. Migrants who have been in this country for 20 or 30 years are struggling to get a community place for them. When it comes to Crown land sales the highest priority should therefore be given to universities and community groups rather than private bidders. I believe the government will take this into consideration.

I join the rest of my opposition colleagues in not opposing the bill.

Mr BURGESS (Hastings) — It is a great pleasure to rise to speak on this bill. The purpose of the bill is to revoke the permanent reservation over Crown land sites in Carlton formerly occupied by the Royal Women's

Hospital and partly occupied by the Royal Dental Hospital of Melbourne.

The existing reservation was gazetted in 1886 and included a restricted Crown grant that provided that the sites would be used for the purpose of a lying-in hospital — as opposed to lying in Parliament! These restrictions do not reflect current or potential use of the sites. The bill will remove these restrictions, opening up the land to potential use and ensuring that the land is no longer subject to outdated reservations.

As the former site of the Royal Women's Hospital, this land has a long and proud history in terms of service to the community of Victoria. It is worth referring to an article on the Royal Women's Hospital website that provides quite a detailed chronology of what has happened in the proud past of the hospital and goes through some of the finer points of the history of its development for the record.

The Royal Women's Hospital is fondly known as 'the Women's'. It was Australia's first public women's hospital, being established in Melbourne in August 1856. The Royal Women's Hospital is among the oldest and most distinguished hospitals of its kind in the world. The original title of the hospital was the Melbourne Lying-in Hospital and Infirmary for Diseases of Women and Children. It was founded as a place where underprivileged women could give birth and receive proper medical and nursing attention. The hospital opened its doors to the poorest and most needy women in 1856. It is worth noting that this was less than two decades after the official foundation of Melbourne — an amazing achievement.

The lying-in hospital was the second hospital established in the bustling town; the first was the Melbourne Hospital. It was first located in a leased terrace house in Albert Street, Eastern Hill, in East Melbourne, close to where the Parliament stands today.

The hospital's establishment was achieved by a committee of women, led by Mrs Frances Perry — a very well known name in Victoria — the wife of the then Anglican bishop of Melbourne, and two doctors, Dr Richard Tracy and Dr John Maund. To clarify, she did this with the two doctors — she was not married to the doctors! Two years later the hospital moved to a site in Carlton with financial support from private benefactors and a colonial government cashed up from goldfields taxes. In 1884 the hospital's title was simplified to the Women's Hospital, and the 'Royal' title was conferred on the hospital by Her Majesty Queen Elizabeth II on 6 September 1954.

The Women's was initially a charity hospital, serving the needs of women unable to afford private medical care. Melbourne was marvellous for some, but the allure of gold had left many women without support or the means to care for themselves or their children. The article goes on to explain that most women sought assistance when giving birth or recovering from its after-effects, or when plagued by troublesome or life-threatening gynaecological conditions later in life. You would know, Speaker, that earlier times the rigours of childbirth were much more daunting than they are under modern medical practice. This hospital was a godsend for the women of that time, as it is today.

Demand for the hospital's services was strong and sustained, and in its first decade nearly 3000 women were admitted and many more were treated as outpatients. In the context of the time that was a wonderful achievement for the fledgling hospital. By the second half of the 20th century more women gave birth in the Women's maternity section than in any other hospital in the commonwealth — again, this was a wonderful achievement for a hospital founded in colonial Melbourne. By the end of the 20th century the hospital's neonatal intensive care unit was among the largest and most sophisticated of any in the nation.

Ms Neville — Speaker, I call your attention to the state of the house.

The SPEAKER — Order! The member for Yuroke cannot walk out of the house if we are calling for a quorum.

Quorum formed.

Mr BURGESS — It is worth mentioning that that is now the fourth interruption the Labor Party has imposed upon the house tonight in its attempt to stop the house from functioning. Interrupting in the midst of my going through the history of such a venerable institution as the Royal Women's Hospital clearly shows the member for Bellarine has no respect for the hospital, no respect for the women who brought it together and no respect for what it has achieved for this great state. The member for Bellarine should have more respect for the goings-on of this house rather than just trying to interrupt the business of the house and the business of Victorian people.

By the second half of the 20th century, more women gave birth in the maternity section of the hospital, as I said, than in any other hospital in the commonwealth. The hospital maintained close relations with the University of Melbourne medical school and was the first hospital in Melbourne to house a clinical professor.

The member for Bellarine should listen very carefully to this. Clearly she has no interest in the history of the hospital, but I am sure she would learn something if she actually listened to this contribution.

Ms Neville — I spent weeks in there.

Mr BURGESS — It may have been worthwhile actually doing a little bit of research yourself on this rather than trying to interrupt the functioning of this house. The Royal Women's Hospital was also the first place in Australia where a specialist diploma in obstetrics and gynaecology could be undertaken. I thought that would be of interest to the member for Bellarine, but apparently not. She is sitting there probably waiting and thinking about how she can interrupt the business of this house again. Today the hospital is renowned for its expertise — —

Mr Donnellan — On a point of order, Speaker, I ask you to draw the member's attention back to talking on the bill instead of throwing gratuitous abuse around the chamber.

The SPEAKER — Order! The member for Hastings, to continue, on the bill.

Mr BURGESS — I thank the member for Narre Warren North for, in his normal manner, making zero contribution to the business of this house. As I said, today the hospital is — —

Mr Donnellan — On a point of order, Speaker, I would encourage you to get the member for Hastings to stick to the bill instead of passing gratuitous comments about people in the house.

Mr Burgess — On the point of order, Speaker — —

The SPEAKER — Order! I suggest to the member for Hastings that he would be better off just getting on with the bill.

Mr BURGESS — It is always enlightening to get contributions from the member for Narre Warren North. He seems to be able to say a lot in here but very little out in public. He is always having a go at people who are unable to defend themselves — —

Mr Donnellan — On a point of order, Speaker, I ask that the member be made to stick to the ruling you have just made.

The SPEAKER — Order! I think the member for Narre Warren North is now heading towards frivolous points of order that I — —

Mr Donnellan — No, no.

The SPEAKER — Order! It has reached a ridiculous stage of being a frivolous point of order, and I ask the member to resume his seat.

Mr Donnellan — Yes, but — —

The SPEAKER — Order! I ask him to resume his seat. The member for Hastings to resume and conclude.

Mr BURGESS — I am very grateful for your indulgence, Speaker, and I shall return to the bill. As I said earlier, the redevelopment of the Royal Women's Hospital provides an opportunity to make use of this site for purposes that will be of benefit to Victoria. This bill will enable the sale of the land formerly occupied by the Royal Women's Hospital and the proceeds of the sale will be allocated to consolidated revenue to offset the cost of the Royal Women's Hospital redevelopment project. I commend the bill to the house.

Debate adjourned on motion of Mr DONNELLAN (Narre Warren North).

Debate adjourned until later this day.

RULINGS BY THE CHAIR

Ombudsman's report: media comment

The SPEAKER — Order! In regard to the point of order that was raised by the member for Altona this morning regarding the Ombudsman's report that had not been at that stage tabled in the house, I have investigated the issues that were raised in relation to the press article. That article, which was in the *Herald Sun* newspaper, indicated that the report could be tabled today. There was no reference to the contents of the report. In regard to the 3AW radio reports this morning, Neil Mitchell only suggested that the Ombudsman's report would be tabled at 10.00 a.m. today. He went into more detail after the report had actually been tabled.

I contacted the deputy ombudsman's office seeking further information, and asked if any media had been advised that the report was being tabled. I was advised that they had not been but that there had been speculation the previous week that the report may be tabled. I was advised that two copies of the report are released confidentially two days before it is to be tabled. One of those goes to the secretary of the department and the other one goes to the minister.

In regard to the second issue — of the media tweeting parts of the report before it was issued in the Legislative Assembly — I was advised by the Clerk of the

Legislative Council that the report was tabled in that house at 9.37 a.m. today, which made it available to the media at that time.

LAND (REVOCAION OF RESERVATIONS) BILL 2012

Second reading

Debate resumed from 28 March; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Ms NEVILLE (Bellarine) — I am pleased to rise this evening to make a contribution on the Land (Revocation of Reservations) Bill 2012. This bill is one of the type that is required to be introduced in the house from time to time to ensure that Crown land-holdings reflect the current and proposed usage of land.

The house has just spent quite a bit of time debating the Royal Women's Hospital Land Bill 2012, which is a very similar bill, which seeks to change the reservation status of land to reflect its current or proposed usage. I had the opportunity of contributing to the debate on the Royal Women's Hospital Land Bill as the lead speaker for the opposition. The member for Hastings made some comments earlier about my not caring about the Royal Women's Hospital. As a woman who spent many weeks in that hospital prior to and post the birth of my child, I think I have a pretty strong connection to the hospital, and I reflected that in my contribution earlier about its history and its significance to many women and children across this state.

The bill before the house today seeks to revoke a number of permanent reservations that exist over several parcels of land that no longer reflect their current, potential or proposed use. The opposition does not oppose this bill, although there are a couple of questions in relation to two of the proposed changes in particular that the opposition would like some further information on.

The first change in this bill relates to a parcel of Crown land in St Kilda. This is land that is adjacent to the St Kilda town hall. The land subject to this amendment is currently reserved permanently for a town hall, courthouse and offices. However, following a funding grant from the state and federal governments and, can I say, a grant from the previous Labor government — I think it was a grant of about \$2.5 million at the time — so from the former state government, the federal government and the council, what we see is an intention by the council to build its new \$12 million integrated

children and family centre. In fact, as I understand it, the centre is nearing completion at the moment, so obviously the council has moved forward with using this land to build this children and family centre and has been awaiting this change in the reservation of the land. Removing the reservation will obviously both facilitate that development and, most importantly, ensure the future and the long-term status of those integrated family services into the future.

These are absolutely fantastic centres. These integrated centres were absolutely critical to the policy direction of the Bracks and Brumby Labor governments in relation to early childhood services policy. As a result of quite extensive work that was done around 2003 and 2004, and then subsequently announced in 2005, it was clear to the Labor government that families and children benefited in situations where you brought together early childhood services, kindergartens and maternal, child health and other family services like parenting services, counselling services and so on. I remember during the period just after the 2006 election, when I was the Minister for Children for a period of about seven or eight months, I had the pleasure of opening a number of these integrated facilities and also announcing funding for further developments.

The research that exists internationally about this shows that these centres can play an absolutely critical role in supporting families, keeping families together, ensuring that children go to child care and into kindergarten and ensuring that there are better outcomes in relation to education and long-term life outcomes. This is an important change in the bill to ensure that a project that is well and truly under way now, a project as I said that was funded by the former state Labor government and the current federal government, is able to move forward and be completed, but also to ensure that integrated family services have security into the long term about their management and their placement on that land.

The second change in the bill relates to a part of the site known as Fitzroy gasworks. Only a portion of the original site is still under Crown reservation, and for it to be used for purposes other than gasworks, which have not been undertaken on that site for quite a number of years, the permanent reservation needs to be changed. This particular amendment does, however, raise some concerns. It is not so much the fact that it acknowledges that the site is no longer used for its original purpose — obviously it is no longer used for that — but it is important to think about the intention of the use of that land into the future. As with the earlier debate we had in relation to the old Royal Women's Hospital site, a question arises about the best use of this land once the reservation is changed. It is important

inner city land and, as we know, that is pretty scarce these days.

Unfortunately, the second-reading speech highlights the intention to make the land available for urban development. I am not making a judgement about whether that is a good or a bad thing. What I do wonder, however, is whether the government has given proper consideration to opportunities for this land to have a much broader community benefit — whether the opportunity to make available scarce inner city land to broader community interests has been undertaken or considered by this government or at least whether the government will commit to consult properly with the local community and the council on the best outcome for the future use of this land before putting it on the market for the highest bidder. I know my esteemed colleague, the member for Richmond, has a strong interest in this particular issue and will discuss this matter a bit further.

The other major concern about this land is the extent of contamination that exists on the land. We are keen to know what investigations have already been undertaken about this and which, if any, remediation works are intended. We all know that much of the land in the inner city of Melbourne has contamination issues. As the former Minister for Senior Victorians I remember that under the land bank program, which was a fantastic program that provided assistance to not-for-profit potential aged-care providers to purchase and utilise inner city land areas in which there was an issue about the provision of aged-care beds, one of the biggest barriers was the level of contamination in a lot of this inner city land. It is absolutely critical that the government provide information to the community and to this Parliament about its intention in relation to the contamination that undoubtedly exists on this land and any intention it has to either put some requirements over the land or remediate the land.

The next amendment relates to the Toolangi potato research farm, which is south of Toolangi and next to the Yarra State Forest. I have not had the opportunity to visit this research farm, but I understand from a number of my parliamentary colleagues who have that it is an amazing site and worthy of a visit. I will certainly attempt to make a visit to the Toolangi potato research farm at some point. The land is currently reserved for agricultural research purposes, and although parts of the land have been used for these purposes, sections remain uncleared and basically forested. There is a view that there is quite a high ecological value in that forested area of the land. In addition, the research farm has been closed since 2008.

The two pieces of land that remain uncleared, which equate to around 43 or 44 hectares, will be incorporated into the Yarra State Forest and will become reserve forest managed by the Department of Sustainability and Environment (DSE). The opposition and certainly I as the opposition spokesperson on the environment see this is a welcome addition to the state forest. It provides protection of a very important area of public land. However, I note that the record of this government in terms of Crown land and forest protection and management is dubious. One has to question whether DSE will be in a position to properly manage this land given the cuts to staffing we are seeing at DSE right across the state.

Only yesterday the Minister for Environment and Climate Change assured the house that there were no front-line workers in the Department of Sustainability and Environment who were at risk of losing their jobs. I am not sure whether he has an understanding of the work that is undertaken in DSE's regional offices across the state — what they actually do and how they work — given that he has made the claim that there have been no cuts to front-line workers. It makes one question whether he is actually across his portfolio. For example, I know that there are around 17 biodiversity workers in the south-west area of Victoria who are going to lose their jobs. I do not know how on earth the minister can claim that these are not front-line workers. These are people who are working directly with communities on private and public land, working with Landcare groups and actually improving the management of public land.

Mrs Victoria — On a point of order, Acting Speaker, this is a fairly broad bill, but we are hearing wide-ranging debate that is going beyond that. I realise the member for Bellarine is the lead speaker and that some latitude is given, but she is really straying quite significantly.

Ms NEVILLE — On the point of order, Acting Speaker, this bill relates to Crown land, and the particular amendment we are talking about is in relation to forests and the management of the Yarra State Forest by DSE. The issues around Crown land and the capacity of DSE to take on this extra 43 or 44 hectares that is proposed in the bill is absolutely relevant to this bill.

The ACTING SPEAKER (Ms Beattie) — Order! I do not uphold the point of order, but I ask the member for Bellarine to address the bill.

Ms NEVILLE — As I was saying, the issue of the capacity of DSE to manage this additional 43 or

44 hectares of land that will go into the Yarra State Forest is questionable given the history in this case. Again, I can only ask how the minister can possibly say that biodiversity workers are not front-line workers and furthermore how he could have said yesterday that Coastcare workers, who work directly in coastal communities in our regions, are not front-line workers. It just says to me that he is not across his portfolio.

We welcome additional state parks, particularly those of ecological significance to the state, but what we will also see in this very important area that is being created by this bill is firewood collection without a requirement for a permit. That is going to be great for this new state park! It is apparently an area of ecological significance — that is why we are adding it in — but unlike Liberal and Labor governments since the 1950s, which required permits for firewood collection on public land, this government, which says it cares about the environment and is going to create this additional state park, is happy for anyone to go in and collect firewood at any time with no controls or understanding of that. Unfortunately the minister actually messed that up and has had to introduce some legislation into Parliament this week to try to fix up the legal issues around this matter. It still remains an issue that this state park of ecological significance is actually open slather in relation to firewood collection.

The next aspect of the changes made by this bill relates to the Werribee Research Farm, where a section of Sneydes Road has incorrectly been permanently reserved for a research farm when it is actually a road. This is a sensible amendment. The revocation will see the Wyndham City Council formally take over management of the road.

The bill also revokes a portion of land reserved for hospital services in relation to the current Inglewood and Districts Health Service. A portion of that land is now surplus to the hospital's needs. There is a former GP's residence on the land, and there is an intention to sell that site. Again there is a question before the house about the nature of the consultation that has been undertaken with the local community and whether the broader community benefit in relation to this particular residence and this particular site has been taken into account.

The bill also makes changes to the permanent reservation of public parkland that is on the Barwon Heads side of the Barwon River. This comes about as a result of a realignment undertaken by VicRoads. The area is required for transport purposes. The second-reading speech suggests that the Barwon Coast Committee of Management will be compensated by

VicRoads for the loss of land, although it also says it is a 'minor' loss of land. I say to the house that it is important for all of us to acknowledge how rare and how important public parkland is in our local communities. I certainly know that the communities on the Bellarine Peninsula, including Barwon Heads, value their public parkland.

Mr Katos interjected.

Ms NEVILLE — The member for South Barwon is absolutely aware of that, as he is living through a debate at the moment about the use of public parkland for kindergartens. As we have had to do in the past, he is having to resolve the range of views that often exist in the Barwon Heads community. These public park areas are very important to communities. I would be very keen for the government to indicate to the community and to this house the nature of the compensation that is to be provided to the Barwon Coast Committee of Management. Is it land, or is it funding to create additional public parklands? It is an important question.

I would also like to put on record my appreciation of the Barwon Coast Committee of Management and the work it undertakes. It is a fantastically maintained area. It is an incredible coastline, and the Ocean Grove beach, which the Barwon Coast Committee of Management oversees, is the most popular beach in Victoria. That may surprise people. I know a number of members of this house actually holiday down there, whether it be in caravans or units. It is a beautiful part of the world, and it is made more pleasurable by the work of the Barwon Coast Committee of Management. I thank the members of that committee for the great work they do on the south side of the Bellarine Peninsula.

Finally, the bill makes changes to the permanent reservation in relation to the South Melbourne temperance hall. This hall no longer operates for its original purposes, and in fact all the trustees are now deceased. The building is currently used by a local not-for-profit arts and cultural group. We are so blessed in Victoria to have such a diverse range of small not-for-profit arts and cultural organisations. This will ensure their future into the longer term, allowing a land manager to be appointed in this case. Hopefully the building, which requires restoration works, will be restored. Again I would be very keen to understand whether or not the government is committing some funding to this, because certainly the organisation that currently occupies the temperance hall is not in any position to provide the funding for the restoration needed.

On that note, I add that we have put a number of questions on the record today, but this is an important bill of the kind that is brought regularly into this Parliament to ensure that Crown land is used for appropriate purposes.

Mr SOUTHWICK (Caulfield) — I rise to speak on the Land (Revocation of Reservations) Bill 2012. This bill will revoke the permanent reservations of two associated Crown grants over seven separate Crown land sites throughout Victoria. It will allow for permanent reservations over Crown land that can be removed by legislation. The bill will facilitate a number of changes to the status of the land in the Crown land portfolio. It will also ensure that we progress government and government-supported projects and will enable the sale of Crown land where land is seen as redundant or unable to be utilised. It will also improve the management of Crown land resources.

It is a very important part of the job of the minister to ensure that Crown land is used appropriately, for its best purpose and in as many cases as possible for the benefit of the community. As I mentioned, the bill covers a number of areas in terms of revocation of the reservation of Crown land. I want to focus attention in my contribution on the St Kilda land, which is in my electorate of Caulfield. The Crown land site at 171 Chapel Street, St Kilda, is currently permanently reserved for a town hall or courthouse and offices and is subject to a Crown grant by the City of Port Phillip for the same purpose. The site is adjacent to the land occupied by the St Kilda town hall, at 99 Carlisle Street, which has great historical significance and hosts a number of cultural and community events. The town hall will not be affected by this legislation but in fact will be harnessed in how we utilise the adjacent land.

The two properties I am referring to are on two separate titles. The City of Port Phillip is undertaking redevelopment of the relevant site to construct a new \$12 million family and children's centre, as the previous speaker pointed out. The current reservation of Crown land is certainly a very important measure, and this bill facilitates the development of the centre by revoking the permanent reservation to the Crown grant over this site.

I want to pick up a relevant point that was made by the member for Bellarine. She was correct in mentioning that this is a \$12 million development. On a number of occasions she mentioned that the minister was not across his portfolio. I need to point out that the member's contribution demonstrated that she is not across the bill. In her contribution she stated that there was a \$2.5 million grant from the former state

government. That is incorrect; there was a \$0.5 million contribution, not a \$2.5 million contribution. This probably demonstrates how good those opposite are with numbers: 'Let's just add a 2 in front of the 0.5, and away we go. It all sounds really good when it comes out in the wash'. Unfortunately, however, it does not sound very good at budget time, and it certainly does not sound good when we are trying to maintain fiscal responsibility, which is very important and is what this government is all about.

Let me correct the record for the member for Bellarine. This is a jointly funded \$12 million project, of which \$10.3 million is being contributed by the City of Port Phillip, \$500 000 by the state government and \$1.6 million by the federal government. I do not want to make light of this project, because it is a very significant one. On that you will certainly get agreement from members on this side of the house. I add that it was a privilege to attend the initial soil-turning for the site with the federal member and the local mayor — to start the project off — some 15 months ago. The project is nearly complete.

The changes in this bill will facilitate, on this site, which is pretty much unutilised, up to 116 licensed children's services places, which is an increase of 63 places on those in the existing St Kilda children's centre; maternal and child health services; playgroups; a new parent group; an early childhood intervention service; a family service; and multipurpose rooms. This will be a fully integrated children's, community and family centre. What makes this really special is that it sits right alongside St Kilda Primary School. We will have a facility that will allow children to come in at the earliest possible stage and stay all the way through primary school.

St Kilda Primary School is a terrific role model of a school that is an integrated facility. It has embraced diversity; it is a very multicultural school. It deals with kids at all levels, and it retains schoolchildren in the best way possible — by providing as many support services as possible. It deals with some of the most disadvantaged students and does its best to support those children and their families. As well the school has had some great successes. Its most distinguished student has been Sidney Nolan, one of Australia's most famous artists. It has also produced former Governors. It currently has 360 students and is bursting at the seams. Its principal, Sue Higgins, and the school council president, Peter Grey, are doing a terrific job.

One other thing I would like to mention about that school, which will be integrated at this site with a children's facility, is that it is serviced by the Ardoch

Youth Foundation, an organisation I was president of for a number of years and involved with for about 18 years. It is a school at which Ardoch spends a lot of time providing support services, literacy and numeracy programs and breakfast programs. In fact many of the parents of children at that school got together and built a breakfast facility which many of those kids utilise at the beginning of the day.

I take the point that the former government was instrumental in a lot of this, but the fact that we are now ensuring that the proper process of utilisation of this facility occurs with the land revocation means that the City of Port Phillip will become the committee of management of this particular land and it means that we can take what was, as I say, an underutilised site and ensure that it is properly utilised. In this particular case it goes back to the people and the community and enables maximum use of this very important resource.

There are a number of other cases in this particular bill that are like the St Kilda site and which I am sure other members will look at. What we need to ensure is that in all cases these sites are properly utilised. The former Fitzroy gasworks, a site in Smith Street, Fitzroy, is contaminated and sitting idle. That site is covered by this bill and needs to be cleaned up. The only way we can clean it up is to look at a wide range of possibilities to ensure that we get the best possible utilisation of that land and bring the right people in. We have a shortage of housing. There is the potential to look at urban redevelopment as part of this, and I am sure many members in this house would be looking at ways in which we can maximise these opportunities. As for the Toolangi potato research farm, which again would be utilised for the most appropriate measures, I am sure the member for Seymour who is in the house today would have some knowledge of how we could utilise it to its best potential.

This is a good bill. It is very comprehensive in cleaning up and ensuring that we get better utilisation of this land. I am very proud that the St Kilda component of this bill, which includes the children's centre and St Kilda Primary School, benefits. My constituency in the electorate of Caulfield will benefit from having a fully integrated centre that gives the best possible support and opportunities in life to our youngest children. I commend the bill to the house.

Mr WYNNE (Richmond) — I rise to make a brief contribution to the Land (Revocation and Reservations) Bill 2012. Coming as I do after my colleague the member for South Barwon, who gave an excellent overview — —

Honourable members interjecting.

Mr WYNNE — Not the member for South Barwon, the member for Bellarine. I had a mental block there. We will get South Barwon next time. It was an excellent contribution by the member for Bellarine.

The DEPUTY SPEAKER — Order! I am sure the member for Richmond was touching on the Barwon Heads bridge.

Mr WYNNE — I was, yes. I was momentarily distracted there by the visage of the member for South Barwon. But the member for Bellarine gave an excellent overview of the bill. The specific issue I wanted to talk about is the Fitzroy gasworks site, which is a site that would be well known to many members of this house. It has a very long and proud history. It was originally — —

An honourable member interjected.

Mr WYNNE — Indeed, as my colleague says, it was originally the Fitzroy and District Gas and Coke Company, also known as Fitzroy gasworks, and was first established at 443 Smith Street in the mid-1800s and permanently reserved and granted to the company in 1862. It became part of the Metropolitan Gas Company in 1878 and was subsequently owned by various parts of the state bureaucracy up to the time it was decommissioned. The site was closed in 1927.

The site is a very significant one. As members would know it borders the Eastern Freeway, Smith Street and Alexandra Parade. From the point of view of my constituents this is a site that people have had their eyes on for a very long time, not only because of its strategic siting but because my local community, particularly the City of Yarra, has seen it as a very strategic opportunity to achieve a number of key objectives which in many respects would not be out of sync with the broader objectives of government more generally. In particular this site has been identified by the council for a multipurpose recreational facility.

As members would know, these sorts of facilities are extremely scarce in the inner city, particularly in terms of burgeoning sports like netball and basketball. In fact when we were in government we had to close a single-court basketball facility at the old Fitzroy High School whilst that facility was being refurbished and this caused a huge knock-on effect. Just that one court alone being closed for a period of time meant that many of the players had to go to quite distant areas to play their games, so it is quite an acute issue for us. The council has done an enormous amount of work in terms

of its recreational needs study for that area, and it has isolated the gasworks as being a key site.

In that context whilst I acknowledge and support the aspirations of the council we have to recognise that this is a severely contaminated site. The contiguous piece of land has a restricted reserve on it for the purposes of a council depot. I know this is contaminated land as well, because this site has been quite extensively looked at over a long period of time. The big issue for this government, as it was for our government, is how it is going to address the severe contamination on this site and get this site either cleaned or capped so that any future redevelopment of the site is able to proceed. Whether that be a residential, commercial or recreational outcome remains to be seen, but I know that the last time the cost was explored by our government it was very large; it was somewhere in the tens of millions of dollars.

It is a big issue and one that will have to be addressed as we go on, because contaminated sites like this really ought not lay dormant. They should have a more productive use. Indeed I would argue that the sort of use that the council is proposing will be very compatible with getting a decent return off the site but will also give a net community benefit to my community of the city of Yarra, which has a severe deficit in these recreational opportunities. It is also an opportunity for some modest housing and perhaps some commercial development as well. I look forward to the state government committing to working very closely with the local authority, the City of Yarra, which has done an enormous amount of work in this space.

Ms McLEISH (Seymour) — I rise this evening to make a contribution to the debate on the Land (Revocation of Reservations) Bill 2012. I am pleased to speak on this bill. Like many others, I will be concentrating on the parts that are most relevant to my electorate. The bill revokes permanent reservations and two associated Crown land grants over seven separate Crown land sites. These are areas on which the permanent restrictions can be removed only by legislation. Of the seven different sites, three are in the inner city in St Kilda, Fitzroy and South Melbourne, and the others are in Werribee, which is almost the city now, and Inglewood, Barwon Heads and the one I will concentrate on, in Toolangi.

The Toolangi potato research farm had a quite interesting role in the development of the good old potato. I will reflect a little bit on why the farm was set up and the reservation put on it in the first place. I will also refer to what has happened so that now it is

appropriate that the use of some of the parcels of land be altered.

The land in Toolangi is just off Myers Creek Road, so as you are heading from the tavern and going towards Healesville, the farm is tucked in there in a gorgeous little spot. It had a permanent reservation for agricultural research purposes put on it under the Crown Land (Reserves) Act 1978. Quite a lot of foresight was shown when the land was reserved. Part of the land was cleared and the other part was left as forest that could be drawn on in the future should there be a need for it. There was no need for it, for reasons I will refer to. The cleared land was used primarily for potato research. For a good 25 years one of my constituents, who is now a farmer in Murrindindi, was the potato geneticist and chief potato breeder at the Toolangi potato research farm. He has quite a lot of information and was able to talk to me about it.

We take the good old potato and the fact that we can buy many varieties of potatoes for granted. There are potatoes that are best for mashing, others that are best for roasting and others that are best for chips. When the Toolangi potato research farm was first developed there were only five different types of potatoes available generally. Can members imagine that? Over time, through the work of potato breeding and other work, the geneticists developed and bred a number of potatoes. One of the most famous of those, which is an absolute treat, is the Toolangi delight. Some members would know it. It has purple skin and pure white flesh and it will mash, bake, make very good chips and is excellent for gnocchi. That potato, along with the snow gem, which members may have heard of, was developed by Dr Roger Kirkham in his role at the farm. During that time also varieties that we all know very well — desiree, nadine and kipfler — were imported.

I refer to why that land was selected in the first place. There were primarily three very good reasons for that. The first was that it was an area of high elevation, which is particularly important because there are fewer aphid flights and so there is a reduced chance of infection of potato crops. Seed potatoes are bred and after several years of being proven they are on-sold to other breeders, so it is important that they are protected from infection. The second reason for choosing that land was that they needed land without a history of having previously grown potatoes. Finally, they were looking for something reasonably close to the city. As members know, Toolangi is just down the Melba Highway, less than an hour from the city.

The potatoes are grown for generations and then, as I have mentioned, they are sold to potato growers who

use them for processing or the fresh market. But things have now changed. The then Department of Agriculture, which set up the farm, was very much in control of managing and breeding some of our vegetables, including the potato crop. At Toolangi there were also agronomy programs which required the high altitude, high rainfall and soil which allowed water to drain through it. That type of land corresponded very closely to commercial potato growing in areas such as Beech Forest, Thorpdale and Ballarat.

The soils in areas such as Kinglake, where a lot of potatoes were grown, were a little bit muddy and not sandy, so the potatoes would be covered in mud. The demand in the supermarkets for unwashed potatoes dropped. Potatoes grown in sandier soils can be picked more easily, they barely need to be washed or they can be washed very easily without marks appearing on them and they command a premium price.

Honourable members interjecting.

Ms McLEISH — I can see that a number of my colleagues are absolutely absorbed in the technicalities and the history of growing potatoes in the Toolangi area. They have not realised the significance of this region in developing potatoes, which are a staple vegetable.

The potato-growing area has shifted. Many fresh potatoes come from the Riverina and South Australia, where growers use pivot irrigators and harvest all year round. They have a different soil, which has better drainage and makes the whole process a little bit easier.

Then in the Department of Primary Industries, as it became known, they asked, ‘What are we doing, managing and controlling the importing of different potato varieties for those who are going to use them for commercial purposes?’. A shift or change started to happen. People asked, ‘Hang on; should the government even be involved in this?’. At the time there were levies on growers and processors, and everyone was bidding for research work and things like that. It got to the point where it was considered that perhaps the government should move away from involvement in that work, so the Toolangi potato research farm was closed in 2008. It was decided that those in the industry should pay directly for the breeding program. There are still a lot of problems in trying to import spuds through quarantine. New varieties can take a couple of years and a couple of thousand dollars to develop and now a lot of that work has been taken over by private organisations.

With that change there is no longer the need for the research farm to expand into the area of forest that had never been cleared. Because the cleared land which is surplus to need adjoins state forest, it is very easy to just tack it back onto the forest and extend it. We have talked about the ecological value of some of those areas. When travelling through Toolangi it is not unusual to see lyrebirds popping across some of the little tracks. I certainly understand the ecological value there.

Equally the remaining area, which I estimate is about 50 hectares, can continue to be farmed or used by peak bodies for research. I heard the member for Bellarine in her summing up say that it is extremely important that we have our Crown land used for appropriate purposes. Given the change in market conditions and what consumers are after, it is time that the permanent reservation of the land in Toolangi is revoked. The peak associations can still use the remaining area if they require it.

With that, I note very briefly another area that members have talked about. The Crown land in St Kilda will be used for an integrated family and children's centre. That is equally important and it is another example of how our Crown land can be used for appropriate purposes. I commend the bill to the house.

Mr DONNELLAN (Narre Warren North) — It is an honour to speak today on the Land (Revocation of Reservations) Bill 2012. While we are on the topic of potatoes, I can say that my family came here because of the lack of diversity of potatoes in Ireland during the potato famine in the 1840s. I guess we have to thank the lack of a variety of potatoes and the lack of research in Ireland at the time for getting me here, which is a bizarre way of looking at it.

Toolangi is a magnificent wine-growing area, as the member for Seymour would be well aware. Having tasted a couple of the wines from Toolangi, I greatly appreciate the quality of the soils and the grapes produced on the vines.

This is a bill that you could call a tidying-up bill. It is nothing revolutionary by any stretch of the imagination; it is pretty much pedestrian. It deals with appropriate zoning for land uses, which makes pretty good sense.

I know the St Kilda land has on it an integrated family and children's centre, which is something the previous government is very proud of; we built many centres and put substantial sums of money into them. I think 108 child-care facilities received capital funding under the last state government. Unfortunately I do not expect

they will receive that funding in this government's next budget. The integrated family and children's centre is an example of the idea of bringing together like services. As such, it is appropriate that the land be appropriately zoned in accordance with its current uses.

The block of land that the former Fitzroy gasworks was on will require substantial remediation works. Obviously the way the land has been used over the years has marked the land, and this will make it very difficult to use the land productively without spending an enormous sum of money. I think the member for Richmond intimated that the cost would be upwards of many millions of dollars and would require capping. In some ways, if the current government is looking at putting an above-ground freeway along Alexandra Parade, then this land might be part of a freeway easement in the future — you never know. However, at this stage the land is going to be difficult to use. It is probably sensible to prepare it for sale, but I think the land has a long way to go before it is ready to be used.

After making that short contribution I am happy to commend the bill to the house, although I have reservations in relation to the former Fitzroy gasworks and whether that reservation might be used for a freeway or how it might be used in the future.

Mr WELLER (Rodney) — It gives me great pleasure this evening to rise to speak in the debate on the Land (Revocation of Reservations) Bill 2012. As most members who have been in the Parliament for a while would understand, a bill like this is introduced each year. As Victoria was developed and settled, a lot of land was reserved. There were recreation reserves, reservations for the paddocks of policemen's horses, school reservations, railway line reserves and road reserves in rural Victoria, some of which have not been used for a very long time. There are lots of reservations for all types of things, and there are many different types of reservations mentioned in this bill.

This bill will facilitate a number of changes to the status of land in the Crown land portfolio by revoking permanent reservations of seven separate sites of Crown land in Victoria. Permanent reservations over Crown land can only be removed through passing legislation. As I said, one of these types of bills is introduced each year.

This bill will facilitate projects and developments on Crown land, including a new \$12 million family and child-care centre in St Kilda. That block of land in St Kilda is located at 171 Chapel Street, next to the St Kilda town hall. The new centre is a \$12 million project to be jointly funded by the City of Port Phillip

and state and federal governments. The bill will also enable the council to assume ongoing management of the site. When reservations are taken away, good structures need to be in place so that these sites can be managed and they do not become run down.

The member for Richmond and the member for Narre Warren North talked about the former Fitzroy gasworks site at 433 Smith Street, Fitzroy. Those members went through the history of what that site has been used for, so I will not go through that again. The site was used by a gasworks, and it is now occupied by offices and warehouses that are used for commercial and industrial purposes. The site is contaminated, and as the member for Richmond pointed out it will cost many millions of dollars to decontaminate the site. There are all sorts of ways and means of looking at that. One of the first steps we have to take is to remove the reservation over the site so that people can size up the site and determine how much it is going to cost, whether it will be worth decontaminating the site and what can be done on the site so that people can consider using it in a commercial way. We must set the wheels in process, and that is what we are doing this evening.

The Toolangi potato research farm is in the member for Seymour's electorate. The minister gave an in-depth run-down of potato research. You can learn something — —

Mr Madden — Acting Speaker, I hate to interrupt the member's speech in relation to potatoes — —

The ACTING SPEAKER (Mr Morris) — Order! Can the member get to the point?

Mr Madden — I direct your attention to the state of the house and the lack of a quorum.

Quorum formed.

Mr WELLER — I was talking about the Toolangi potato research farm, which is one of the more recent ones. It was only proclaimed as a research farm in 1978, and it has had an important role in keeping the potato industry efficient and at the leading edge of competitiveness.

Mr Hodgett interjected.

The ACTING SPEAKER (Mr Morris) — Order! The member for Kilsyth!

Mr WELLER — The member for Seymour ran through some of the different needs for potatoes. At Toolangi there are potatoes specifically bred for chips, for roasting and for mashing.

Mr Madden — And a few made their way into Parliament.

Mr WELLER — From Seymour? We must also remember that in her wonderful contribution about potatoes the member for Seymour spoke about how the industry had moved from southern Victoria to northern Victoria and to the Riverina, where the sandy soils and the warmer temperatures mean that you can grow washed potatoes. Because of the sandy soil structure it is easier to wash the dirt off. The soil in Toolangi is a heavier type of soil which sticks to the potato and gives it a muddy appearance that is not as attractive in the shop — obviously just as flavoursome but not quite as attractive to the shopper.

The member for Seymour pointed out that Dr Roger Kirkham was one of the leading researchers there for a long time and that the potato industry owes a great debt to him for the work he has done in breeding potatoes. In making her wonderful contribution the member for Seymour spoke about the need for both fresh potatoes and processing potatoes. I could well go into talking about the Melbourne market being shifted and how that has been messed up, but I know that would be straying from the bill so I will not go there.

Sneydes Road, Werribee, is another parcel of land we are talking about tonight. Sneydes Road forms a major transport link between Point Cook and Werribee. It is a 2.7 hectare section of road located between the Princes Highway and Hoppers Lane, which runs through Werribee. The reservation does not reflect the use of the land as a road, so we are now declaring it as a road and tidying that up.

Inglewood was a boom town during the gold rush. Now time has moved on and the gold is no longer there. There is a eucalyptus distillery out there at Inglewood.

Mr Madden — It sounds like you've been tasting it.

Mr WELLER — It is good. Can I commend eucalyptus to get the member for Essendon through the wintertime? It helps keep colds and the flu away. The doctor's residence at Inglewood is no longer required because a new one has been built as part of the Inglewood and Districts Health Service at 5 Hospital Street, Inglewood. It is an integrated rural health service providing a range of services to the communities of South Loddon.

The land at Barwon Heads is redundant, and this is because a bridge is no longer going to be built there. The member for South Barwon is here tonight, and that is one of the major reasons he was elected. He ran with the right policy on building the bridge, but the previous

government put it in the wrong spot. That is another part of the mess that we are cleaning up.

Last but not least is the South Melbourne temperance hall. We are fixing that up. The reservation of the hall for temperance purposes is inconsistent with its current use, and the trustees to whom the hall was granted in 1861 are now deceased. Once again we are bringing it into line with its current use and what the community demands.

This is a bill that is done every 12 months to tidy up the land revocations right across the state.

Mr MADDEN (Essendon) — Bills of this type always have a hint of irony about them, because when they are introduced they are often complementing the work of previous governments. What this government is doing is just finishing off the work that was done by the previous government. I am sure the government members will have their own criticisms, but I cannot help but notice the irony — and the member for Rodney mentioned it — that the land that runs alongside one side of the Barwon Heads bridge now needs to be managed by VicRoads. That is not lost on me at all. It makes an interesting contrast between the government that is currently in power and its inability to make decisions around infrastructure and the previous government, which made unpalatable decisions but was prepared to make the decisions that needed to be made around the infrastructure that needed to be delivered.

The irony is not lost on me, and I am sure that in time the irony will not be lost on members of the government when it fails to deliver the infrastructure because it is all a bit hard. Not only are they a bit nervous about what it might cost, they are a bit nervous about who they might deliver it for and who they might upset. In the world today or at any time it is easy to not do things. The easiest option in the world is to sit on your hands and not do things, but particularly to not do the hard things. The great test of character, of a person or of a government is when the going gets tough and they make the right decisions and do the hard yards. Unfortunately this government is not prepared to do the hard yards at all. It tends to think that a four-year term in government is a bit like a marathon. I think government members thought, ‘We can run it like a marathon’.

Ms Ryall — On a point of order, Acting Speaker, I know that the member for Essendon is gathering momentum and getting a little bit excited. I ask you to draw him back to the bill before he ends up in another part of the world.

The ACTING SPEAKER (Mr Morris) — Order! I do not think the member for Mitcham was in the chamber earlier. I would have to say that it has been an extremely wide-ranging debate, and I do not uphold the point of order.

Mr MADDEN — Thank you very much, Acting Speaker. I appreciate the generosity you have bestowed on me, but I think it is only reasonable on the basis of some of the agricultural history we heard about the potato from the member for Rodney. I make the point that delivering the Barwon Heads bridge was a very tough decision and a very tough call which no doubt upset a lot of constituents. I look across the chamber at the member for South Barwon. No doubt he is having a wry grin at the fact that he was able to take up that seat and sit here in Parliament when he very much exploited the tough decisions we made. When it came to opening the bridge, were there invitations to former members of either the government or the seat? No, there were not. That fact should not be lost on his community. But who was there and very happy to cut a ribbon and take the accolades for a bridge that has been nominated for awards for the quality of its design? It is the right bridge, built for the right reason.

The bridge is now loved by the people of Barwon Heads and visitors to Barwon Heads. Now they have the older and wider traditional bridge that can take traffic and a beautiful pedestrian bridge for cyclists, pedestrians and fishermen. It is designed to cater for those who use it. Heavy vehicles could not get across the bridge before it was rebuilt. Now the heavy traffic on that bridge has been separated from the pedestrians, the cyclists and the fishermen. There is now no risk of a fisherman casting back on the footpath of what was the old bridge and being cleaned up by a pantechnicon truck. That would have been possible had the bridge been designed the way those on the other side of the chamber wanted it designed. They wanted one bridge with everything on it — fishermen, heavy trucks, pedestrians, skateboards, everybody down there. They virtually said, ‘Let us throw them all in, risk road safety problems and create chaos down there by exploiting the vulnerability of locals’. They wanted to do that rather than help lead the locals to the right position, which was to have the bridge rebuilt.

The irony of this is not lost on anybody. I am sure it is not lost on the local community. When it came to cutting the ribbon, who was there to cut it? It was not somebody on this side of the house; it was somebody on the other side — and of course it was somebody who probably fought against the bridge throughout the course of the election campaign. The irony is certainly not lost on us.

Let me remind members of how important this bridge now is to the community. The bridge we were able to fund has been restored as a heritage bridge, which was vital. In fact it has been shifted slightly. If you understand how bridges are replaced, you will know that you cannot replace them in exactly the same line if they are traditional timber bridges; you have to shift them slightly. That is why we now have this excess land at the roundabout that needs to be managed by VicRoads. It will manage it, but of course we know that when you say that VicRoads will manage land that basically gives it the option to put a road on it. VicRoads tends to manage land only because it has to wait until it can either widen the road or do something else with it. VicRoads is not known for planting lots of trees or manicuring those reserves because it likes them manicured or maintained. Normally VicRoads maintains them for the sake of being able to widen the road at a later date, so I expect that will be the case in this instance.

It is not lost on this side of the chamber, and it should not be lost on the other side of the chamber, that we have a bridge that was probably not popular in the decision but is now very popular because it has been built. The irony of it should be a good reminder to those on the other side of the chamber that you can take the easy path and make out that you can fix everybody's problems, but if you do not take some of the hard decisions on infrastructure and invest in that infrastructure, at the end of the day the community loses out.

I recently came across a quote that read, 'If you seek perfection, you may not achieve it'. The world does not award perfection, it awards productivity. While the government keeps talking about productivity, I have never in all my life seen a government with so little productivity. It is easy to tell the rest of the Victorian community about productivity. The government is ready to use the code word 'productivity', which really means a reduction in working standards, but at the end of the day when it comes to real productivity the government cannot deliver it itself. It cannot deliver the infrastructure, and this bridge will be a good reminder of that to government members. When they are holidaying down the coast, visiting the member for South Barwon in the summer in their shorts and thongs and frying their potatoes on the barbecue, they should remember that this bridge was built by a Labor government and it was a bridge that they never ever wanted.

Mr KATOS (South Barwon) — It is my pleasure to rise tonight to speak in the debate on the Land (Revocation of Reservations) Bill 2012. The bill

facilitates a number of changes to the status of land in the Crown land portfolio by revoking permanent reservations over several parcels of land throughout Victoria. As a previous speaker mentioned earlier, these include land in St Kilda, where the City of Port Phillip is looking to build a family and children's centre; the former Fitzroy gasworks site, which is appropriate for possible urban development, although it does have contamination issues; and the Toolangi potato research farm, which involves incorporating some 43.8 hectares of land back into the Yarra State Forest. The member for Seymour earlier gave a fine contribution on the history of that farm, which was very informative for those of us who are ignorant about potato breeding.

Other land parcels include the Sneydes Road, Werribee, site. Sneydes Road is a major transport link between Point Cook and Werribee. A 2.7 hectare section of that road, which runs through the Werribee State Research Farm and was originally used for agricultural purposes, is now used as a road, hence the revocation of the reservation to reflect its actual use.

Another site is in the Inglewood and Districts Health Service, where the former residence of the general practitioner is no longer used. A new residence has been constructed elsewhere, hence the site is surplus to the requirements of the Inglewood and Districts Health Service.

The cities of Port Phillip and Yarra, Wyndham City Council and Inglewood and Districts Health Service all support these land revocations.

A further site was set aside for the South Melbourne temperance hall, which is now used by not-for-profit arts and cultural groups. Clearly it is no longer used as a temperance hall, so the reservation will be revoked and the land reserved for a more appropriate purpose and public use. Once the revocation takes place the government intends to appoint an appropriate land manager.

There is also the land at Barwon Heads. I have been in Parliament for not quite a year and a half but I am still amazed at some of the contributions that I hear in the chamber. Clearly the member for Essendon still believes he is the minister. He showed he is in absolute denial and in fantasy land with the contribution he made earlier, talking about infrastructure and the lasting legacy he has left for Barwon Heads. In Barwon Heads absolutely no-one was supportive of the two-bridge solution that was suggested by the previous Brumby government and by my predecessor in this place. I was a councillor at the time when this option was first put forward, and I remember sitting in the briefing with

VicRoads next to Cr Jan Farrell, the councillor for Beangala ward, which includes Ocean Grove, and I remember getting the maps and the design of this two-bridge solution, and Jan and I looked at each other and were thinking it must have been April Fools' Day and VicRoads was having a lend of us. Building the two bridges also took out a portion of Lahey Square.

Many solutions were put forward by the community, and in fact the City of Greater Geelong put forward a submission to VicRoads stating that there was a solution that would be respectful of the heritage of the Barwon Heads bridge by having a wooden structure that would still be a functional, modern bridge, allowing road transportation, pedestrian and cycling access as well as fishing. Council submitted that it could be built to enable two lanes of traffic, with a cantilevered footbridge, similar to the old bridge. This would have facilitated a single-bridge solution, and had it been successful we would not be here today discussing a land revocation. That is the history of the bridge, and my predecessor in this place was certainly in the crosshairs of the Barwon Heads community, as was reflected in the swing in the Barwon Heads area at the last election of approximately 18 per cent in the booth. Obviously if the member for Essendon thinks that was a good, lasting solution for the people of Barwon Heads, he is in fantasy land.

The other point that needs to be made here is that in the previous sessional period, when the member for Essendon was in the other place and was the Minister for Planning, this matter was the subject of a disallowance motion in the upper house. That motion passed the upper house, and I believe it is the only disallowance motion put forward when we were in opposition that we supported.

The bottom line is that the Barwon Heads community said it did not want this, the City of Greater Geelong said in no uncertain terms that it did not want this and the Parliament of Victoria turned around and said, 'We do not want this; this is not the solution we are looking for' in that it was disallowed by the Parliament, so you would think that with that amount of objection the then Minister for Planning would have been starting to think, 'Perhaps we've got this wrong. Perhaps we have misjudged the community. This is not what the people of Barwon Heads want, and it is not what the people of Ocean Grove want' — because one thing that did become clear in all of this was that the bridge connected Barwon Heads to Ocean Grove, but the member for Bellarine got away with it. She did not get the blame for this, yet she is equally to blame; she was sitting around the cabinet table when these decisions were made and

she got away with it, and my predecessor took the fall for it.

As the subject of a disallowance motion, a normal person would think, 'I might have got this wrong. I think we have made a mistake here'. The member for Bellarine should have been given an opportunity to put the other solutions on the table — solutions that would not substantially hold back the project. The design of the single bridge would have been easily completed by VicRoads and it should have been supported by the previous government, and then we would not be here now discussing a land reservation revocation in Barwon Heads.

In terms of Lahey Square, the pedestrian and cycling bridge is situated south of the road bridge, and that was previously a car park. Any members who have been to Barwon Heads would know the Barwon Heads Hotel, and this area was the car park in front of it. Because the pedestrian bridge came into that spot, 30 car parks were taken out right in the centre of Barwon Heads, where the busy tourist precinct is. It was a completely ill-thought-out project, but the worst thing about it was that the previous government was given ample opportunity to say, 'We got this wrong', to admit that it had made an error and be man enough to stand up and say, 'We should be listening to the Barwon Heads and Ocean Grove communities', because there was just as much opposition to this in Ocean Grove. It should have listened to the people and acted.

The member for Bellarine mentioned earlier that there is a kindergarten being built in Barwon Heads which the Baillieu government is funding to the tune of \$1 million. There is conjecture about that being put in the village park, which is the council's preferred site. That is the subject of a consultation process at present, but if the result of that consultation process is an overwhelming rejection of that site as the preferred one for the kindergarten, clearly there are other options within Barwon Heads. With other options available, if there is a clear rejection of the site, would it not be stubbornness, pigheadedness or foolishness to plough forward and say, 'We will put it there, irrespective of what the community of Barwon Heads is saying'? That is exactly what happened with those bridges.

One other aspect I want to mention is the matter of Lahey Square, managed by the Barwon Coast Committee of Management — and it does a fine job. Bob Jordan and Mark Edmonds run that organisation well and are doing a magnificent job managing the Barwon coast. I am sure they will continue to do that in the future. The organisation will be compensated with a bit more in the coffers through the purchase of this land.

This is a simple bill of revocation to tidy things up, and with those words I commend the bill to the house.

Ms BEATTIE (Yuroke) — I rise to make a brief contribution to the debate on the Land (Revocation of Reservations) Bill 2012, although having listened to the debate, perhaps it should have been the bridges and spuds bill, because that seems to be all that has been talked about in the past few minutes. I will concentrate my contribution on the St Kilda land, which the member for Albert Park would know well. My understanding is that the land sits at the back of the St Kilda town hall and is currently being used for child-care facilities. I also understand that there is a \$12 million integrated children's centre being built there. The sod-turning for that integrated centre was done some 15 months ago, which means the planning and finance for the centre was done under the previous Labor government.

I point out to the chamber that I do not know what this government will do when it has run out of Labor projects to open, because it certainly has no projects of its own for sod-turning or opening ceremonies. We will have to put up ribbons everywhere so that the Premier can get a pair of scissors and cut them. Might I say that those integrated child-care centres are wonderful. There were about 108 planned by the previous Labor government, and one is in my electorate. It is an outstanding facility. The centre in St Kilda will also be outstanding, because it is yet another example of a great Labor vision.

I will speak briefly on the former Fitzroy gasworks land, which is well known to the member for Richmond, who has great concerns about it because of the contamination of that land. My understanding is that it will need extensive excavation of soil and capping of easements, and those costs could be prohibitive. I understand from the member for Richmond that he has fears about how this land will be treated, who will finance it and for what purpose it will be used.

We have had a lot of talk about potatoes, so I do not intend to go into the Toolangi potato research farm land any further. There is land at Sneydes Road, Werribee — —

Ms Ryall interjected.

Ms BEATTIE — I take up the interjection from Queen Dee of Mitcham — it might be a snide interjection she made about Sneydes Road. The land at the Inglewood Hospital Reserve was used as a doctor's residence which is now located elsewhere. We have heard extensively about the Barwon Heads land. As for

the South Melbourne temperance hall, temperance is not a subject that often comes before this house, but perhaps the Rechabites in the chamber will have a great deal of interest in this land.

With those few words I commend the bill to the house, but with some reservations of my own: what is this government going to do with the land when it is sold, who will finance some of the projects that will be developed on this land, and what is this government going to open when it runs out of Labor projects?

Mrs VICTORIA (Bayswater) — It is with great pleasure that I stand to speak on the Land (Revocation of Reservations) Bill 2012. This bill will help facilitate a number of changes to the status of various pieces of land, which I will talk about in a moment, and it revokes some permanent reservations and Crown grants. This can only be done via legislation, which is why the bill is before the house.

I want to talk briefly about some of the land the status of which is being changed. There is, as we have heard from many speakers, the Toolangi potato research farm. There is also land at Werribee, land that is no longer needed by Inglewood hospital and land that is no longer needed for its purpose down at Barwon Heads.

But I want to get into some of the other areas where there will be changes. If we look at what is known as Gasworks, which is at 433 Smith Street in Fitzroy, this could be the result of what we might call one of the original PPPs (public-private partnership). This was the original site of the Collingwood, Fitzroy and District Gas and Coke Company, which was established in 1859. The really interesting thing is that it was a joint venture between local council and private investors, which is why I said it might have been an original PPP. The idea of co-investment has been around for many years.

There had been four years of very bitter competition when the company was established. Gas prices plummeted, which was fantastic for the consumer, obviously. Everybody on the consumer end of things was very pleased, but three of the companies competing for that market lost a lot of money, so they decided in 1877 to amalgamate and made the Metropolitan Gas Company. That was at a time when we did not have electricity to power lights and things so it was all gas lighting, and people were starting to get gas cookers in their homes rather than the old wood stoves, as well as gas water heaters and gas fires. Those grew in popularity through the 1870s, so obviously the demand for gas was very high. By 1900 there were some 50 gasworks here in Victoria, and 16 in the greater

Melbourne area; they were dotted all over the place. One of the great disadvantages of this particular site was that it was a fair distance from the port, so the site ceased being used for those original purposes and closed back in 1927.

In a land review the City of Yarra did back in 2004 it looked at industrial and business land strategies and decided that there was a decline in demand for industrial land. It also discovered that there was more of a need for land that could be allocated for services, office use and those sorts of things. That review was predominantly designed to maintain and grow local employment and to make sure that people were content in their areas. Ideally there were to be more mixed uses than had been there before. There are now lots of uses of the land in that area.

Of course Smith Street is very much a retail and commercial precinct, and Gasworks is quite out of place down there. The warehouses in that area are leased to various businesses and other community groups, including the Australian All Star Cheerleading Federation, which does very well. Until late last year Westside Circus had residency there, but there are other community and arts organisations that have spent time there.

There is also land down at Chapel Street, St Kilda, which is adjacent to the St Kilda town hall. As many speakers have talked about, there is to be established on that land a \$12 million integrated family and children's centre, which is a great initiative. There will be an amalgamation of the children's centre and the maternal and child health services, so it will be a bit of a one-stop shop. There will be 116 children's services places provided there as well as maternal and child health services, playgroups, new parent groups and family services. The land itself is currently permanently reserved under the Crown Land (Reserves) Act 1978 for the listed purposes of a town hall, courthouse and offices. It is adjacent to the town hall, but the town hall and its functions will not be interrupted in any way; in fact the precinct will be enhanced.

The town hall precinct has gone through some dreadful times. In 1991 there was a huge fire, which many will remember. It certainly stuck in my mind because one of my earliest memories is the story of how my parents met. When balls were held at the St Kilda town hall my mother used to go to watch my father, who had a band called Carl and the Continentals. When we heard about the fire we were saddened because the town hall is full of fond memories for us. The town hall is not going to be changed. It is a relatively newly refurbished town hall that reopened in 1994. The St Kilda area is

renowned for its rich history. The town hall is part of that, as is Luna Park, which is loved by so many. From an arts point of view we have the Astor Theatre and the National Theatre, which was formerly known as the Victory Theatre. The town hall was used during the Melbourne Olympics for some ceremonial events. As I have said, the town hall is not going to be changed in any way.

In Napier Street, South Melbourne, the land that was reserved as the site of temperance hall in 1860 and was originally granted its lease back in 1861 is going to have its status changed. We are seeking to appoint a land manager to oversee management of that site and undertake restoration works that are very much needed. It is currently used by lots of not-for-profit arts and cultural groups, and obviously there are some small groups that need homes. We can accommodate some of the larger organisations, but there are also small and fledgling organisations, including those which choose not to grow into large organisations and which want to establish themselves in niche markets, that are enjoying using the facilities at the site.

We can certainly assist independent artists in the community down at Napier Street. There are a couple of rehearsal spaces which are used for development of new works and rehearsal of artistic projects. They are suitable for dance, theatre, film and visual art. They are also used a lot for workshop purposes. The Napier Street theatre is a very popular venue. Ranters Theatre was established in 1994 by graduates of the Victorian College of the Arts. The company has been busy and has worked on a couple of world premieres out of the Napier Street theatre, including the 1994 work *Lucrezia and Cesare* and the 1995 work *The Room*, which was a one-actor play developed especially in that space.

Those who are into their footy would of course know this was also the site of the original planning for the South Melbourne Football Club. In 1874 — 138 years ago — 12 football enthusiasts got together and decided they would come up with the South Melbourne Football Club, which is now known as the Sydney Swans. The site next became home to an orphanage run by the St Vincent de Paul Society. At the time there were about 60 boys and girls living there. Over the 140 years of its operation some 6000 children spent time in the children's home. The iconic country singer Smoky Dawson spent some time there as a child after his mother died as his father was prone to violence. The site has certainly had a long and chequered history, and changing what is happening at that site — —

The ACTING SPEAKER (Mr Nardella) —
Order! The time has come for me to interrupt business.

The honourable member will have the call of the Chair when this item is next before the house.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house now adjourns.

Mr Carbines — In the first instance, Acting Speaker, I have a point of order in regard to an adjournment matter that I raised on 15 March regarding Charles La Trobe College and its Olympic Village campus in Heidelberg West. I asked the Minister for Education to respond to my concern that temporary toilets and relocatable classrooms need to be provided to the school because of fire damage at that campus. I have not received a response in the appropriate time frame. On behalf of the Ivanhoe electorate I ask that the matter be followed up.

The ACTING SPEAKER (Mr Nardella) — Order! I shall pass that matter on to the Speaker for his attention.

Charles La Trobe College: Macleod West campus upgrade

Mr CARBINES (Ivanhoe) — The matter I raise is for the attention of the Minister for Education. The action I seek from the minister is that his department and his government fund capital works for stage 2 of the upgrade of the Charles La Trobe P-12 College in the upcoming budget. I would like to outline to the house some of the history with regard to this project.

The upgrade is part of the Heidelberg schools regeneration project, which received some \$20 million from not only the previous Victorian Labor government but also the federal Labor government. What we have seen through that project is the development of a prep-to-year-12 Charles La Trobe school in Macleod West. That has been a significant development, but only stage 1 of that project has been funded and delivered, by the previous Labor government.

I note that the Minister for Education will be visiting the Ivanhoe electorate next week, on April 24, to open stage 1 of the project on behalf of the current government. When he attends that opening it would be appropriate for him to commit to funding stage 2 of the project. Rather than cutting ribbons while cutting funding to education in the Ivanhoe electorate, it would

be great if the current government made some public commitments to fund education capital works projects there, which it has failed to do since it came to office.

The Ivanhoe electorate welcomes the education minister's visit next week to meet with the school community at Charles La Trobe College and open stage 1 of the project. We would really appreciate his support for the funding of stage 2. At the moment the school community essentially has only half of that project delivered. To ensure confidence in the project, in the school and in the school community we need to see that project through. It would help families in my electorate to see stage 2 of that project funded.

I might add that regarding the other campus of the Charles La Trobe P-12 College — the Olympic Village campus — which suffered a significant fire just over one month ago, we have been asking for temporary toilets and temporary classrooms to replace those that burnt down. I can advise the house that the school has had no response from the government — and nor have I had a response to the adjournment matter I raised — regarding the provision of temporary toilets or temporary classrooms for the Olympic Village primary school campus of Charles La Trobe College.

A sausage sizzle I ran raised \$3000 for the school community, but the school cannot get \$1 from this government.

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

Healesville freeway reservation: future

Mrs VICTORIA (Bayswater) — My adjournment matter is for the Minister for Roads, and I ask that he meet with me and then provide an update on government plans for the future use of the Healesville freeway bypass land reserve, which runs through the Bayswater electorate. The land reserve runs in a north-easterly direction between Boronia Road, Vermont, and Canterbury Road, Heathmont, in my electorate. It borders Dandenong Creek and a number of residential areas and sporting facilities. As the proposal to build the bypass is now very much off the agenda, I would like to update my local community on the government's future plans for the land, and a meeting with the minister would help to provide some clarification on that matter.

I have been approached by the Palesviaki Enosis Club requesting further clarity on how the government proposes to use the land. The Palesviaki Enosis Club owns the land that extends from Waldheim Road

through to the Dandenong Creek, and it has had a longstanding caveat over that portion of the land which has been earmarked for the Healesville freeway.

Palesviaki Enosis is a club that was formed in 1952 to help new immigrants from the island of Lesbos in Greece settle into their new homes here in the 1950s and 1960s. The community originally met with other Greek communities in Bourke Street, Melbourne, and had no permanent base or place of its own to meet. The island of Lesbos, with its capital Mytilene, lies in the north-eastern Aegean Sea and is the third largest of the Greek islands and the eighth largest in the Mediterranean Sea.

In 1984 the Palesviaki Enosis Club established its own property in Bayswater, and as I said, that is at the end of Waldheim Road. It currently has approximately 350 members ranging in ages from 18 right through to a fantastic seniors group which meets on a weekly basis. Its main community groups are the senior citizens group, the ladies auxiliary and the main committee, which facilitates the running of the club on a daily, weekly and thereafter basis. It is through the dedication and contributions of people like the current president, George Stavrinou, his wife, Maria, Yannis, a vice-president, George Adalis, another vice-president, Kallie, the secretary, and Duke, the treasurer, that the club has become so strong. They have made the club what it is today.

They have fantastic festivals there. They want clarity in relation to their land, as does the rest of the community. I would like the minister to meet with me and then provide an update to my community so that certainty can be provided in the future.

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

Schools: Essendon electorate

Mr MADDEN (Essendon) — The issue I want to raise tonight is for the Minister for Education. It deals with two issues but basically they are interlinked, so I am asking for him to solve it as one issue because you cannot solve one without solving the other.

The two issues relate to three schools in my electorate — Essendon Primary School, Strathmore Primary School and Strathmore North Primary School. What you have in each of these schools are varying degrees of renovation that either have been undertaken or need to be undertaken. Strathmore North Primary School has basically completed its construction program, so it is attracting a high number of students.

The other schools have not been able to continue or commence their construction programs because of announcements by the government in the previous budget and as a result the catchments are in a sense compromised. What you have is rather than catchments being clear so that school children and parents know which schools the children should attend, there is a blurring because you have people in each catchment seeking to go to schools in slightly different catchments because of the status of those building works. The other two schools have fantastic teaching staff. They have good buildings, but they are dilapidated and need work done to them. I ask the minister to support the building and construction programs at two of these schools so that he can fix the catchment issues involving the schools, because once people can see the construction works being undertaken the issues involving the catchments will be clarified.

One example I can provide is Strathmore North Primary School. The school is located next to Moonee Ponds Creek, but it is drawing students from one side of the creek and not the other. Students living immediately across the creek can walk to the school on the pedestrian bridge but they cannot access the school because they are not in the catchment. Students from Strathmore Primary School who want to attend Strathmore North Primary School are compromising the catchment areas of each of these schools. What we have is an issue where, because the construction works have not been undertaken at these schools, parents are taking their children to other schools and not locating them where they need to be. I ask the minister to fix these issues.

The ACTING SPEAKER (Mr Nardella) — Order! I have sought advice in regard to the adjournment matter and the action requested. If the Minister for Education does attend the house, I would suggest that the action being sought is that the catchment issue be sorted out rather than that the problems in the schools be fixed up.

Bairnsdale Racing Club: facilities

Mr BULL (Gippsland East) — I raise a very clear-cut matter for the attention of the Minister for Racing.

The ACTING SPEAKER (Mr Nardella) — Order! I thank the member.

Mr BULL — The action I seek is for the minister to assist the Bairnsdale Racing Club in providing improved facilities for race day patrons. It is very good to see the minister in the chamber. The Bairnsdale

Racing Club has a proud history. It was established in 1862. It has a long association with East Gippsland, and as the member for Rodney points out, next racing season will mark the club's 150th anniversary.

The club is very well regarded in the community, the industry is a big employer in East Gippsland and there are strong community partners of the racing club — East Gippsland Shire Council, East Gippsland Water, Patties Foods and a range of local businesses — that support the racing club through a range of initiatives. The club also plays a popular role in the wider community. It has race days for the Mallacoota, Lakes Entrance and Lindenow cups. It is very ably led by chairman Michael Sadler and manager Andrew Pomeroy. I actually had the pleasure of spending 10 years on the racing club committee, and it was a very enjoyable time.

The club has seven meetings a year, including the Bairnsdale Cup, which this spring was the first country cup of the Spring Carnival period. Melbourne Cup Day is very popular, and Easter Saturday is another major race day in the region. The premier winter race day is the Lakes Entrance Cup. Along with the three very popular picnic racing clubs we have in East Gippsland — the Buchan and Gelantipy Racing Club, the Tambo Valley Racing Club and the Omeo and District Racing Club — we have a very good array of country racing in the region. I had great pleasure in attending the annual Hinnomunjie meeting this year.

The club is always looking to improve its products and services to racegoers and recently put forward a proposal to government to fund the acquisition of 10 mini marquees and associated furniture that will be made available to racegoers to increase their enjoyment of their race day experience at the Bairnsdale Racing Club. The present situation is that marquees are transported 300 kilometres, from Melbourne, when they are required on feature race days. Locally based marquees will also be great for the other racing clubs in the district to utilise. Those clubs include the Latrobe Valley Racing Club at Traralgon, the Sale Turf Club and of course the Moe and Stony Creek racing clubs. Those five clubs together make up the broader Gippsland racing organisation.

I urge the minister to strongly consider the Bairnsdale Racing Club's proposal to improve the facilities and the experience of race days.

V/Line: rolling stock

Mr HOWARD (Ballarat East) — I have a matter to raise for the attention of the Minister for Public

Transport. I ask the minister to take action to order more train carriages for V/Line.

Dr Napthine — Eleven years!

Mr HOWARD — Let me start. What an ignorant comment from the minister, who should know better. He should know, as you would know, Acting Speaker, that the former Labor government committed substantial funding to upgrading regional fast rail services, much to the appreciation of the people who use the lines between Ballarat and Melbourne, Bendigo and Melbourne, Geelong and Melbourne and Gippsland and Melbourne. Of course as well as upgrading the line we ordered numerous modern V/Locity train sets, which not only provided great comfort for the travellers on these V/Line services but also saw jobs created at the Bombardier factory here in Victoria, so it had great benefits for the people of Victoria. The people of my electorate have certainly started using the train services much more substantially, as have people in so many parts of regional Victoria.

However, on numerous occasions over recent months I have been contacted by rail users who commute to Melbourne on the Ballarat line. They have contacted me to advise of overcrowding on their trains. Ballan commuters in particular have reported fewer carriages on some key peak-hour services, especially the 6.32 a.m. train departing Ballan for Melbourne, and this has seen many without seating for the entire journey between Ballan and Melbourne.

In following this up with V/Line I was advised that it is no secret that V/Line requires more trains in order to meet the growing demand for services. Since Labor invested so much while it was in government and had plans to invest further to provide more V/Locity train sets, it was very disappointing to see that no new V/Locity train sets were ordered in last year's budget. We recognise that passenger rail services are greatly appreciated in regional Victoria and are gaining greater patronage because of the great investment by the former Labor government. Unless there is further investment in new rolling stock this service will clearly have significant problems in the future, as overcrowding can only get worse.

I ask the minister to take action, to put some money in the budget to ensure that there is funding for further train sets and to get on with ordering more train sets. Not only will it benefit the users of the train service but it can also provide jobs, and clearly we need a jobs strategy from this government — something that sees jobs created rather than jobs lost.

Schools: Forest Hill electorate

Mr ANGUS (Forest Hill) — I raise a matter of importance for the attention of the Minister for Education. The action I seek is for the minister to come to the electorate of Forest Hill and visit some of the schools there to inspect their facilities and address the maintenance backlog being faced by these schools. The backlog in school maintenance is something that was allowed to occur during the last 11 years of Labor government in this state. The government school maintenance backlog was last year estimated to be \$146 million, of which just over \$1 million related to schools in the electorate of Forest Hill.

I am pleased that the minister announced in November last year that every government school was to undergo a full maintenance audit. This is an essential step in determining the extent of the maintenance backlog the previous government left all Victorians as part of its disastrous financial legacy. Auditors have been progressively visiting government schools to gain a comprehensive understanding of the state of their facilities. I look forward to the finalisation of the condition assessment audits for the government schools in the electorate of Forest Hill so the extent of the maintenance backlog is known.

I am also pleased to note that the Victorian coalition government provided in the last budget a \$100 million boost for school maintenance. It is interesting to note that under the previous government, school maintenance funding dropped from some \$73 million in 2000–01 to just \$59 million in 2009–10 — a 20 per cent cut over 10 years. The amount of maintenance provided by the coalition government in the 2011–12 state budget totalled almost \$90 million. This reflects a clear understanding by the coalition government of the importance of properly maintaining state-owned assets. Rather than letting assets deteriorate, the current government understands the need for responsible stewardship.

I welcome the opportunity to meet with the Minister for Education. I look forward to the minister's visit and the chance for him to visit some of the schools within the electorate of Forest Hill and observe firsthand the maintenance issues facing these schools.

Geelong Hospital: funding

Mr TREZISE (Geelong) — I raise an important issue with the Minister for Health, and the action I am seeking from the minister is for him to ensure that funding is made available in the upcoming 2012–13

budget for the ongoing upgrade of the Geelong Hospital.

Except for the cloud that is hanging over hundreds of local manufacturing jobs at the moment, I can assure the Minister for Health that the promised and much-needed upgrade to Geelong Hospital is the no. 1 issue facing the Geelong community in 2012. Prior to the 2010 state election the now Baillieu government promised the people of Geelong that Barwon Health, including Geelong Hospital, would be bolstered by a \$165 million cash injection. To date, nearly one and a half years into its term, only \$8 million of this \$165 million Baillieu government promise has been forthcoming — just on 5 per cent of the total funding promised. That is not good enough in anyone's language.

My concern with this trickle-down style of funding is that even if the Baillieu government delivers on its promised funding by the end of its first term of government in 2014, it will be another two to three years before these important works are completed. That will be at least 2016 or 2017, which is five years from now. That is simply not acceptable. Barwon Health needs its funding now, not in 2014 or beyond. Without this funding Barwon Health will for years to come continue to battle with growing demand and pressures on its services, driven by an ever-increasing and ageing population.

In demanding today that the minister ensure that the funding for Barwon Health begins to flow as of the forthcoming budget, I also remind him that this money is allocated for health services that are vital to the people of Geelong and in fact to the people of the wider south-western region. It is allocated for projects that include outpatient services, increasing the number of operating theatres, improving mental health services, providing extra beds and nursing staff — and the list goes on. As I just noted, whilst these services are delayed the pressure on the hospital, its waiting lists, its staff and, importantly, its patients continues to grow.

In contrast, one cannot help but compare the current lack of action to the record of the previous Labor government, which treated health as a real priority and ensured that institutions like Geelong Hospital and the McKellar Centre were upgraded. For example, in 1999 the McKellar Centre was a tired, run-down aged-care facility that was to be sold off by the Kennett government. Today, thanks to the commitment of the Labor government, the McKellar Centre has been transformed into a world-class rehabilitation and aged-care facility which also provides other services such as a palliative care centre.

In finishing my contribution, perhaps I should best leave the final words to the *Geelong Advertiser*, which said in its editorial on Wednesday night under the heading 'Dark clouds over hospital':

Come on, Mr Davis, Mr Wells and Mr Baillieu. Stop treating Geelong like a second-class citizen and get on with bricks and mortar of the outpatients complex. Stop the proceeding and stand and deliver.

Those are my sentiments exactly.

Echuca Racing Club: training facilities

Mr WELLER (Rodney) — I wish to raise for the Minister for Racing a matter concerning the Echuca Racing Club, which is based at Echuca in the Rodney electorate. The action I ask for is that the minister support an application from the racing club for improvements to its training track.

The Echuca Racing Club was formed in 1864 and has a long history of successful thoroughbred racing and social gatherings. The club hosts two very successful annual race meets: a Melbourne Cup Day and a Labour Day Cup Carnival, which are attended by thousands every year. Those attending consume a lot of potato chips as well. These race meetings are always well attended by locals and visitors to Echuca-Moama. They provide social and entertaining opportunities as well as integral tourism dollars for the region.

Many meetings at Echuca Racing Club attract first-class trainers and thoroughbred blood lines. The 2012 Moama RSL Echuca Cup was won in illustrious fashion by the Anthony Freedman-trained mare, Zubbaya. As well as hosting 12 race meetings annually the racecourse is also used as a training base for many local trainers. It is estimated that between 30 and 40 horses train at the club on a daily basis. These local horse trainers live and work in the Echuca region, and their ability to train at the Echuca Racing Club is vital to the local horseracing economy as well as the growth of the wider racing industry, which is worth \$729 million to the state's rural and regional economy and employs 27 000 country Victorians.

It is therefore most important that we have reliable, safe and effective facilities for those who use Racing Victoria sites, including horses, track riders and local trainers. Due to high rainfall over the past two years, the sand training track at Echuca has become damaged and worn, and it is not up to the standard required for adequate training. The Echuca Racing Club has consulted with Country Racing Victoria and met with me about improving the training track. It has put forward a dedicated funding application for the

government's consideration. The application includes details of the upgrade, which involves drainage and extensive repairs to the sand training track.

As part of the required upgrade, the existing sand surface will be replaced and the track base will be enhanced to allow better drainage. The proposed improvements will ensure that the sand track is adequately drained so that training can continue uninterrupted after heavy rainfall. This, along with additional improvements, will provide all those using the track with a consistent and safe surface for track work. It is a very important project for the Echuca Racing Club, and indeed for the economy and employment in northern Victoria.

Pound–Shrives roads, Hampton Park: safety

Ms GRALEY (Narre Warren South) — The matter I raise tonight is for the attention of the Minister for Roads. It concerns funding for the intersection of Pound Road and Shrives Road at Hampton Park. The action I seek is that the minister ensure that funding for safety improvements at the Pound Road and Shrives Road intersection be included in this year's state budget.

I am regularly contacted by concerned residents of my electorate regarding this intersection, and I have shared some of their concerns with members of the house before. The intersection of Pound Road and Shrives Road is often the site of lengthy delays, particularly for motorists attempting to turn right from Pound Road into Shrives Road. Indeed, local resident Christine Trapani wrote to me and said that attempting to make a right-hand turn into Shrives Road before 6.30 or after 3.30 is almost impossible as there is no respite from traffic coming either way.

Michelle Halsall, another Hampton Park resident, told the *Casey Weekly Cranbourne* that in peak hour it is impossible to turn right from Pound Road into Shrives Road. She said:

I never attempt it at any time of day — I would rather go way out of my way, turn around and go back. It's far too dangerous.

Simon Difilippo, a passionate advocate for improvements at this intersection, recently contacted me and said that not only is the intersection dangerous but it also creates a lengthy bottleneck stretching past the Pound and Hallam roads intersection.

Only a few weeks ago this intersection was the site of another accident, causing further delays for already frustrated residents. Just prior to this accident Gina Garcia told me that people are cutting through the

petrol station. They have put up exit signs but to no avail. She said she has seen numerous accidents there in the years she has used the road.

Recently the *Casey Weekly Cranbourne* reported in an article under the heading 'Residents demand action at Pound and Shrives roads intersection' by Catherine Watson that:

Despairing Hampton Park residents say someone will die before action is taken over one of Casey's most notorious corners.

It notes in reference to VicRoads that:

Its records show there were five serious injury crashes and eight other injury crashes in the five years to 30 June 2011. However, residents say the number of collisions, near misses and minor injury crashes is much higher.

I have written to the minister on multiple occasions; however, his responses, as expected, have been disappointing, and I am yet to receive a response to my most recent letter. In fact the Baillieu government's first budget failed to allocate a single cent to road upgrades in Casey, which is in stark contrast to the \$500 million invested by the previous Labor government. Last week a Casey councillor wrote to the Minister for Roads asking for urgent funding for this intersection. I ask the minister to stop the excuses, to fix the problem and to provide funding for safety improvements at the Pound and Shrives roads intersection in Hampton Park.

Cycling: Tour of Gippsland

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for Tourism and Major Events, and the action I seek is for her to provide funding support for the marketing and promotion of the 2012 Lakes Oil Tour of Gippsland. Phillip Island will host the opening day of the 2012 tour. The five-day tour, now in its eighth year, will feature a stage on the world-renowned Phillip Island grand prix motorcycle racing circuit. The 575-kilometre, nine-stage tour will start on Wednesday, 1 August, with a 40-kilometre waterfront criterium in the idyllic fishing village of San Remo. It will conclude on Sunday, 5 August, with the tour's traditional grand finale criterium at Paynesville on the beautiful Gippsland Lakes.

The tour will be backed by four municipal councils — Bass Coast, Baw Baw, Latrobe and East Gippsland. The financial support that was provided by the Baillieu government in 2011 was really appreciated by the organisers, and it was an important factor in the great success of that event. Melbourne-based Lakes Oil, Australia's oldest oil and gas exploration company, which was founded in 1946, will be the tour's major

sponsor for the fifth straight year. Tour director John Craven described Lakes Oil as a tremendous contributor to Australian cycling and an outstanding corporate citizen.

Lakes Oil first became involved in 2008, and every year since this event has been an outstanding success. Its contribution to Australian cycling through this event stimulates huge economic benefit for many Gippsland communities. Lakes Oil chairman Rob Annells believes this event is a wonderful Gippsland version of the Tour de France, displaying to the world all the visual splendour of this magnificent region of Victoria.

The tour has become a proven breeding ground for the future stars of Australian cycling. It is a superb community event involving thousands of people from a large cross-section of the community, not only from Gippsland but also Australia-wide and internationally. The tour will be the opening round of the 2012 Scody Cup, and is a feature event on Cycling Australia's National Road Series. Tour organisers will be extremely grateful if the coalition government can continue its financial support of this event in 2012 despite very difficult economic times. I urge the Minister for Tourism and Major Events to continue her good work in supporting regional Victoria and to provide funds for the marketing of this year's Lakes Oil Tour of Gippsland.

Responses

Ms ASHER (Minister for Tourism and Major Events) — The member for Narracan has raised the matter of funding for the Tour of Gippsland cycle race. The 2012 course will go through Moe and a number of other towns across Gippsland. The Tour of Gippsland is part of three cycle tours that form part of what is known as the Scody Cup series, which the member mentioned, and it is sanctioned by the Australian Cycling Federation under the National Road Series. The grand final of this series is being held in Tasmania in October this year.

The member for Narracan raised this issue with me last year. I provided funding for this event, and I am pleased to announce that this year funding of \$25 000 has been approved to market not only this tour but three cycle tours. The three cycle tours that will be marketed will include the Tour of Gippsland, which the member for Narracan spoke about and which runs from 1 to 5 August. I might add that support for this event has also come from the members for Morwell, Bass, Gippsland East and Gippsland South.

We are also going to support the Tour of the Great South Coast, which runs from 15 to 19 August. The member for South-West Coast, who is the Minister for Ports, has delivered very strong support for this event, as indeed have the members for Lowan and Polwarth.

As part of this package, we are also going to support the Tour of the Murray River.

Mr Weller interjected.

Ms ASHER — The member for Rodney has strongly supported this event, as indeed have the members for Swan Hill, Mildura and Murray Valley. All of these members have supported the funding of this event. Like the Acting Speaker, I am not contemplating the issue of lycra at all as we are talking about these sponsorships.

These three tours will provide significant economic benefits across a number of regions, and each tour runs from five to eight days. In last year's Tour of Gippsland 62 per cent of the cyclists were from interstate and 10 per cent were from overseas. I will be very pleased if we can achieve those results this year. The marketing for these tours is aimed at increasing visitation from intrastate and interstate visitor markets, and will include advertising through the CycleSport Victoria handbook and promotion through Cycling Australia, CycleSport Victoria, 'Cycle sport news and cycling' and 'Cycling news' websites. There will also be work undertaken in conjunction with WIN Television and Prime television for television news coverage. I am told SBS will produce feature documentaries on the events for the *Cycling Central* program.

I would like to thank the member for Narracan for his enthusiastic support for tourism across his electorate. He has been a very forceful advocate for tourism in his electorate since he has been a member of this chamber, and I am delighted to be able to announce this funding tonight.

Dr NAPHTHINE (Minister for Ports) — I thank the member for Gippsland East for raising an important issue with regard to racing in his electorate, and I congratulate him on his hard work on behalf of his constituents. I also congratulate him on his great interest in racing and his current success as a racehorse owner. He understands very well the importance of the racing, training and breeding industries to local economies and to local jobs. In the Gippsland region the racing industry is worth over \$110 million a year and creates more than 1700 jobs. That is why the coalition government has provided nearly \$80 million to the Victorian Racing Industry Fund, using punters'

money through unclaimed dividends and taxes on on-course tote bets, to boost and develop racing across the state.

As the member for Gippsland East said, the Bairnsdale Racing Club has a long and proud history, and this year marks the club's 150th year of racing. It has seven meetings a year, but it is also a very important training centre for the racing industry in Gippsland and across the state. Its major events are the Patties Food Bairnsdale Cup Day, which is a great day and this year will be on Sunday, 7 October, and it has a very big day on Melbourne Cup Day. The club is well led by Michael Saddler, who is a great chairman, and Andrew Pomeroy, the CEO. Andrew served time as the CEO of the Warrnambool Racing Club and has great experience in racing.

I am pleased to advise the member for Gippsland East that the government will be able to provide \$7969 as part of a \$15 930 package to purchase the 10 mini marquees that were requested and the appropriate furniture to go with them for race days and community events. These mini marquees will be well used by the club to sell packages and will enhance a great venue for people to come along to on those magnificent race days at Bairnsdale. They will also be used by the broader community.

As the member for Gippsland East also said, Bairnsdale Racing Club proudly works with the local picnic racing clubs. These mini marquees will be put to excellent use at the Swifts Creek races, the Tambo Valley Racing Club and the absolutely magnificent Hinnomunjie Picnic Race Day, which is run by the Omeo District Racing Club. It is a unique event. In February each year they race at Canni Creek at the Buchan and Gelantipy Racing Club. Those picnic racing clubs will appreciate having the mini marquees and facilities available, as will be the case at Bairnsdale. This is an example of how the joint investment by the government, Country Racing Victoria, Racing Victoria and a local club of a relatively small amount of money can make an enormous difference in terms of patron amenities and attendance at racing and other great community events. That is what the member for Gippsland East gets. He is an excellent local member who works really hard and understands his local electorate.

He follows very much in the footsteps of the member for Rodney, who has a terrific track record of being a hard worker for his electorate. In his contribution the member for Rodney outlined the benefits of the racing industry across regional Victoria. I can advise him that in the Goulburn-Loddon region alone racing, training and breeding is worth over \$250 million a year and

creates over 3000 jobs. The Echuca Racing Club is one of the significant racing clubs in that area. It has 12 meetings a year, with a great cup meeting on the Labour Day weekend each year and a great day on Melbourne Cup Day which attracts enormous crowds. Echuca is also the home of significant training facilities, with 30 to 40 horses trained on the track each day.

The member for Rodney raised tonight and has raised with me previously concerns about damage to the sandtrack due to recent weather conditions and about the need to have a proper sandtrack to train those horses. Again, I am pleased to advise the member for Rodney that the coalition government will be providing \$50 000 from the Regional Racing Infrastructure Fund towards a \$100 000 project to fix the sandtrack. It will enhance the base, improve drainage, replace the existing sand surface and make sure that we have an all-weather training facility. What is more, as the member intimated, the old sand from the former sandtrack will be used to top up the jog track. This is a significant project, again a partner — —

Mr Madden interjected.

Dr NAPHTHINE — Jog — where they jog the horses. The member for Essendon needs to understand the importance of horseracing.

Mr Weller interjected.

Dr NAPHTHINE — A very good interjection! This \$100 000 project is funded with \$50 000 from the coalition government, and because of the very good representations by and the hard work of the member for Rodney it will be matched by \$50 000 from Racing Victoria and Country Racing Victoria.

These two examples show that when you get local members who fight hard for issues in their local electorates the government is able to respond in partnership with the racing industry to deliver positive outcomes that improve facilities for both horse training and patrons. These are significant investments in growing jobs, opportunities and the economy in country Victoria.

Mr DIXON (Minister for Education) — The member for Forest Hill asked me to come out to his electorate and visit a number of schools which have issues regarding maintenance of school buildings. He rightly pointed out that the previous government neglected maintenance in schools right across Victoria. We have found out through the audits we have carried out so far that there is, as a conservative estimate, a \$300 million maintenance backlog that needs to be addressed by this government. In anticipation of that, in

last year's budget we announced a \$100 million increase in the maintenance budget across Victorian government schools. That means the recurrent base amount sent out to schools each year for maintenance has increased by 50 per cent. There is also money left over for some of the major issues that we have seen at many schools and that they have had to put up with for a long while. We recognise this is an issue. The member for Forest Hill has been excellent in his representations about the schools in his electorate. I look forward to going out and visiting those schools.

The member for Ivanhoe asked me to consider stage 2 of the Charles La Trobe College upgrade, which is well known to me and obviously to him and is in his electorate, as part of this year's budget. Obviously I am not going to make any announcements regarding the budget at this stage, but I certainly take his views on board. Along with the issue he raised, he spoke about one of the aspects of the regeneration out there being the Olympic Village campus. I will certainly follow up the issue regarding the late notice, because I have signed something and I am not sure why it has not reached the member.

As the member also pointed out, I will be visiting to open Charles La Trobe College's first-stage upgrade next week. While I am out there I intend to visit the Olympic Village campus as well. I am getting some conflicting advice about not only the damage from the fire but what is left over, what aspects of the school facilities are over entitlement and what specialist facilities have or have not been destroyed. I look forward to going out there to see that and to talk to the school representatives in person. I am always more than happy to visit any electorate to see these sorts of things which members on both sides raise so that I can make a decision about what the best and most effective way forward is in addressing the issues — in this case issues caused by that fire.

The member for Essendon raised a catchment issue regarding two schools — even though he talked about three schools — in his area: Essendon Primary School and Strathmore Primary School.

An honourable member interjected.

Mr DIXON — Yes, Strathmore North Primary School was the school that was part of the troika there. Obviously the member is aware that over the last 11 years two of these schools have been left wanting by the previous government, and the member is asking us to make a commitment about that in our budget. As I said in response to the member for Ivanhoe, at this stage I will not be making any announcements about

the budget, but I certainly take on board what the member has said.

In a general sense the members for Ivanhoe and Essendon have both obviously been putting forward cases for money to be spent on schools for modernisation and upgrading. It is interesting that in different circumstances I would have had numerous opportunities to fund those sorts of projects. First of all I discovered when we came into government that 200 schools across Victoria had been led down the garden path and told that funding was around the corner. Those 200 schools are the ones that are actually either ready to go out to tender — they are that far down the track — or they are at least at master planning stage. All were promised a pot of gold at the end of the rainbow, which was not there, and the funding certainly was not there in the department budget to fund those projects. But if we were not spending \$1.8 million a day on the desal plant, you can imagine how quickly we could work through the schools that have been mentioned by the members. If \$1 billion had not been wasted on advertising and IT overruns, and if the fruit and vegetable market was not \$300 million over budget, imagine how many schools I could have upgraded and modernised in that time. These are the realities of the financial situation that we have found ourselves in.

I take on board what the members for Ivanhoe and Essendon have said, and that will be part of our budget considerations.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — The member for Bayswater raised a matter for the attention of the Minister for Roads, and the action she seeks is for the minister to meet and update her on the progress of the Healesville Freeway bypass. I will refer that matter to the minister for his response.

The member for Ballarat East raised a matter for the attention of the Minister for Public Transport, and the action he seeks is for the minister to order more train carriages for V/Line. I will refer that matter to the minister for his attention and direct response.

The member for Geelong raised a matter for the attention of the Minister for Health, and the action he seeks is for the minister to provide funding in this year's budget for the upgrade of the Geelong Hospital. I will refer this matter to the minister for his direct response.

The member for Narre Warren South raised a matter for the attention of the Minister for Roads, and the action

she seeks is for the minister to provide funding in this year's budget for the upgrade of the Pound Road and Shrives Road intersection in Hampton Park. I will refer that matter to the minister for his attention and direct response.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.47 p.m.