

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Thursday, 25 February 2010**

**(Extract from book 2)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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Minister for Roads and Ports, and Minister for Major Projects . . . . .	The Hon. T. H. Pallas, MP
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Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs . . . . .	The Hon. A. G. Robinson, MP
Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Mr A. G. Lupton, MP

### Legislative Assembly committees

**Privileges Committee** — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Naphthine, Mr Nardella, Mr Stensholt and Mr Thompson.

**Standing Orders Committee** — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

### Joint committees

**Dispute Resolution Committee** — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr Lupton, Mr McIntosh and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

**Drugs and Crime Prevention Committee** — (*Assembly*): Ms Beattie, Mr Delahunty, Mrs Maddigan and Mr Morris. (*Council*): Mrs Coote, Mr Leane and Ms Mikakos.

**Economic Development and Infrastructure Committee** — (*Assembly*): Ms Campbell, Mr Crisp, Mr Lim and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis and Mr Tee.

**Education and Training Committee** — (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr and Mr Hall.

**Electoral Matters Committee** — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr P. Davis and Mr Somyurek.

**Environment and Natural Resources Committee** — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mrs Petrovich and Mr Viney.

**Family and Community Development Committee** — (*Assembly*): Ms Kairouz, Mr Noonan, Mr Perera, Mrs Powell and Mrs Shardey. (*Council*): Mr Finn and Mr Scheffer.

**House Committee** — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

**Law Reform Committee** — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan, Mr Foley and Mrs Victoria. (*Council*): Mrs Kronberg and Mr Scheffer.

**Outer Suburban/Interface Services and Development Committee** — (*Assembly*): Mr Hodgett, Mr Langdon, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

**Public Accounts and Estimates Committee** — (*Assembly*): Ms Graley, Mr Noonan, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Dalla-Riva, Ms Huppert, Ms Pennicuik and Mr Rich-Phillips.

**Road Safety Committee** — (*Assembly*): Mr Eren, Mr Langdon, Mr Tilley, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

**Rural and Regional Committee** — (*Assembly*): Mr Nardella and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

### 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* — Acting Secretary: Mr H. Barr

**MEMBERS OF THE LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT — FIRST SESSION**

**Speaker:** The Hon. JENNY LINDELL

**Deputy Speaker:** Ms A. P. BARKER

**Acting Speakers:** Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Munt, Mr Nardella, Mr Seitz, Mr K. Smith, Dr Sykes, Mr Stensholt and Mr Thompson

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The Hon. J. M. BRUMBY

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier:**

The Hon. R. J. HULLS

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

**Leader of The Nationals:**

Mr P. J. RYAN

**Deputy Leader of The Nationals:**

Mr P. L. WALSH

Member	District	Party	Member	District	Party
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Andrews, Mr Daniel Michael	Mulgrave	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Asher, Ms Louise	Brighton	LP	Lobato, Ms Tamara Louise	Gembrook	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
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Beattie, Ms Elizabeth Jean	Yuroke	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
Bracks, Mr Stephen Phillip <sup>1</sup>	Williamstown	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Brooks, Mr Colin William	Bundoora	ALP	Morris, Mr David Charles	Mornington	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Burgess, Mr Neale Ronald	Hastings	LP	Munt, Ms Janice Ruth	Mordialloc	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Clark, Mr Robert William	Box Hill	LP	Noonan, Wade Mathew <sup>7</sup>	Williamstown	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Northe, Mr Russell John	Morwell	Nats
Crutchfield, Mr Michael Paul	South Barwon	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pallas, Mr Timothy Hugh	Tarneit	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pandazopoulos, Mr John	Dandenong	ALP
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Duncan, Ms Joanne Therese	Macedon	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Eren, Mr John Hamdi	Lara	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Foley, Martin Peter <sup>2</sup>	Albert Park	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
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Graley, Ms Judith Ann	Narre Warren South	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Scott, Mr Robin David	Preston	ALP
Haermeyer, Mr André <sup>3</sup>	Kororoit	ALP	Seitz, Mr George	Keilor	ALP
Hardman, Mr Benedict Paul	Seymour	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Helper, Mr Jochen	Ripon	ALP	Smith, Mr Ryan	Warrandyte	LP
Hennessy, Ms Jill <sup>4</sup>	Altona	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William <sup>8</sup>	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene <sup>5</sup>	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice <sup>6</sup>	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 6 August 2007

<sup>2</sup> Elected 15 September 2007

<sup>3</sup> Resigned 2 June 2008

<sup>4</sup> Elected 13 February 2010

<sup>5</sup> Elected 28 June 2008

<sup>6</sup> Resigned 18 January 2010

<sup>7</sup> Elected 15 September 2007

<sup>8</sup> Resigned 6 August 2007



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**Thursday, 25 February 2010**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.**

**BUSINESS OF THE HOUSE****Notices of motion: removal**

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 5, 6, 94 to 104, 193 and 242 to 244 will be removed from the notice paper on the next day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 2.00 p.m. today.

**PETITIONS**

**Following petitions presented to house:**

**Rail: Mildura line**

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the reinstatement of the Mildura–Melbourne passenger train.

The petitioners register their request that the passenger service be suitable for the long distance needs of the aged and disabled who need to travel for medical treatment, for whom travelling by coach or car is not a comfort option, and for whom flying is financially and logistically prohibitive.

The petitioners therefore request that the Legislative Assembly of Victoria reinstate the passenger train to service the needs of residents in the state's far north who are disadvantaged by distance.

**By Mr CRISP (Mildura) (86 signatures).**

**Warrnambool Hospital: radiotherapy treatment**

To the Legislative Assembly of Victoria:

The petition of residents of Warrnambool and district draws to the attention of the house the lack of radiotherapy services in the far south-west of Victoria.

The petitioners therefore request that the Legislative Assembly of Victoria immediately provide radiotherapy facilities for the south-west, ideally located in Warrnambool. Currently people with cancer from south-west Victoria are forced to travel to Melbourne or Geelong for radiotherapy treatment, which involves daily short treatment sessions over a period of several weeks. The dislocation and costs involved for people with cancer and their families is totally unacceptable.

**By Dr NAPTHINE (South-West Coast) (1706 signatures).**

**Tabled.**

**Ordered that petition presented by honourable member for South-West Coast be considered next day on motion of Dr NAPTHINE (South-West Coast).**

**Ordered that petition presented by honourable member for Mildura be considered next day on motion of Mr CRISP (Mildura).**

**ENVIRONMENT AND NATURAL RESOURCES COMMITTEE****Approvals process for renewable energy projects in Victoria**

**Mr PANDAZOPOULOS (Dandenong) presented report, together with appendices, minority report, extracts from proceedings and transcripts of evidence.**

**Tabled.**

**Ordered that report, appendices, minority report and extracts of proceedings be printed.**

**ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE****State government taxation and debt**

**Ms CAMPBELL (Pascoe Vale) presented interim report, together with appendices.**

**Tabled.**

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

**CHILDREN'S COURT OF VICTORIA****Report 2008–09**

**Mr HULLS (Attorney-General) presented report by command of the Governor.**

**Tabled.**

**Ordered to be printed.**

## SUPREME COURT OF VICTORIA

## Report 2008–09

**Mr HULLS (Attorney-General) presented report by command of the Governor.**

**Tabled.**

**Ordered to be printed.**

## DOCUMENTS

**Tabled by Clerk:**

Ombudsman — Ombudsman's recommendations — Report on their implementation — Ordered to be printed

Police Integrity, Office of — Information Security and the Victoria Police State Surveillance Unit — Ordered to be printed (*in lieu of report previously tabled on Thursday 4 February 2010*).

## BUSINESS OF THE HOUSE

## Adjournment

**Ms NEVILLE (Minister for Mental Health) — I move:**

That the house, at its rising, adjourn until Tuesday, 9 March 2010.

**Motion agreed to.**

## MEMBERS STATEMENTS

## Water: recycling

**Ms ASHER (Brighton) —** I draw to the attention of the house the fact that the government is dragging its feet on water recycling and that major water projects are facing delays. I refer to City West Water's sustainability report for 2009 to point to the government's failure in this area. For 2006–07 the target for recycling was 1242 megalitres and in actual fact the government only achieved 101.2 megalitres.

In 2007–08 the target was 1330 megalitres but the government only managed to achieve 286.3 megalitres; therefore in 2008–09 the government had to lower its target because of its failure. The target was 510 megalitres but the government was able to achieve only 469 megalitres.

The reason why the government has not been able to achieve its water recycling targets in Melbourne's west

is because of the delay in implementing major projects such as the Altona recycled water project and the West Werribee dual supply project as outlined at page 19 of the report. In 2007 it was announced that the Altona recycled water project would be completed in 2009. The report is complete with colour pictures of the minister and the like, but the fact of the matter is that it is not going to be completed until 2010. This is embarrassing for the minister, because he has had three colour photos associated with this project, and the project is painfully late.

## Australia Day: Bellarine electorate

**Ms NEVILLE (Minister for Mental Health) —** I am delighted to congratulate two members of the Bellarine community who were awarded Australia Day honours. Bob Smith, who was awarded the Australian Fire Service Medal, is the Country Fire Authority's Ocean Grove fire brigade captain and has served for 45 years with the CFA, joining the Smythesdale CFA as a 16-year-old. He served for 18 years with the Ballarat fire brigade before moving to Geelong CFA's special service department, and in 1990 he moved to the Ocean Grove CFA.

Bob fought the fires on Ash Wednesday and travelled to the Blue Mountains to support New South Wales firefighters in 2001. In last year's devastating February bushfires he went up twice to Alexandra and played a significant role as the resource officer coordinating resources for the incident management team. This is a well-deserved honour that recognises his dedication and his great contribution to our community.

Also 94-year-old Mrs Joyce Stewart, a member of the Queenscliff Historical Museum since 1963 and its president from 1976 to 1980, was awarded a medal of the Order of Australia in recognition of her tireless work promoting local heritage and history for almost five decades. Mrs Stewart was a founding member of the Borough of Queenscliffe's heritage committee and a vicar's warden at Point Lonsdale's Anglican parish of St James from 1979 to 1996. Her medal of the Order of Australia is a fitting tribute for her lifetime of service and dedication.

## Police: Shepparton

**Mrs POWELL (Shepparton) —** The Shepparton criminal investigations unit (CIU) is staffed by trained detectives who respond to incidents of major crime, and who conduct investigations that can be complex and lengthy. Prior to Christmas 2009 the Shepparton CIU had nine police officers, which, I am told, was barely adequate. In January this year the Shepparton CIU was

informed its staffing level would be permanently reduced by one detective. When officers take leave or attend training it places greater stress on those CIU members who are left to provide a 24-hour, 7-day-a-week service to our community, often with three or fewer officers on duty.

I have raised the issue of police shortages many times with police ministers. Their response is that we have the appropriate number of police in the Shepparton district. I have also asked for a full review of police numbers, taking into account the number of police needed and the number currently working. Many officers are not replaced when they take leave, causing overloading on other police officers and cutbacks to services and specialist departments such as the Shepparton CIU.

We are fortunate that we have a dedicated and community-minded police force that does a fantastic job under very difficult circumstances. But the community is saying is enough. I have presented petitions in this house from the Mooroopna, Tatura and Murchison communities who are angry at police shortages and the occasional closure of their police stations which are managed from the Shepparton police station.

The Police Association states that Greater Shepparton requires 50 more officers. I call on the Minister for Police and Emergency Services to immediately provide extra resources to increase police numbers and adequately staff the Shepparton CIU to allow its members to get on with the job of preventing and fighting crime.

### **Racing: Werribee racecourse**

**Mr PALLAS** (Minister for Roads and Ports) — The recent announcement by the Minister for Racing of a \$5 million upgrade of the Werribee racecourse was welcome news for the Werribee community. The Brumby Labor government has been able to provide \$2.5 million for the upgrade of the racing surface and \$1.12 million for the new quarantine centre. The upgrade to the track will provide a first-class racing surface as well as comprehensive track drainage and an upgraded irrigation system. This will see Werribee hold up to 10 race meetings a year.

The second project that is now under way is a Victoria-first innovation that will see the installation of plastic running rails around the track to ensure safety to jockeys and horses. Werribee will be the first of 25 clubs to have the new plastic running rails installed as part of a statewide program. Running rails have continued to be a safety concern for the racing industry

but the new plastic running rails will significantly reduce the risks associated with horse and rider rail contact during a race. These improvements will see Werribee racecourse remain the premier racecourse in the west and will ensure the Werribee Cup returns to its home early next year as well as hosting some of the world's greatest champions in the lead-up to Melbourne's Spring Racing Carnival.

I would like to thank the Minister for Racing; the Werribee Racing Club and its chairperson Patrick Wheelahan; the chief operating officer of Racing Victoria Bernard Saundry; and the chief executive officer of Country Racing Victoria Scott Whiteman for their ongoing commitment to the racecourse and our local community.

### **Clearways: extension**

**Mr O'BRIEN** (Malvern) — The residents and traders of Stonnington and Yarra have stood united against this government's attempt to destroy their local shopping precincts through extended clearways. Residents will suffer traffic flooding into local streets and traders know that further restrictions to parking will cost jobs and income, and for what? On Sydney Road, Brunswick, extended clearways delivered a 14-second time saving — not even enough time for commuters to see half of a Brumby government propaganda television advertisement when they arrive home.

Now we find the government is lying to local councils. I am aware that VicRoads emailed Stonnington City Council on 19 February and advised that the extended clearway times would not be enforced this week, commencing 22 February. In a flagrant breach of this written commitment, VicRoads — presumably acting on instructions from the Minister for Roads and Ports — started fining and towing away vehicles in the cities of Stonnington and Yarra yesterday. In a panic, the minister then gratuitously attacked the Stonnington mayor while ignoring the fact that the City of Yarra has the same policy as Stonnington.

This minister, who could find nothing to say about Labor corruption at Brimbank City Council, was suddenly full of chat when it came to a council his party does not own and operate. Why did the minister not attack the Yarra mayor? Because the Yarra mayor is also the endorsed Labor candidate for Brunswick.

I congratulate the Stonnington City Council and its mayor, Tim Smith, for refusing to be bullied by the Brumby government. It is also a shame that the member for Prahran is on the side of the bullies instead of standing up for his own traders and residents.

I urge the Minister for Roads and Ports to cease his bullying immediately and submit his conduct to the judgement of the courts.

### **Maddison Bartlett Foundation: football match**

**Mr HERBERT** (Eltham) — I rise to draw to the attention of the Parliament a charity football match between Eltham and Warrandyte football clubs that will be held this Sunday, 28 February. The aim of the match is to raise vital money for the Maddison Bartlett Foundation.

The Maddison Bartlett Foundation helps raise funds for 13-year-old Maddison Bartlett, whose story of courage in the face of great adversity and heartache is an inspiration to us all. Maddison tragically lost her parents and young sister in the Black Saturday bushfires of 7 February 2009. She also suffered severe burns and initially spent five weeks on life support, followed by 16 weeks in the burns unit of the Royal Children's Hospital. As part of her rehabilitation Maddison is required to undergo painful skin grafts and physiotherapy, a process that she will continue to endure for many years to come.

The charity football match will help raise crucial funds to help Maddison with the costs of her future rehabilitation as well as helping her with the many challenges she will face throughout her life. I would like to acknowledge the work of the Eltham Football Club, the Eltham Cricket Club and the Warrandyte Football Club as well as officers from the Hurstbridge police station for their tremendous efforts in organising this most worthy of events.

Our local community has a strong record of coming together to support those in need. The tireless work that these sporting clubs and the Hurstbridge branch of Victoria Police have put in to make this event possible deserves recognition and support. Big name Australian Football League players will be there, including Glenn Archer, Adam Simpson and Shannon Grant. They will take part in a charity match.

I encourage all local residents to attend the charity match. All profits will go to the Maddison Bartlett Foundation.

### **Housing: Gippsland**

**Mr BLACKWOOD** (Narracan) — I wish to alert the house to the deliberately misleading and false statements made by the Minister for Housing in relation to public housing waiting lists in Gippsland.

On 17 February the Minister for Housing stated in a media release that public housing waiting lists in Gippsland had been reduced by 5 per cent in the period from September to December 2009. In actual fact the waiting list had increased by 5 per cent. This is an absolute insult to those Gippsland families waiting for public housing and a clear indication of the Brumby government's lack of respect for the people of Gippsland as it continues to use spin and misinformation to cover up its ongoing failure to address the drastic public housing shortage in Gippsland.

The Brumby government continues to ignore the plight of some of the most vulnerable people in our communities across Gippsland. These are the people experiencing or at risk of homelessness, people with a disability who have significant support needs, people with special housing needs, and families and individuals on low incomes.

In nearly every three-month period of the term of this Labor government the public housing waiting list figures in Gippsland have increased. In December 2006 there were 961 Gippsland families or individuals waiting for public housing. This has blown out to 1446 in December 2009. This is a massive increase of 23 per cent in the Brumby and Bracks governments terms in office.

The Brumby government continues to refuse to listen to the needs of disadvantaged Gippslanders. To make matters worse it continues to try to cover up its abject failure with spin and false information.

### **Andrew Zammit**

**Mr NOONAN** (Williamstown) — I rise to congratulate Mr Andrew Zammit, who was recently awarded an Australian Fire Service Medal. Mr Zammit's story is a rich blend of leadership at both the professional and community level. Having dedicated more than 20 years of outstanding service to the Metropolitan Fire Brigade, Mr Zammit has been recognised for his work in the consolidation and enhancement of emergency medical response service delivery and training and the promotion and development of a supportive framework for diversity within the MFB.

Through his passionate, hardworking approach to making a difference Mr Zammit has driven change and implemented improvements to enhance the MFB's emergency medical response capability, and at the same time has encouraged and assisted at other community-based organisations to improve the service they

provide. I had the privilege of meeting and working with Mr Zammit during the 2005 Williamson community leadership program run by Leadership Victoria.

At the conclusion of that year Mr Zammit joined about 30 other fellows in establishing the bridge project of the YMCA. Through this project Mr Zammit has developed a deep understanding of what young offenders need to help rebuild their lives after incarceration — that is, support, training and real jobs. Mr Zammit has demonstrated his talent for community leadership and has been instrumental in harnessing support and action from the Metropolitan Fire Brigade for the bridge project. Through Mr Zammit's links, the MFB has provided access to training, positive role models and work placements. These outcomes are genuinely helping many young people shake the 'offender' tag and make a fresh start.

### **Small business: government charges**

**Mr DELAHUNTY** (Lowan) — The western Victorian community continues to be let down by the Brumby government. Recent events show how incompetent and out of touch this Labor government is. Small business is the engine room of employment, but taxes, charges and other costs imposed by the Brumby government are putting its sustainability at risk and impacting on services, jobs and community wellbeing.

This government promised no new taxes, but every year there is an automatic indexation of all fees and fines which flow directly to small business. One tax that really hurts small business is the fire services levy, which has risen from below 50 per cent of its insurance premiums a couple of years ago to 84 per cent today.

The costs the Hopetoun House Hotel in Jeparit has to pay are an example of costs for small businesses. It needs to have two insurance policies and 15 permits, licences and certificates just to open its doors. Here are some examples of what it has to get: a Consumer Affairs Victoria business name which costs \$50; an Environment Protection Authority certificate which costs \$60; five local government fees totalling \$519; public liability insurance which costs nearly \$4000; building contents insurance which costs \$3926; an Australasian Performing Right Association licence which costs \$360; Phonographic Performance Company of Australia licences which cost \$3224; a working-with-children certificate which costs \$73; and this year a new liquor licence fee which costs \$2385 — an increase of 149 per cent from last year's fee of \$957.

The hotel was not able to get a reduction in fees, because the owners of the hotel have been there for five months and were unable to produce two years of financial documents. The Brumby government needs to be voted out this year.

### **Federation of Indian Associations of Victoria: Dandenong office**

**Mr PANDAZOPOULOS** (Dandenong) — It is a pleasure to stand and welcome the opening of the new statewide office of the Federation of Indian Associations of Victoria (FIAV) as part of a partnership with VicUrban in Foster Street in Dandenong, which is in my electorate. VicUrban is redeveloping central Dandenong as a part of revitalising central Dandenong; it has some vacant sites. It has made available office space for the great work of FIAV. I want to thank Vasani Srinivasan and his committee for choosing Dandenong to base the headquarters of the local Indian community. The greater Dandenong and Casey area has the highest Indian ethnic community in all of Victoria. We have the only designated Little India area; it is in Foster Street, which is in the same precinct as the association. We love our Indian community.

The point I would like to make, which was made at the opening, is that we are all concerned about racism and we are all concerned about what is happening with Indian students, but we have not seen that out in the south-eastern suburbs where the larger share of Indian-born people live and where the only designated Indian shopping area is. I think that is an extremely positive sign which indicates that if there were targeted and specific campaigns, we would see them statewide. Soft targets like shops would be affected.

I am pleased with the work FIAV has been doing because recently it released a survey regarding Indian students. It was like saying, 'Rather than hearing what media reports are saying, let us actually talk to students'. The press release is headed 'Survey demonstrates Indian students overwhelmingly satisfied with Victoria' and says that 72 per cent of students feel extremely safe in Victoria. I think we just need to listen to what the local Indian community is saying.

### **Anticorruption commission: establishment**

**Mr TILLEY** (Benambra) — For the better part of a decade it has been self-evident that Victoria has a major problem with corruption. It is a problem the Labor Party has been unwilling to admit to or address. At present, despite Labor's dubious claims, there is no independent, broadbased anticorruption body which can investigate all forms of public sector corruption in

Victoria. Since 2005 Labor has engaged in a piecemeal, half-hearted attempt to fool Victorians into thinking that it takes corruption seriously. The disintegration of the cases against Noel Ashby and Paul Mullet has confirmed once and for all that the Office of Police Integrity is not the appropriate vehicle to investigate allegations of corruption. It must be noted too that, as its name suggests, the Office of Police Integrity cannot investigate allegations of corruption in local councils, within ministerial offices or anywhere throughout the public service. I congratulate the Leader of the Opposition for hosting the forum on a Victorian anticorruption commission last Sunday as a necessary step in tackling corruption in Victoria.

The coalition understands that it is foolhardy to think corruption does not exist in Victoria. The coalition stands ready to act. That is why within 12 months of coming to government in November the coalition will establish an independent broadbased anticorruption commission. For those who do not want to act I have one simple question: what have you got to hide?

### **Tyrendarra Pastoral and Agricultural Show**

**Mr HELPER** (Minister for Agriculture) — As you would know, Acting Speaker, and as many other members of this house would know, volunteers are the lifeblood of our communities, particularly our small communities. Important local events that really bring in an enormous amount of pleasure and joy to our families and small communities just would not happen without the selfless efforts of so many volunteers.

On Saturday, 13 February, I had the pleasure of attending such an event. It was the annual Tyrendarra Pastoral and Agricultural Show. Tyrendarra is a small farming community in the south-west of the state, as the member for South-West Coast may know, and this year Tyrendarra celebrated its 93rd annual show, so there is a long history of distinguished and important events in that community. I had the honour of opening the show and meeting the volunteers who made it all possible. One volunteer in particular, Harry Vaughan, has given 40 years of service to the Tyrendarra show. Imagine someone giving 40 years of dedicated service! Harry has attended every show in that time and has operated the public address system. He has done much to make the Tyrendarra show the terrific event it is. I had the pleasure of presenting him with his life membership of the agricultural show.

### **Government: performance**

**Dr SYKES** (Benalla) — I wish to congratulate the Premier on successfully alienating yet another group of

Victorians with his arrogance and refusal to listen. This week over 20 000 live music lovers rallied at Parliament House to express their disgust with the Premier's liquor licensing fees and regulations. They displayed some of their considerable artistic talent and humour with placards with slogans such as 'Hey Mr Brumby, it's a long way down from the top if you kill rock and roll'. Some musos are penning protest songs with lines such as 'Oh Lord, it's hard to be humble when you're perfect in every way'.

Of course it is not only the music lovers who have such a way with words. North-south pipeline protesters have displayed placards saying, for example, 'You can lead a Brumby to water but you can't make it think' and 'I'd rather kiss a horse's A than vote for a Brumby'. North-south pipeline protesters are the ones the Brumby government has described as 'a sorry bunch of people', 'ugly, ugly people' and 'quasi terrorists'.

I offer a word of caution to the Premier as he successfully continues on his way in alienating the majority of Victorians. He should keep better control of his attack dogs who went feral in question time yesterday, or they may turn on him. Finally, I say to the water boy, alias the Premier in waiting, that he should be prepared for a long wait — and while he is waiting, he should plug the pipe.

**The ACTING SPEAKER (Mr Stensholt)** — Order! I remind members that they are not to cast direct aspersions on other members of the house.

### **Lara electorate: government initiatives**

**Mr EREN** (Lara) — Yet again it has been very busy in my electorate of Lara. I would like to take this opportunity to mention some of the events that took place in the few months prior to Christmas. I was pleased to be at the opening of the newly refurbished Norlane ambulance station with the Minister for Health. The refurbished \$1.1 million station will service residents of Norlane, Corio, North Geelong, Little River and Lara. This new station is a welcome boost to the region's ambulance services, which are now even better equipped to respond to critical medical emergencies in and around my electorate. It is a big win for residents in the area. This state-of-the-art facility builds on other government investments in the area, with new stations at Lara and Belmont.

I was also pleased to have opened the newly refurbished Little River Primary School on behalf of the Minister for Education. The school is now a state-of-the-art facility, and its design is very much the product of the school community — teachers, students

and parents — working in partnership with architects to create a school that will prepare children for the challenges of the 21st century. This is a remarkable example of a school community working together with government to achieve outstanding results.

I also attended, along with the Minister for Innovation, Gavin Jennings, the launch of Geelong's new \$2.23 million biobank facility, which will give cancer patients living in the Geelong and the Barwon south-western region firsthand access to revolutionary cancer research and treatment. This facility will not only benefit cancer patients living in the Geelong region but will also provide the best possible treatment and research facilities in the battle against this terrible disease.

### **Mining warden: future**

**Mr NORTHE** (Morwell) — A decision to terminate the position of mining warden in Victoria by the Brumby Labor government would leave many Gippsland landowners in a dire position. Following a review by the State Services Authority a recommendation has been proposed whereby this important independent position will be abolished and its roles and functions dispersed to other authorities. In the Latrobe Valley, where there are vast brown coal resources, organisations such as the Flynn Creek Coal and Power Consultative Committee have voiced opposition to any such proposal by the Brumby government. This committee essentially consists of a consortium of Flynn landowners whose properties are covered by a mining licence currently under the jurisdiction of Monash Energy. Unfortunately Monash Energy has no plans to develop the said land in the short to medium term, leaving property owners in an awful predicament. There is no obligation upon Monash Energy to negotiate with landowners with respect to compensation, and this leaves these landowners with an uncertain future, particularly those who have invested a lifetime in their land and are contemplating retirement.

Subsequently 30 landowners in Flynn had invested their faith in the mining warden by requesting that he investigate their respective cases with the view to resolving the issues outlined above. Imagine the horror from these Flynn landowners when advised the position of the mining warden could be axed by the Brumby government. This would not only have a significant impact upon landowners in Flynn but a number of other groups and individuals across Victoria who likewise rely upon the roles and functions and independence of the mining warden to provide advice and represent their needs should a mining dispute arise.

### **Wilma Stubbs**

**Mr BROOKS** (Bundoora) — I would like to place on record the wonderful work and achievements of Mrs Wilma Stubbs of Bundoora. Wilma is currently secretary of Bundoora Contact, a community centre run by a volunteer committee of which Wilma has been a driving force for 35 years. Bundoora Contact evolved from a small group of women from the Bundoora Uniting Church who would have morning coffee together, and as this group got larger they would have guest speakers who would sometimes demonstrate a craft. One day there was a cake decorating class, and Wilma was so pleased with the outcome that she could not wait to show her family. Unfortunately she forgot about her hungry school-aged son, who ate the cake before she got home.

A group of women, of which Wilma was one, began Bundoora Contact in 1975, commencing operations at the Bundoora Hall with five classes, such as yoga and knitting. It now operates two and a half days a week at the Bundoora hall, providing over seventy different classes including belly dancing, scrapbooking, tai chi and embroidery. All the classes are open to participation by both men and women. Over 500 people attend these classes each year at Bundoora Contact, with some people doing one class and others doing multiple classes. Flexibility and accessibility are the cornerstones of this wonderful local service.

Aside from the educational outcomes provided by the centre, it is also a great place for many local people to socialise. Wilma first joined the committee in 1980 and has held most office-bearing positions including president. Wilma is a wonderful woman who never shies away from hard work. She is also a woman who never seeks recognition for her contribution to the local community. However, I would like to thank her on behalf of the local community for the contribution she has made over many years.

### **Pembroke Secondary College: funding**

**Mr HODGETT** (Kilsyth) — We are fast approaching budget time again, so I thought I would take the opportunity to remind the Brumby government and in particular the Minister for Education of the important need to fund stage 2 of the Pembroke Secondary College master plan. We all know the history of this project as I have gone into bat for Pembroke Secondary College, one of my local schools, on a number of occasions, fighting hard on its behalf to ensure the college received the funding for this much needed building project.

In 2006 the college was allocated \$1 million for the planning stage of the project, and then after much lobbying by the school, the local community and me, together we successfully achieved a further \$10.5 million in funds for the first stage of the construction of the new school buildings at the Reay Road site. The school community is extremely pleased with the stage 1 works. They are moving along well, and the state-of-the-art facilities will be a terrific asset for future generations. Everyone involved will be awfully disappointed if the Brumby government leaves the job half done and fails to fund stage 2 of the project in this year's budget.

### **Police: Mooroolbark station**

**Mr HODGETT** — I will also be scrutinising the state budget to see if the Mooroolbark police station receives the funding for its much needed upgrade. We have a new police station at Croydon and a new police station being built at Lilydale, so why not a new police station for Mooroolbark? We have the vacant land at the former Mooroolbark Primary School site; perhaps a new police station could be built on that land. We have lobbied successfully for some of that land to be set aside for an ambulance station in Mooroolbark, and I will continue to lobby for funding so that our policemen and policewomen at Mooroolbark will have a better station to support them in the performance of their duties.

### **Climate change: federal opposition policy**

**Mr SCOTT** (Preston) — I rise to decry Soviet-style central planning amongst the Liberal Party of Australia in its response to climate change. I note that leading economist Ross Garnaut has compared Leader of the Opposition Tony Abbott's policies to Soviet Union central planning. He stated:

To think that regulation decisions by bureaucrats and government can reach the right conclusions is, I think, delusional.

This is because Tony Abbott is choosing to reject a market-based solution to dealing with climate change, with direct action centrally planned by bureaucrats. This is an interesting response, since I believe the Berlin Wall fell in 1989. There has been a shift generally on both the left and the right in politics in dealing with negative externalities by pricing those externalities, so in effect a market mechanism can be used to effectively allocate resources within the society.

I am sure Tony Abbott is aware of the fall of the Soviet Union, yet his policies in response to climate change do not reflect this as a reality. I urge all members of this

house — and I note the Liberal Party of Victoria has a rhetorical commitment to dealing with climate change — to support effective market-based mechanisms to deal with this problem.

### **Disability services: funding**

**Mr WAKELING** (Ferntree Gully) — I raise a matter of significant importance for the Minister for Community Services. I have been contacted by many parents whose circumstances are exacerbated whilst caring for a child with a disability. I was recently contacted by a constituent whose child's disability causes epileptic fits and seizures and who requires 24-hour care. These parents are provided no respite by this government. Further, the parents are struggling to provide adequate bed and bathing facilities for their child. The child sleeps on a mattress in the lounge room and is bathed on the mattress.

This government can waste \$20 million on installing fairy lights on the West Gate Bridge, so it is disgraceful that it cannot provide assistance to this family to ensure this child is provided with the adequate bedding and bathing facilities that this child needs.

### **Government: performance**

**Mr WAKELING** — It is clear from the result of the Altona by-election that the Premier does not understand the mood of the Victorian public. Despite suffering a humiliating 12 per cent swing, the Premier declared the result as fantastic and a ringing endorsement of his policies. However, it seems that some members of his government have got the message.

I was interested to read an article in crikey.com on 18 February 2010, and I quote:

While lunching at the European, an upmarket eatery across the road from the Victorian Parliament, I found myself sitting at a table immediately behind a gaggle of state Labor polities, including two cabinet ministers, one of whom is retiring and the other thinks of himself as the next Premier. Most of the talk was about Altona. The 'meme' was 'he was unelectable in '99 and he still is ... we're gonna lose'. The chat then wandered around if/how it was possible to 'dump him before the election'.

### **Albert Park: Annual Pride March**

**Mr FOLEY** (Albert Park) — The district of Albert Park played host to the Annual Pride March on 7 February. Under a new format, the march continues its tradition of recognition and celebration of the people and events that inspire courage, solidarity, pride, diversity and sense of community in Victoria's gay,

lesbian, bisexual, transgender and intersex communities (GLBTI). The march organises in a supportive and affirmative manner a range of cultural activities that bring the GLBTI community together in a safe and positive environment.

The Annual Pride March in St Kilda is the GLBTI community's signature event that celebrates its bright and thriving future whilst marking its history of achievement and struggle. I note the comments of the Chief Commissioner of Police, who led the Victoria Police contingent on the day, which were reported in the *Herald Sun* of 15 February:

Never in my life have I experienced the sort of reception and the sort of welcome that we got walking down the street to Catani Gardens today ...

...

It's a message to the broader community about tolerance and inclusivity ...

I congratulate Brett Hayhoe, his hardworking board and all the sponsors and supporters, including the City of Port Phillip, Parks Victoria, Gaygar, Joy FM and a host of others. I look forward to the pride march continuing to advance the expansion of the human rights of our GLBTI community and the culture of tolerance, respect and diversity, which are the values the march implores us all to share and which the Brumby Labor government shares.

## LIQUOR CONTROL REFORM AMENDMENT (ANZAC DAY) BILL

*Second reading*

**Debate resumed from 23 February; motion of  
Mr ROBINSON (Minister for Consumer Affairs).**

**Mr DONNELLAN** (Narre Warren North) — It is an honour today to speak on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010 — and what a fine bill the minister has put forward for us to consider! I know the minister has done an enormous amount of work with the RSL over many years. I think it was his initiative some years ago to organise buses from places like the Mitcham RSL sub-branch and other RSLs to bring people into the city to attend the dawn service at the Shrine of Remembrance.

I think the minister has shown enormous commitment to veterans affairs over many years and has worked very closely with the RSL, and the result of that is this very good bill we have before us. The government and the minister are very much committed to achieving the

solemn observance of Anzac Day through restricting sales of liquor between 3.00 a.m. and 12 noon on Anzac Day. The idea of late trading is very much inconsistent with the solemn observance of that occasion.

I understand that the RSLs and of course the sub-branches will be exempt from this restriction. There is the dawn service on that day, and at places such as Dandenong RSL, which I have attended most years, many of the returned soldiers head straight back to the RSL after the dawn service and have a drink or two. I think it is appropriate that they are exempt.

There are also exemptions for temporary limited licences and major event licences where the director is satisfied that the licensee is carrying out a commemoration as part of Anzac Day which is consistent with the solemn observance of Anzac Day.

For restaurant, club, late-night and renewable licence-holders there will be no supplying liquor between 3.00 a.m. and 12 noon on Anzac Day. For general on-premises and packaged liquor licence-holders there will be no supplying liquor between 5.00 a.m. and 12 noon on Anzac Day, and for BYO permit holders there will be no allowance of BYO between 3.00 a.m. and 12 noon on Anzac Day.

This is a very welcome bill, as I know from having spoken to various members of the Dandenong RSL. They think this is very appropriate — not that we particularly have nightclubs and the like running through all hours of the night in Dandenong potentially disturbing the observance; it is more just a matter of genuine recognition of the importance of doing this, more so for the city than anywhere else.

At the end of the day I think this restriction will be widely supported. I think the community understands the necessity for it. Anzac Day is one of those days that very much draws the whole community together to recognise the sacrifice soldiers have made in both the first and second world wars and many other theatres of war and the sacrifice of people at home who have lost loved ones. I do not think there are going to be a lot of objections. The restriction is not particularly going to damage business; a couple of hours of closing is not going to be the difference between life and death for those industries.

There are some other exemptions. The restrictions do not apply to guests of hotels, bed and breakfasts and other types of accommodation. Supply is available to guests and residents. I understand the bill will also exempt airlines and duty-free outlets, and the wineries

will obviously not be affected by this either. With that small contribution, I commend the bill to the house.

**Debate adjourned on motion of Mr CRISP (Mildura).**

**Debate adjourned until later this day.**

## BUSINESS OF THE HOUSE

### Program

**Mr BATCHELOR** (Minister for Energy and Resources) — I move:

That the government business program agreed to by this house on 23 February 2010 be amended by omitting the order of the day, government business, relating to the Public Finance and Accountability Bill 2009.

**Mr McINTOSH** (Kew) — I will just make a brief comment in relation to this matter. The opposition certainly does not oppose this motion. The reasons were adumbrated during the debate on the government business program. Our concern relates to discussions between the parties about this important bill and the matters that have been raised by the member for Box Hill and others in relation to our concerns and the failure of the government at that stage to continue a discussion about these important matters. That perhaps could be remedied through further time being made available to enable those discussions to happen, so as I said, we do not oppose the removal of this bill from the government business program.

**Motion agreed to.**

## LIQUOR CONTROL REFORM AMENDMENT (ANZAC DAY) BILL

### *Second reading*

**Debate resumed from earlier this day; motion of Mr ROBINSON (Minister for Consumer Affairs).**

**Mr CRISP** (Mildura) — I rise to make a contribution to debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. The Nationals in coalition are supporting this bill.

The purpose of the bill is to amend the Liquor Control Act 1998 to limit authorised supply of alcohol on Anzac Day. The bill imposes a restriction on the supply of alcohol under a licence or permit on Anzac Day. Licences or BYO permits that would otherwise allow the supply of alcohol between 3.00 a.m. and noon on

Anzac Day are subject to a new provision that prohibits the supply of alcohol during those hours, and those licences that only operate from 5.00 a.m. are subject to prohibition from 5.00 a.m. until noon.

There are some exemptions in this legislation. These include any licence held by an RSL club or sub-branch, which covers their breakfast activities after the dawn service; duty-free shops; liquor supplied for purchase and consumption on aircraft; pre-retail licensees who do not supply liquor to the public; residents or their guests of licensed premises; and wineries or business activities of a winery owned or occupied by the licensee. Where the director of liquor licensing grants an exemption to a major event licence, a temporary limited licence or a renewable limited licence for an event will be granted in connection with Anzac Day commemorative services and will be consistent with the solemn observance of the day.

The minister's office has advised that the house amendments will be circulated, and there are some drafting issues. Those amendments are before the house.

Firstly, I would like to pay tribute to the RSL and its activities on the other 364 days of the year apart from Anzac Day. It supports ex-servicemen and their families, and RSL clubs have been a major source of resources for communities in order to do that.

It is a shame that the activities of a few people have spoilt one of the most important days on our calendar, and I think every member of Parliament would probably agree that Anzac Day and Australia Day are the two busiest days of the year for public appearances for members of Parliament. There is always a tight schedule of services to attend, particularly on Anzac Day.

The RSL and its sub-branches, along with local government, have been very diligent in my area in maintaining both the services and the monuments, and adding to those monuments over time. The Mildura region has a long history of soldier settlement, which makes the RSL's role ever so important. Our Mallee country was divided up after the two world wars into both closer settlement — involving the irrigation properties — and the broader Mallee allotments of one square mile in area.

A lot has changed in that time, but the RSL's role has remained consistent. There have been events of disrespect similar to that shown by a small group of people who attended the dawn service last year at the Shrine of Remembrance, and this year in Mildura there

has been vandalism at one of our war memorial monuments. I have had a lot to say on this subject in the past, and it is very disturbing that some people feel this way: they have forgotten the great sacrifices that have been made and do not pay the respect due to the people who made those sacrifices. As Anzac Day approaches, I am sure all of us are starting to cast our minds to what will be said and done on that day.

This is another chapter in the liquor licensing saga. Unfortunately this has been shown not to be well thought through legislation. It was meant to address the risk-based issues with alcohol being served, it has had an impact and there has been much debate in the house over this issue. Country businesses are being impacted by the same liquor laws we are amending again.

I am going to make an appeal on behalf of many of our smaller country stores. These country stores are often almost the only business in town. At Wemen you have the general store, a phone box and a fire station. The store is the centre of that community. The owners claim not to have had any alcohol-related violence outside their premises, yet they are faced with a 500 per cent increases — —

**The ACTING SPEAKER (Mr Stensholt)** — Order! I remind the member for Mildura that this bill is about Anzac Day. He should try to confine his remarks to that.

**Mr CRISP** — Thank you for your advice, Acting Speaker. One of the issues country people have raised in relation to the bill is that 3.00 a.m. seems like a very useful time for city venues to close over the rest of the year. What about when early-morning visitors are arriving in Melbourne by rail or by other means and the same revellers that were embarrassing and disgraceful at last year's services are in the streets as these people are attempting to enter the city to go about their business? The same issues of disrespect and embarrassment occur at these times, whether they be against city-based workers or country people visiting the city.

I think most country people would agree that 3.00 a.m. seems like a very good time to close those city venues and send everybody home anyhow. I am very much in favour of extending this measure for the rest of the year. The noon opening is another issue, and I would think the bill would have to be amended accordingly, as the issues around Anzac Day are not fully reflected in what we are debating today.

People may say that we are old, or we might be accused of being out of touch, but 3.00 a.m. seems like a very

good time to be home in bed. Extending this measure would in fact help to avoid some of the downsides of Melbourne's effort to become a very cosmopolitan city — a reputation which is in danger because of the behaviour of some of those people who are out in the very early hours of the morning — and perhaps it would negate the need to provide additional policing.

Again, this is a welcome tidying up of what has been a very difficult liquor reform process that has disadvantaged many. If this can be done for this issue, I think we need to see it done for other issues that confront us in relation to the use of alcohol, particularly in the very early hours of the morning. The Nationals are not opposing this bill.

**Ms GREEN (Yan Yean)** — I take great pleasure in joining the debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. I think there are very few members who would not agree that Anzac Day is probably the most significant date in the calendar in any year. It is a very important day, and I very much value the fantastic number of Anzac Day observance services that occur.

I am pleased the Minister for Consumer Affairs has acted to protect the sanctity of Anzac Day. The bill before the house today enacts the commitment the minister made in August last year to ensure that the sanctity of Anzac Day is protected. It is reflective, I think, of the growing numbers of people, and particularly young people, who show a public commitment to the solemn observance of Anzac Day. I do not think it is a huge impost on licensed premises other than RSLs to require them to close at 3.00 a.m. as a mark of respect.

This year I will take great pleasure, as I do every year, in attending the dawn service at Epping, which has been attracting massive crowds. Local volunteers have had to be deployed to organise car parking because of the huge numbers of people who attend. The service is followed by a gunfire breakfast, which is enjoyed by all. At 10 o'clock in the morning we will again experience a great service. It was a community run service but was taken over by the Diamond Creek sub-branch of the RSL, which is the newest sub-branch of the RSL in Victoria and which has a growing support base.

In the afternoon in Whittlesea there will be what is probably one of the longest marches that occurs, aside from the one at the Shrine. The one in Whittlesea is a very lengthy and moving march. It goes between the two Whittlesea commemorative monuments of World War I and World War II. It is always followed by a

great service. Hurstbridge holds an Anzac service the weekend before, and another service is held at Epping as well. I note that solemn services are also held nearby in Greensborough, Warrandyte and Eltham.

I am pleased that RSLs across the state are very supportive of this bill, and that generally industry has also been supportive of it. In terms of the detail of the bill, there are exemptions for a limited number of premises the minister has seen that will not disrupt Anzac services, in particular hotels and vigneron. I think there is an appropriate balance, which will not impact on the economy or on small businesses in my electorate, where there are wineries and a few bed-and-breakfast establishments as well. I think their continuing ability to serve liquor will not disturb the solemnity of the day.

The bill appropriately amends the act to impose restrictions on trading hours for licensed premises other than RSLs between 3.00 a.m. and 12 noon on the morning of Anzac Day. I commend the minister for his work in putting forward this bill, and I think it will get universal support across the state. I commend the bill to the house.

**Mr HODGETT** (Kilsyth) — It is with pleasure that I rise to speak on the Liquor Control Reform Amendment (ANZAC Day) Bill. I will start by saying that the coalition parties are supporting this legislation. The purpose of the bill, as laid out in clause 1, is to amend the Liquor Control Reform Act 1998 to limit the authorised supply of alcohol on Anzac Day.

The Victorian community was disgusted by the behaviour of some individuals at the 2009 Anzac Day dawn service. As we have heard in other contributions to this debate, these people, who appeared to be intoxicated or drug affected, turned up at the Shrine of Remembrance during the dawn service and displayed appalling, disrespectful and offensive behaviour that was a disgrace to the dawn service and to our veterans and our veteran community. It seems many of the people had come from various nightclubs or pubs and gone straight to the Shrine of Remembrance for the dawn service. I believe this has resulted in this legislation being before the house today. As has been mentioned in previous contributions, it is a pity the actions of the few impact on the many, but we cannot have a repeat performance of this appalling and disrespectful behaviour.

I turn to the main provisions of the bill. The bill imposes a restriction on the supply of alcohol under a licence or permit on Anzac Day. Licences or BYO permits that would otherwise allow the supply of

alcohol between 3.00 a.m. and noon on Anzac Day are subject to a new provision that prohibits the supply of alcohol during these hours, and those licences that only operate from 5.00 a.m. are subject to the prohibition from 5.00 a.m. until noon. The following are exempted from the restriction: any licence held by the RSL branch or a sub-branch; duty free shops; liquor supplied for purchase and consumption on an aircraft; pre-retail licences which do not supply liquor to the public; residents or guests of a licensed premises; and wineries or business activities of a winery that is owned or occupied by the licensee; and where the director of liquor licensing grants an exemption to a major event licensee, a temporary limited licensee or a renewable limited licensee for an event that will occur in connection with Anzac Day commemorative activities and will be consistent with the solemn observance of that day.

I note that amendments have been circulated to the house to fix a problem with the drafting that would otherwise have affected publicans who reside at their hotel and residents of hotels where the accommodation includes a mini bar. The amendments are designed to extend the exemption to cover these circumstances, and the coalition parties support these amendments.

I will touch on a few areas of concern. One concern that seems obvious is that, while well intended, the legislation raises the prospect of unintended consequences and inconsistencies that would have an adverse impact on activities that would not detract from the commemoration of Anzac Day. I will repeat an example that has been given by a couple of speakers. If a centenarian were wishing to toast their 100th birthday with a champagne breakfast or champagne brunch at a hotel on Anzac Day, they would be prohibited from doing so. Tourist attractions, other than wineries, would be unable to serve any alcohol until noon. A restaurant operated at or by a winery is not subject to that prohibition, but a cafe next door would be affected.

I will conclude by saying the coalition strongly supports our veteran community and the importance and sanctity of Anzac Day. We need to respect the dignity of Anzac Day, and I trust that this bill will succeed in what it is intended to achieve. I conclude by strongly stating that the coalition parties support this legislation.

**Ms KAIROUZ** (Kororoit) — It gives me great pleasure to rise and contribute to the debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. As we have heard, speakers on our side support the observance of Anzac Day, and it is good to hear that members on the other side are also committed to the observance of Anzac Day. The focus of Anzac

Day should be on commemorating the brave men and women who served our country. It is also a time for the community to show respect for those persons and to remember the sacrifices that they have made. It is agreed by everybody in our community that any disrespect, inappropriate behaviour or disturbances on Anzac Day, particularly during the commemorative activities, are not welcome. Therefore the government has publicly committed to introduce restrictions on trading by licensed venues between 3.00 a.m. and 12 noon on the morning of Anzac Day. The government also made a commitment to provide an exemption to this restriction for RSL clubs and other venues that host commemorative events on this very important day.

The bill amends the act in three main ways: by inserting into the principal act new section 15A, which creates a general restriction on trading between the hours of 3.00 a.m. and 12 noon on Anzac Day; by specifically exempting certain types of conduct from the general restriction; and by creating a new power for the director of liquor licensing to authorise the supply of liquor between 3.00 a.m. and 12 noon on Anzac Day under a temporary limited licence or a major event licence if the director is satisfied that the supply will occur in connection with Anzac Day commemorative activities and will be consistent with the solemn observance of Anzac Day.

There are limited exemptions for licensed premises or activities which will not have a negative impact on the commemoration of Anzac Day — for example, the RSL or sub-branches of the RSL will be exempt from trading restrictions to ensure that Anzac Day commemorative events will go ahead and will not be affected. Residents and guests of residents will also be exempt for supply of liquor to residents or guests of a licensee or a licensed premises because this is not considered to disturb the public commemoration of Anzac Day. Anzac Day restriction will not apply to the supply of liquor for airlines or duty free outlets, because this is also not considered to disturb the commemoration of Anzac Day. All licences associated with wineries will also be considered not to affect the commemoration of Anzac Day, and also because they are generally not required to open before 10.00 a.m.; therefore they are not considered to pose a risk. Pre-retail licensees will continue to supply liquor on Anzac Day morning. Since pre-retail licensees cannot sell or supply liquor to the general public, these licences are not considered to pose a risk.

We have heard from both sides of the house that Anzac Day is a very important day in the calendar year. The exemptions that are made in this bill are considered to

be appropriate. The community is always very united on Anzac Day; it is one of the most important days in the calendar year and a day when we commemorate the people who sacrificed their lives for us. I commend the minister for introducing the bill, and I commend the bill to the house and wish it a speedy passage.

**Mr BURGESS** (Hastings) — I rise to speak on the Liquor Control Reform Amendment (ANZAC Day) Bill. The purpose of the bill is to amend the Liquor Control Reform Act 1998 to limit the authorised supply of alcohol on Anzac Day. As is often the case, the purpose behind this bill is a good purpose. On this occasion the intent of the government is a good intent. Unfortunately the intent has not been carried through with the care that is warranted in the circumstances as important as something that deals with a day that means so much to Australia.

The bill imposes restrictions on the supply of alcohol on Anzac Day under a licence or permit. Licences or bring-your-own permits that would otherwise allow the supply of alcohol between 3.00 a.m. and noon on Anzac Day are subject to a new provision that prohibits the supply of alcohol during those hours, and licences that only operate from 5.00 a.m. are subject to the prohibition from 5.00 a.m. until noon.

There are active exemptions, and those exemptions are for any licence held by the RSL or a sub-branch, duty-free shops, liquor supplied for purchase and consumption on an aircraft, pre-retail licensees who do not supply liquor to the public, residents or their guests in a licensed premises, wineries or business activities of a winery owner-occupied by the licensee, and where the director of liquor licensing grants an exemption to a major event licensee, temporary limited licensee or renewable limited licensee for an event that will occur in connection with Anzac Day commemorative activities and will be consistent with the solemn observance of the day. The minister has also distributed amendments to fix a problem in the drafting. One of the problems I referred to earlier would otherwise affect publicans who reside at their hotel and residents of hotels with mini-bars.

The behaviour of individuals at the 2009 dawn service was despicable. I think everybody in the house agrees with that. However, it is often the case that a follow-up on what was a good intent has been less than perfect, and it has opened up a series of inconsistencies and unintended consequences.

The thrust of the bill is good and therefore clearly it is legislation that is required, but the reasons behind the bill do not justify the fact that the government has been

sloppy in the drafting. Nevertheless, we will be supporting this bill, and I commend the bill to the house.

**Mrs POWELL** (Shepparton) — I rise to speak on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. The purpose of the bill is to amend the Liquor Control Reform Act 1998 to limit the authorised supply of alcohol on Anzac Day. This year Anzac Day falls on Sunday, 25 April, and the public holiday will be on Monday, 26 April. The bill places a prohibition on the supply of alcohol between the hours of 3.00 a.m. and noon on Anzac Day. The exception to that is licences that operate from 5.00 a.m., and they are subject to prohibition from 5.00 a.m. to noon. As other speakers have said, the coalition supports this legislation.

We have heard from other members who have discussed the issue of the incidents that took place last year during the Anzac Day dawn service at the Shrine of Remembrance. The disturbance would have made it difficult for those who were attending the dawn service, and it was an act of absolute disrespect to our diggers, those who have served this country, for their families and those who attended the service at the shrine.

The people responsible for the disturbance were obviously affected by alcohol or drugs. That is not acceptable and this bill will, in part, send a message to those people and to everybody who wants to attend the dawn service or any Anzac Day service to do so with dignity and allow the day to have the dignity it deserves, and to show respect and pay tribute to the people who have served this country so well and those who lost their lives. The service also pays respect to the families and the children of those people.

I have been to Anzac Day services for the past 20 years, obviously in a formal sense as a councillor, shire president, commissioner and now as a member of Parliament. I have had the honour of laying wreaths at those services, mainly in country Victoria. I have not seen any incidents such as the disturbance that happened at the Shrine of Remembrance, and I am very grateful for that.

Most people who go to the Anzac Day services do so with the knowledge that they are there to honour the day and to honour those who lost their lives. It is good to see that an increasing number of people attend those Anzac Day services and particularly that a number of young people attend. While none of us want to talk up war, the important thing to understand is the way we should honour those people who put their lives on the line, some of whom paid the ultimate sacrifice. The

sacrifices that were made need to be honoured and remembered. For drunken thugs and people affected by drugs to attend these services and make a mockery of the day is just not appropriate. For the Parliament of Victoria to have to bring in legislation to prevent such a disturbance is an indictment of those people, and hopefully this legislation will ensure that this type of behaviour is not repeated.

There may be some unintended consequences, and the member for Malvern has recognised that. The RSL has said that it may want a review before Anzac Day next year, and that is a good thing. The government should look at how the legislation has been acted out and whether there are issues that need to be addressed. Before the next Anzac Day I hope the minister will look at how the controls have worked to see whether people have been adversely affected and whether those restrictions or exemptions need to be removed, reduced, or in some cases increased.

There are some exemptions in the provisions of this bill in relation to the supply of alcohol or the ban on alcohol from 3.00 a.m. until noon. Those exemptions are for the RSL or its sub-branches, duty-free shops, alcohol supplied for purchase and consumption on an aircraft, residents or their guests in licensed premises, wineries or business activities of a winery owner-occupied by the licensee. The director of liquor licensing can also grant an exemption for a major event as long as that event is part of the celebration of Anzac Day. Such an exemption will be a temporary limited licence or renewable limited licence.

The problem we have heard about from a number of people when they have sought to obtain licences or liquor licence exemptions is that there has been a long delay. The minister needs to make sure that does not happen. If an organisation, whether it is the RSL or any other organisation, wants to hold an event to celebrate Anzac Day or any other day, those applications for licences or exemptions need to be dealt with in a timely manner. We have heard of instances where people have been waiting for two to three months to get a response from the liquor licensing director. That needs to be investigated because a number of people have missed out on running their event simply because, although they have tried to do the right thing, they have not been able to get a liquor licence and the event has not been able to proceed or has taken place with limited success without a licence. If people are trying to do the right thing by attempting to get a liquor licence for a certain event, then the liquor licensing authority and the government need to make sure their applications are dealt with in a timely manner.

I hope the bill helps rectify the problem of people who are affected by drugs or alcohol and going to an Anzac Day event. In any event I think the message we are sending such people is: if you want to drink too much and you want to take drugs and misbehave, you are not welcome at any public event.

**Mrs MADDIGAN** (Essendon) — I am pleased to rise to support the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. It is good that opposition members support the bill, although I found their logic a little interesting in that they seemed to be saying, ‘We support this bill, but if it affects some people we may not support it’. That strikes me as an odd argument, because the bill will affect people and that is its intent — to ensure Anzac Day is kept as a very special occasion. The opposition did not give many examples of who might be affected, although the member for Kilsyth mentioned cafes. I do not know what cafes are like in Kilsyth, but I can assure him there are not too many cafes in Essendon that open before 12 noon on Anzac Day. I would be really surprised if any cafes will be affected by this, and if they are I ask: do we want cafes to be open and selling alcohol at 9 o’clock in the morning on Anzac Day? I think I can say with a fair amount of confidence that the community at large would say no, it does not want that sort of behaviour.

Very clearly community respect for Anzac Day has increased over the years. I can certainly see that in my electorate. The Keilor East Returned and Services League sub-branch runs a number of Anzac Day functions, as do a number of other RSLs. The sub-branch holds a dawn service on Anzac Day, as well as on the Sunday before Anzac Day. There is also a breakfast after the service. The number of local people who go to the services has increased quite dramatically over the last 10 years. I think that shows very clearly that the community at large respects Anzac Day and wants that day to be seen as quite different to other days during the week. People want an opportunity to remember their relations who fought in various wars, whether it be World War I, World War II, the Korean War, the Vietnam War or any of the other wars that people might have been associated with, particularly and more recently the wars in Iraq and Afghanistan.

**Mr Weller** — The Boer War!

**Mrs MADDIGAN** — The member for Rodney interjected and said, ‘The Boer War’. I think he may have participated in that war. Is that correct?

**Mr Weller** — I probably did.

**The ACTING SPEAKER (Mr Stensholt)** — Order! The member should continue without assistance and without casting aspersions on members.

**Mrs MADDIGAN** — Unlike the member for Rodney, community members are very concerned about people who have represented Australia and who have gone to war and in some cases sacrificed their lives. I am very pleased to support the bill. Another RSL in my area, the Essendon sub-branch, is very much involved as well, as are the Vietnamese Veterans Association of Australia and other organisations.

I believe the bill will be very strongly supported by the community. As other members have mentioned, there are exemptions that allow certain businesses to operate in a way so that Anzac Day does not affect them. But it still means the general view in Melbourne and its suburbs as well as in the wider Victorian community is that Anzac Day is special and licensed venues are expected to be closed until 12 noon. We hope people will see this very clearly as a mark of respect for all those who have participated in wars in which Australia has been involved.

**Mr WAKELING** (Ferntree Gully) — I am pleased to rise to contribute to the debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. As has been mentioned by the member for Malvern, the purpose of the bill is to amend the Liquor Control Reform Act 1998 to limit the authorised supply of alcohol on Anzac Day. Members on this side of the house who have spoken before me have mentioned that we are generally receptive to the views put by the government in regard to the bill. We believe it is important that Anzac Day be respected and that all measures are taken to ensure that Anzac Day services are not affected by people, such as those we saw last year, who clearly disrespect the nature of Anzac Day services and who clearly were not there for the spirit of the day, which we as Australians commemorate.

The bill imposes a restriction on the supply of alcohol under a licence or permit on Anzac Day between 3.00 a.m. and 12 noon. However, there will be a number of exemptions, including for a licence held by the RSL or a sub-branch, for a licence held by a duty-free shop, for liquor supplied for purchase and consumption on an aircraft, for pre-retail licences, for residents or guests of a licensed premises, for wineries and for the business activities of a winery owned or occupied by the licensee, and there are a number of other exceptions. While, as the member for Malvern has mentioned, on the face of it we support the exemptions there are clearly still some areas of confusion. We are mindful of the fact that come Anzac

Day there is the potential for some businesses to be affected by the bill, and in particular businesses that are not in the activity of providing alcohol which leads to alcohol-fuelled violence. For example, a florist selling hampers that may be operating within the central business district at night may well be affected by this legislation. It is important that we thoroughly examine those businesses that are potentially going to be impacted by the legislation.

I am a strong supporter of Anzac Day. I have attended many Anzac Day services as a member of Parliament and as a former councillor, and prior to entering public life I was a regular attendee at the Anzac Day service held at the Shrine of Remembrance. The Boronia Returned and Services League sub-branch conducts a service every year, and I pay tribute to Rod Canobie and Carl Sorensen and their team for the work they put in. I know as an associate member of the sub-branch I have assisted them in the past on their clean-up days to ensure that the place is spick and span. The service is well attended — so much so now that Dorset Road is blocked off due to the number of attendees, particularly those from local football clubs. The Eastern Lions Football Club and the Upper Ferntree Gully junior football club make attendance at the Anzac Day service part of being a member, and I pay tribute to those clubs. I also recognise the work done by the National Servicemen's Association, and my branch out in the east that does a fantastic job in providing help and support for national servicemen who reside in Melbourne's eastern suburbs.

Anzac Day is a very special day. My most memorable Anzac Day was in 2001, when my wife and I attended the dawn service at Gallipoli. For anyone who has the opportunity to attend it is certainly a very moving ceremony. It was more poignant for me given that my mother's father, Norman Tomkins, landed at Gallipoli on Anzac Day with the 6th battalion. I believe this bill will go a long way towards solving the problems that have beset the community. We do not want to see a repeat of what has happened in the past. I trust the minister and his department will ensure we examine the cases of any businesses that are directly affected by the legislation.

**Ms DUNCAN** (Macedon) — I rise in support of the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. I would like to reassure the member for Ferntree Gully, who on the one hand seems to be supporting the bill but who on the other hand is also saying we need to investigate the impact it will have on businesses. He cited the example of a florist delivering champagne or something to somebody before midday on Anzac Day. I am advised that current conditions

prohibit the delivery of alcohol before 12 noon, so the member for Ferntree Gully can be assured this will not impact on a business in that area. There are provisions for businesses that can argue a case as to why they should be able to receive an exemption under the general restrictions in the bill

Members of the opposition say they support the bill but then seem to be suggesting that we should not proceed until there has been some further work done. They are in the privileged position of being able to have a bob each way. That is what we are seeing here this morning.

I am very pleased to support this bill. I think there would be very few people in Australia who would not see Anzac Day as a solemn commemoration and something we should all observe. We are seeing that around this country. As a young girl growing up in Keilor — just weeks ago! — I would hear the various bands starting up on Anzac Day morning, and there would be very few people in attendance. I remember thinking as a young teenager that that was something that may die out over the coming years or decades. I am very pleased to say that the absolute opposite is true. I am very pleased to attend the Anzac Day dawn service held on Mount Macedon in my electorate each Anzac Day morning.

Last year I was pleased that the Premier accompanied us on Mount Macedon. Unfortunately we were unable to see the sunrise as we were shrouded in cloud, but it was a wonderful service. It is a wonderful service every year, and I congratulate the Woodend sub-branch of the RSL and the surrounding RSL clubs for the amount of work they put into preparing those services. It is never the same service every year. The soldiers' firsthand accounts of their experiences are very moving. The number of school students involved in that service grows each year. The number of young children accompanying their parents and grandparents to these services is really heart warming.

I suspect that even on a day like Christmas Day you would not get the level of consensus that you get on Anzac Day as a day of observance. We know that not all Australians observe Christmas Day, but I think most Australians observe or at least understand the significance of the observance of Anzac Day. As we continue to have wars around the world and continue to have Australian soldiers involved in those wars I think we will continue to see this service grow in Australia year after year.

I am very pleased to see the sort of recognition that our servicemen and women are now getting and to see the increased observance of Anzac Day. I think this

legislation will help to continue that trend and ensure that we do not get repeats of some of the behaviour we have seen previously, which I suspect is very small in scale. We have never seen it at any of our local Anzac Day services, thank goodness. I hope we never do. This bill will help ensure that that remains the case. I commend the bill to the house.

**Mr WELLER** (Rodney) — It gives me great pleasure to rise to speak on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. The coalition is supporting this bill, and it is committed to protecting the solemn observance of Anzac Day to ensure that this day, which is so significant for all Australians, is commemorated appropriately and with respect.

The focus on Anzac Day morning is the dawn services and marches which are held across the state and across the nation, including right across my electorate. The community believes that Anzac Day is a time for us to show our respect for those brave men and women who have served our country and to remember the sacrifices they have made. The community does not support inappropriate and disrespectful behaviour or disturbances to the commemorative activities early on Anzac Day morning.

Might I say that respect is what this is all about — respect for Anzac Day. Respect right throughout our community here in Victoria has been in decline, as we have seen with the state of law and order on the streets. Respect should start here in the Parliament. It should start with us — the Premier, the Deputy Premier, members of the government and all the members of the Parliament should start with respect and lead by example in the wider community. That may be unlike what we saw yesterday in question time, but we should respect the procedures of Parliament and the community would see that we show respect and everyone could then follow suit.

I have some concerns about the bill, but I think it is appropriate that it be passed. The director of liquor licensing will grant an exemption for a major event licence, a temporary limited licence or a renewable limited licence for an event that will occur in connection with Anzac Day commemorative activities. This is quite important, because at the Heathcote RSL sub-branch there is a gunfire breakfast. Members do not go back to their clubrooms, they go to one of the local hotels in Heathcote. It would be appropriate for that hotel to have a licence from 7.00 a.m., after the 6.00 a.m. dawn service, so the returned servicemen and those who have been servicemen, even if they did not go overseas, can all go back there to have breakfast and pay respect and pay tribute to their fallen comrades and

have a day where they remember past times. I think it is very appropriate that these events be given the okay and that their exemption goes through.

One problem that I have is the timeliness of this bill. Will the message be out there early enough so that venues that have to get a special licence will be able to receive the licence by Anzac Day this year? Given that it will take time for the bill to be passed through this house and then a fortnight later it will be brought into the upper house, we need to make sure that there are not any hiccups and that there is a smooth transfer.

Anzac Day is commemorated in many places across my electorate. I have attended Anzac Day services at Heathcote, Torrumbarry, Leitchville, Cohuna, Nathalia and Lockington. I have also been to similar services on Long Tan Day and Anzac Day at the likes of Tooborac, Heathcote and Rochester. It is very important that we pay our respect to these servicemen, and this bill goes a long way towards doing that. I support the bill and wish it a speedy progress.

**Mr LUPTON** (Pahran) — I rise to support the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. It is important that we make sure the solemn observance of Anzac Day is protected as the most important and significant day on the calendar for remembrance of the sacrifices that have been made by our courageous men and women in our services throughout Australia's history.

The important role that Anzac Day and the dawn observances play in our social life is being protected by the amendments in this bill.

I am pleased to support this bill also because as a patron of the Pahran RSL, I have been particularly involved in ensuring in my local area that the work of the sub-branch is assisted. The terrific work that is done by the president, Rod Coote, and the secretary, Noel Sanderson, has in recent times invigorated the Pahran RSL. It has had a great growth in membership and support. I know it is an organisation and institution that is supported strongly in the community.

The events that took place last year at the dawn service at the Shrine of Remembrance — which is in my electorate — concerned many people in the community. A small number of people who were affected by alcohol showed great disrespect to our servicemen and servicewomen. As a consequence of that, the government, with the support of the RSL, has brought legislation into the Parliament to ensure that there is no repeat of those circumstances.

The essential amendments contained in the bill mean that the serving of alcohol is prohibited on the morning of Anzac Day, from 3.00 a.m. until midday. There are appropriate exemptions to that prohibition so that RSLs, particularly, are able to conduct their traditional ceremonies and observances and so that other places that RSLs or commemorative associations use for those get-togethers are able to be exempt from the prohibition.

The exemptions set out in the legislation are appropriate in order to allow the proper observance of Anzac Day to go ahead and the proper reunions and commemorations to take place. But this bill does not allow the service of alcohol outside those Anzac Day-related activities.

It is going to be important in future years to continue to maintain that solemnity of the occasion and to allow the many thousands of people who congregate at the Shrine of Remembrance, war memorials, cenotaphs and places of gathering from one end of Victoria to the other to properly commemorate the sacrifice and courage of those gallant Australians who have served the country so well right through our history. That includes those who are in the services at this very time and who we bear in our thoughts at the moment.

The way Anzac Day has become a most significant day in the life of Australia — in our culture, in our history and in the type of society we are and we wish to remain being — needs to be protected. The amendments contained in this legislation will be important in ensuring that the appropriate and proper solemnity of Anzac Day continues to be observed.

**Mr THOMPSON** (Sandringham) — It is not possible to legislate for respect per se, but it is possible to provide a framework where the opportunity for the observance of Anzac Day ceremonies and services can be conducted in a way where the likelihood of them being disrupted by those people who are not in an appropriate state of mind to mark the observances with the respect the day deserves can be minimised.

In the Sandringham electorate there are a number of RSLs which would serve alcohol within the proscribed times. But they form part of the proceedings on the day, and they are not out of kilter with the nature of Anzac Day. The Hampton RSL conducts a dawn service prior to early light, with bagpipers playing and streams of people from the surrounding area making their way to the service at the RSL cenotaph. It is a fine and respectful service. Those who arrive early are greeted by coffee with the prospect of rum as well. Local scouts put on a breakfast after the service.

The RSL is supported by a very strong volunteer base that has maintained the tradition of the part of the ode 'Age shall not weary them, nor the years condemn, at the going down of the sun and in the morning, we will remember them'. The Anzac Day dawn service in Hampton is a very poignant reminder and mark of respect for the sacrifices of Australian men and women who have given their lives in different theatres of war.

There has been a diminishing number of World War II veterans on Anzac Day; they were the backbone of local RSLs when I first entered the Parliament, but now their numbers have declined significantly. The baton has been passed to another group of veterans who fought in Korea, Malaysia, Vietnam, and, more recently, those involved in the Australian engagement in the Middle East. The tradition has been well carried by this new group of soldiers and family members.

Across Victoria — town by town, cenotaph by cenotaph — groups of people gather to remember. The legislation before the house has the object of minimising disruptions, which predominantly have occurred in the Melbourne central business district.

There is a problem that we as a community have not grappled with — that is, how to minimise the level of drunkenness on the streets of Melbourne in a way that accords respect to people not just on Anzac Day but the other 364 days of the year as well, so that people whose behaviour becomes antisocial in the small hours of the morning do not impact upon others — and importantly, do not impact on their own lives — so they can make worthy contributions to their communities.

Other parts of the Sandringham electorate where there are dawn services include the Mentone RSL sub-branch where a dawn service is conducted with the support of a good group of committee members from the RSL. They have done a great job to widen the appreciation of Anzac Day and remembrance activities through engaging with local schools where over 1000 students participate in remembrance activities during the lead-up to Anzac Day. The Highett and Cheltenham RSL sub-branches in my electorate also conduct services that are well attended, maintaining a tradition where the soul of the nation is respected on Anzac Day.

The object of the bill is to ensure that such services are not disrupted, but in noting the opposition's support for the bill I would conclude with the remarks that there are more days than Anzac Day where we need this notion of support and respect for community, neighbourhoods and the welfare of people.

I do not believe, with escalating violence on the city streets and issues of safety and welfare, that at the moment we are on top of that in Victoria. A more important debate needs to be undertaken about other ways in which people can develop, enhance and strengthen their lives rather than being drunk and involved in antisocial behaviour on the streets of Melbourne.

This is a strong challenge for the government as it stands today. The opposition has proposed a range of solutions which will go towards addressing the difficulties we need to confront.

**Ms BEATTIE** (Yuroke) — It gives me great pleasure to speak in the debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. This is part of a suite of reforms Parliament has passed with regard to Anzac Day. In 2000 I co-chaired with the former member of the upper house, the Honourable Mark Birrell, a review of the laws regarding Anzac Day. That review was conducted in a great spirit of bipartisanship, and so it has continued with the laws being made for Anzac Day.

Many members have remarked about the actions of a very small number of people last year, and it was indeed a very small number of people: I have been to the dawn service at Gallipoli, and I can assure the house that you could have heard a pin drop at Anzac Cove on that morning. There were thousands of young Australians and Turkish people and indeed people from all over the world, but you could have heard a pin drop — such was the respect paid.

As I said, this legislation has been included in a suite of reforms the government has implemented concerning the Anzac Day laws. One of the recommendations of the review I referred to was for the responsibility for Anzac Day and veterans affairs to come under the Premier's office to give them the respect and due recognition they deserve.

As we approach the centenary of Anzac Day in a couple of years, I would like to make a few remarks. It is often said that two great nations were born at Anzac Cove on 25 April. Indeed, a certain Australian spirit was born, but we must not forget that at the time the enemy we were fighting was the Turkish nation, and it is often said that the Turkish republic was born on Anzac Day. I am pleased to say we now have Turkish members of Parliament — the friendship has come such a long way. The Turks were led by the great general Mustafa Kemal, who became known as Atatürk, the father of the modern Republic of Turkey.

It was my pleasure last year to lead the Premier's Spirit of Anzac Prize delegation; I took 10 young people to Korea, and we went up to the demilitarized zone. One is constantly reminded that war is still being waged. Like many members of this house, I dream of a day when the world lives in peace, but sadly it seems a long way off.

In commemorating Anzac Day we commemorate the loss of the mostly young men who were died on that day, but there are other days that also need to be commemorated. The Korean War is regarded as the forgotten war; there are still Australian bodies in Korea that have not been repatriated because of the situation there, with minefields still surrounding the battle areas.

It would be remiss of me if I did not talk about the role of peacekeepers, the young men and women who often put their bodies before bullets. We should never forget the role of peacekeepers. At present Australia has troops in Iraq and Afghanistan; sadly, we are often reminded of that in tragic times.

It is incumbent upon all of us to respect Anzac Day — not only Anzac Day but also the men and women who still serve in the spirit of Anzac and who continue to safeguard our nation.

Any laws that are passed by this house concerning Anzac Day are passed in a bipartisan manner, and strict observance of Anzac Day is a really good thing. We must commemorate Anzac Day, but also remember that Anzac Day changes in its meaning. I will not forget the fuss about the football match on Anzac Day. The question was: should we have the Essendon versus Collingwood match on Anzac Day? That has now become an Anzac Day tradition. If I had told my father, who fought in World War II, that an Essendon versus Collingwood football match would become a tradition on Anzac Day rather than the two-up that he played, he would have laughed at me, but it has become a great tradition.

**Mr Robinson** — Who did he barrack for?

**Ms BEATTIE** — He barracked for Richmond, sadly. However, I barrack for Collingwood, and I have been to many of those games. One of the great things about that game is that the RSL does its tin rattle at the game and the president of the RSL usually takes possession of the ball and bounces it. Traditions change, but the solemn observance that surrounds those traditions does not change.

Recently I have been to Tobruk and El Alamein to look at the war graves there. It would be remiss of me not to mention here what a fantastic job the Commonwealth

War Graves Commission does. I saw the green lawns at Anzac Cove so beautifully tended, and to go to El Alamein and see the graves in the desert sand, again beautifully tended with rows of bougainvillea around them, was a great experience, too.

Finally, I know I have not said much about the true meaning of the bill and I have talked a lot about Anzac Day, but I think other members have talked about the nuances of the bill. I hope my contribution has added to people's knowledge about Anzac Day.

Earlier in my presentation I reflected on the great contribution the Turkish people have made in Australia, particularly in the state of Victoria and in the area in which I live. I think back to the time when the two countries were locked in combat, both losing many people, yet in my area of Yuroke and in Broadmeadows people from these two great nations come together and live cheek by jowl harmoniously day by day, and are great citizens of this country. Sometimes from the ashes of war good things come.

In closing, I commend the bill to the house. I know the RSL supported this bill and I commend it for that. I am sure there will be no problems on Anzac Day this year. The actions of a few should not tarnish what is a peaceful ceremony in which many thousands of people take part in a peaceful way. In Craigieburn, in my electorate, we started a little service that 50 people attended. It has been held each year for three years, and now over 500 people attend that service. It will be held again this year, and I commend Kevin O'Callaghan from the local State Emergency Service brigade for his organisation of that commemoration. I wish the bill a speedy passage.

**Mr NORTHE** (Morwell) — It gives me great pleasure to rise and speak on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010. This bill amends the Liquor Control Reform Act 1998 and, when passed, will limit the authorised supply of alcohol on Anzac Day. I would just like to run through some of the main provisions of the bill. It imposes a restriction on the supply of alcohol under a licence or permit on Anzac Day, and licences or BYO permits that would otherwise allow the supply of alcohol between 3.00 a.m. and 12 noon on Anzac Day will be subject to this new provision that prohibits the supply of alcohol during those hours. Also those licences that operate from 5.00 a.m. are subject to the prohibition from 5.00 a.m. until 12 noon.

As other members have quite rightly pointed out, there are a number of exemptions which apply under this legislation. There are exemptions for any licence held

by the RSL or an RSL sub-branch; duty-free shops; liquor supplied for purchase and consumption on an aircraft; pre-retail licences which do not supply alcohol to the public; residents or the guests of a licensed premises; wineries or business activities of a winery owned or occupied by the licensee; and where the director of liquor licensing grants an exception to a major event licensee a temporary limited licensee or a renewable limited licensee for an event that will occur in conjunction with Anzac Day commemorative activities or be consistent with the solemn observance of that day.

As other members have pointed out as well, this bill is before us due to some unfortunate incidents that have occurred previously on Anzac Day. As the member for Yuroke pointed out, it is a minority of drunken and disrespectful thugs who have undertaken these activities, but I am pleased to say that it is only a minority. From the perspective of the electorate of Morwell, we are lucky not to have those types of incidents occurring. Whilst I am probably not able to put it as eloquently as the member for Sandringham did in his contribution, all members have highlighted what Anzac Day means to Victorians.

Anzac Day services in the Morwell electorate and the Latrobe Valley have seen a renaissance, if you like, over a number of years. Having attended dawn services over previous years in Traralgon and Morwell, and Anzac Day services in Yallourn and Newborough, we have seen a renewed vigour from the community in showing respect to those who have served our country. It is particularly pleasing to see the inclusion of our younger people within the Anzac Day services. Whether it be schools forming part of the Anzac Day program, the scouts or other youth groups, it is pleasing to see an ever-increasing number of community members, school groups and organisations participating in this fantastic day.

While I have the opportunity I would like to commend the presidents of the RSL sub-branches, particularly in Traralgon and Morwell, who do a fantastic job in ensuring that the community is aware of the activities on Anzac Day. Mal Bugg, the long-serving president of Morwell RSL, and Jim Saddington from the Traralgon RSL have really done a lot of work in ensuring that the community is involved in Anzac Day services and that our younger people have a great understanding of what Anzac Day means to veterans and the community in general. There is a lot of work being undertaken in our schools as I speak by members of the RSL and their sub-branches in ensuring that Anzac Day is not forgotten in the minds of our younger people.

This legislation raises a number of issues. The member for Rodney made a couple of references to gunfire breakfasts, whereby on Anzac Day services or a breakfast might have been conducted in venues other than in an RSL club, and I know this is acknowledged within the legislation. But that was of concern to some groups. The member for Rodney also mentioned some concerns about the transition time in ensuring that this legislation is implemented in time, given that it needs to go before the Legislative Council and we are at the end of February.

Members have raised other issues — the member for Malvern in his contribution raised the example of the centenarian. For example, you might have a celebration of an 80-year-old person's birthday and you might want to go out for a morning brunch somewhere, and the proposed legislation would prohibit the consumption of alcohol in a local restaurant or similar type of venue. Having said that, we understand, and the coalition supports the legislation before us.

I want to raise one issue about the liquor licences on Anzac Day. An example has been conveyed to me of how the new liquor licensing regulations proposed by the Brumby government have impacted upon the Glengarry Hotel, which is a small community pub in the Latrobe Valley. The publican is an ex-nasho, and he had a liquor licence that included sales from 11.00 p.m. to 1.00 a.m. on Anzac Day. They were the only 2 hours of the whole year when his licence exceeded 11.00 p.m., and for the privilege he was sent a bill for \$1590 — for 2 hours!

These are the types of incidents the Brumby government must address. As an ex-serviceperson and current publican he was very irate that the liquor licence laws on Anzac Day had impacted on him in that way — in a different way, I guess you could say. That is something the government needs to address.

This legislation, though, is something I am sure all members support. It is a step in the right direction, and it is addressing anomalous behaviour by a number of disrespectful people. On the whole the majority of Victorians celebrate Anzac Day with much gusto, and we look forward to Anzac Day services in 2010.

**Mr EREN** (Lara) — I too am pleased to be speaking in support of the Liquor Control Reform Amendment (ANZAC Day) Bill. I would like to start off with a quote from the former chief and commander of the Turkish troops, Kemal Atatürk:

Those heroes that shed their blood and lost their lives ... You are now lying in the soil of a friendly country. Therefore rest in peace. There is no difference between the Johnnies and the

Mehmets to us where they lie side by side now here in this country of ours ... You, the mothers, who sent their sons from faraway countries wipe away your tears; your sons are now lying in our bosom and are in peace. After having lost their lives on this land they have become our sons as well.

I am always emotional when I read that, and I think those words will be inscribed in the annals of history forever. I think it is important to point to the cooperation and respect that exists between the Turkish community and the wider Australian population — it is fantastic to see. I have not missed any of the Anzac Day celebrations in the time I have been a member of Parliament, and I have represented government on a number of occasions. All of the RSLs in my electorate particularly are very grateful every time I attend. One of the most memorable Anzac Day services I went to, when I was a member of the other place, was out at Torquay, where the physical environment is apparently very similar to Anzac Cove.

At this point in time I must obviously declare that I am an Australian with a Turkish background, and I am very proud to be standing in this place. I suppose it shows the maturity of this nation that we have an MP with a Turkish background standing in this place 90 years after a war that was devastating for both countries.

As previous speakers have stated, it was a significant time. Certainly the Republic of Turkey was born out of that war, and the father of the republic obviously is Kemal Atatürk. Australia also was a very young nation at that time; I think it was only 13 years after the commonwealth was formed that this young nation sent so many troops so far away to fight that war. It was a time when Australia was maturing and saying to the world, 'We should be recognised as a nation in our own right'. It was a period in time when both nations stood up and said they wanted to be counted. As I mentioned before, the respect that exists is amazing, and I am very confident the wider population, including the Turkish population, will be very happy with the minister for bringing such a bill before the house.

There is obviously a very important message that must be conveyed with these amendments — that is, the message of respect. It is respect for the sanctity of Anzac Day, which is obviously very important; respect for those families that lost loved ones; and respect for the people who gave up so much for the way of life we enjoy in this country today, which at times appears to be taken for granted. In a perfect world we probably would not need such a bill to come before the house, but with the world the way it is we need bills such as these. We have to legislate for common sense, which is sad.

Anzac Day, and the meaning behind it, has shaped and influenced how we are as Australians today. As I said before, Australia was a very young nation when it went to war; it had been a federal commonwealth for only 13 years.

Anzac Day means many different things to many people. For me it is a very special day, and certainly I have mentioned it in some speeches in this place, including my inaugural speech. Some 90 years earlier my grandfather was on the hill looking down on the Australian troops coming in. That is why Anzac Day is a very special event for me, and I really appreciate the government's protecting what is very special to this nation.

Every year recognition of the significance of Anzac Day is growing, and more and more young people are becoming aware of what Anzac Day means. That is really good to see. Knowing about our past is very important not only for the present but for our future. I very much support this bill before the house, and I wish it a speedy passage.

**Mr DELAHUNTY** (Lowan) — I rise on behalf of the Lowan electorate, but also in my role as shadow Minister for Veterans Affairs, to say I also support this legislation. The aim of the bill is to amend the Liquor Control Act 1998 in relation to the supply of liquor on Anzac Day.

The legislation aims to ban the sale of alcohol between the hours of 3.00 a.m. and noon on Anzac Day, with some exceptions, particularly for RSL clubs, some wineries, residents of and their guests in licensed premises, and other venues that may be granted limited permits.

After listening to the debate this morning, it seems to me that everyone is supporting this bill for the same reason — we want to make sure that Anzac Day stays as a day of significance, not only to our veterans but also to the wider community. Whether that be older people in the community or the young children who come through this place daily, Anzac Day is growing in importance, because it is a time to understand what has been done by our veterans over many years.

Anzac Day is a special day: it is a special day for the veterans and for all Victorians. Unfortunately the need for this legislation came about because of some antisocial behaviour that happened last year. The behaviour was offensive to the veterans and in general was offensive to all Victorians.

Today I want to recognise by my contribution to the debate the enormous role that veterans have played in

safeguarding our state's democratic principles. Victorians — and I think I speak with the knowledge that all Victorians respect and honour the commitment and service of our veterans — including many people, ranging from children to seniors, are involved, and it is an important day to raise awareness of the role our veterans have played in safeguarding and preserving the things that are important to everyone in Victoria.

Last year we saw the passing of our last World War II Victoria Cross winner, Private Ted Kenna, VC. He exemplified the role of a lot of our veterans. Private Ted Kenna, VC, was born in Hamilton, in my electorate, and he went to school there. He became a plumber. It is interesting to note that a national serviceman who also proudly says he was a plumber went on to be the longest serving coach of Essendon Football Club. We all know that is Kevin Sheedy. So plumbers have a good record, not only in the community but importantly also with the armed services.

I think it exemplifies the work of our veterans that people like Private Ted Kenna was awarded a Victoria Cross. Anzac Day gives many people the opportunity to understand the stories of people like Ted Kenna.

The other thing I want to talk about is the fact that last year, as a private citizen and on a private holiday, I visited Anzac Cove. I have done a couple of memorable things since I was made the shadow Minister for Veterans Affairs: a couple of years ago I walked the Kokoda Track, to understand what our veterans went through in Papua New Guinea, the closest country to Australia, and to understand what those people did — and the member for Benalla is here.

We understood a little about the tortuous efforts that those soldiers went through in living there for many months. We had a bit of auxiliary help: we had walking poles, sleeping bags and a lot of things that many of our veterans did not have when they were fighting on the Kokoda Track. I do not believe we honour enough the service of those soldiers in turning events around and preventing what could have happened when the Japanese were heading towards Australia.

As I said, I visited Anzac Cove last year as a private citizen; I went there like the young ones do. I arrived there on a bus at 2 o'clock in the morning. With my wife, Judie, and other friends, I went down to where most of the young ones were sleeping in their sleeping bags, sat down there with them and spoke to them. Then we watched the sunrise. Up until then I had not realised how steep the cove cliffs were. That highlighted again what our Australian soldiers went

through in preserving the rights that we Australians enjoy today.

I have many RSL sub-branches in my area, but more importantly I want to talk about the fact that we are led very well in Victoria by the state president, Major General David McLachlan, AO; the chief executive officer, Michael Annett, CSC; and many other veterans who are involved with the leadership of the RSL in Victoria. I pay tribute to the work they do for our communities.

I want to also talk about the 19 RSL sub-branches that I have in my electorate. They are at Balmoral, Casterton, Cavendish, Coleraine, Dimboola, Dunkeld, Edenhope, Glenthompson, Hamilton, Harrow, Horsham, Jeparit, Kaniva, Lake Bolac, Natimuk, Nhill, Penshurst, Rainbow and Willaura, and I also have the influence of the Ararat RSL sub-branch which covers a lot of the south-east corner of my electorate.

I have been invited to speak at the Anzac Day dawn service at Rainbow this year, and I look forward to having that opportunity. In the lead-up to Anzac Day this year I have been invited to the commemoration church service on 18 April. This is a significant event because it identifies the commencement of Anzac Day commemorations in Victoria, so I look forward to attending that service on behalf of the coalition and, more importantly, highlighting the enormous work that has been done by our veterans.

The other thing I want to say in the short time I have left is that last week a commemorative service for the Darwin Defenders was held. I had planned to attend an event at the Shrine of Remembrance on 19 February; I thank Ken Davison for the invitation and I apologise that at late notice I had to withdraw because of circumstances beyond my control.

Not only is that commemorative event for the Darwin Defenders held here in Melbourne at the Shrine of Remembrance but it is also held every year in Horsham. A lot of people from the Wimmera area served in Darwin during the Japanese invasion on 19 February 1942. I commend the enormous work that has been done in my electorate by Frank Kelm, Bill Taylor and Maurice Gertz to make sure that this Darwin Defenders event is a special one.

They hold it at the Horsham College. The students, not only from the Horsham College but from around the Wimmera region, get involved, and the councils and a lot of other people make it a very special service to remember the Darwin Defenders. Many of them are in

the later years of life, and I think it is a great time to honour the service they have given to Australia.

The last thing I want to talk about is the fact that we are heading towards the centenary of Anzac Day in a few years, and I know also that each year the Spirit of Anzac Day awards are presented to students in years 9 and 10 who have the opportunity to apply for this special award. It is a great opportunity for young Victorian students to travel overseas to some of our war graves and, as has been mentioned by other members, I really commend the work done by our war grave commission in preserving the honour of these people.

Whether it be at Kokoda or at Anzac Cove, in many places across the world there are special places where our brothers and sisters who have died before us while serving for Australia have been looked after. The Spirit of Anzac awards are a great opportunity for young students but they provide also a great experience for the students. They return to Australia and speak to other members of the community on a wide range of topics that they have learnt about as they have travelled around the world.

I will be strongly supporting this bill. I know there are concerns, even with the RSL, that there could be some unintended consequences, but I believe we should get this bill through, make sure we do everything we can to preserve our special day, Anzac Day, this year, 2010, and for every year hereafter. If there are unintended consequences, let us fix them up at a later stage. I wish the bill a speedy passage.

**Mr LIM** (Clayton) — I welcome the opportunity to speak in support of this bill, which recognises the dignity and solemnity of Anzac Day, 25 April. Anzac Day is our most important day of remembering and reflection as a nation. It has often been commented that Australia celebrates a defeat. I believe the official war historian C. E. W. Bean best captures the significance of the Anzac. In his work *Anzac to Amiens — A Shorter History of the Australian Fighting Services in the First World War*, Charles Bean had this to say about the first Anzacs:

Yet for the withdrawing Anzacs Gallipoli had a special meaning. It was not merely that 7600 Australians and nearly 2500 New Zealanders had been killed or mortally wounded there, and 24 000 more (19 000 Australians and 5000 New Zealanders) had been wounded, while less than 100 were prisoners. But the standard set by the first companies at the first call — by the stretcher-bearers, the medical officers, the staffs, the company leaders, the privates, the defaulters on the water barges, the Light Horse at the Nek — this was already part of the tradition not only of Anzac but of the Australian and New Zealand peoples. By dawn on 20 December Anzac had faded into a dim blue line lost amid other hills on the horizon as the ships took their human freight to Imbros,

Lemnos and Egypt. But Anzac stood, and still stands, for reckless valour in a good cause, for enterprise, resourcefulness, fidelity, comradeship, and endurance that will never own defeat.

These values of freedom, a fair go, mateship, service and sacrifice are still what define us as a nation and make us proudly Australian. This is why Anzac Day is as important as ever.

The diggers from the First World War may all be gone and those surviving from the Second World War are in advanced years, but their memory lives on in the generations of Australians that have followed. As the number of our diggers declines, younger Australians celebrate Anzac Day in increasing numbers, whether they travel to Gallipoli or attend dawn services around the country. Clearly Anzac Day remains our memorial day.

Young Australians participate for several important reasons. They appreciate that it is the spirit of the Anzac which defines us as a nation and makes us uniquely Australian. For many it is personal. It is a time to honour their fathers and grandfathers and the sacrifice they made.

This bill honours not only the first Anzacs of the Great War, but also those who came after them in the Second World War and in conflicts such as those in Malaya, Korea, Vietnam and, more recently, the Middle East and Afghanistan. It honours their selfless service and, for too many, their ultimate sacrifice. The bill does this by restricting the trading of licensed premises between 3.00 a.m. and 12 noon on the morning of Anzac Day in time for Anzac Day in 2010. Appropriately, there are several exemptions, including of licences held by the RSL or a sub-branch of the RSL.

This bill asks just a little from licensed businesses and their patrons as a mark of respect to those great Australians who gave so much. I commend it to the house.

**Mr SCOTT** (Preston) — I will make a very brief contribution to debate on the Liquor Control Reform Amendment (ANZAC Day) Bill 2010, which, as has been stated by previous speakers, restricts the serving of alcohol on Anzac Day. Like many other people in this house and, I think, all members, I support this bill — but not just that. I vigorously support Anzac Day and what it represents. Anzac Day is not a jingoistic celebration, it is an inclusive celebration. It is a celebration that does not demonise our enemies in that conflict, it celebrates them. I acknowledge the great work that members of the Turkish community in Victoria have done to celebrate and enhance the Anzac

Day celebration, particularly people in the northern suburbs, like Sucettin Unal and others.

I would also like to say that Anzac Day has included persons from overseas who served as allies of Australian servicemen during conflicts such as the Vietnam War. I acknowledge a constituent in my electorate, Thien Dang, who has done a lot of work with Vietnamese veterans from the South Vietnamese armed forces who served bravely with Australians. Anzac Day is a celebration not just of those who gave their lives but of all Australians who served in conflicts to preserve our democracy and of all those who served as our allies — and, in fact, of those in the Turkish nation who helped to forge in conflict the modern Turkish republic. I commend the bill to the house.

**Mr BROOKS** (Bundoora) — It is a pleasure to be able to join the debate on the Liquor Control Reform Amendment (ANZAC Day) Bill. I say at the outset, as many speakers have said during this debate, that it is vitally important we remember the significance and solemnity of Anzac Day and what it represents. In particular, it is important that an adequate level of respect is shown to veterans and to the families of veterans. It is important that we keep a very clear focus on what Anzac Day is all about. Consider the day this bill was introduced into this house — that day marks the anniversary of a crucial battle in New Guinea during the Second World War in which some 300 Australians and 12 000 Japanese lost their lives. That was the Battle of Wau in Papua New Guinea.

It was concerning to see some limited examples last Anzac Day of disrespectful behaviour. That has led to the changes outlined in this bill, under which all venues that serve liquor will be prohibited from doing so after 3.00 a.m. This will mean that patrons in nightclubs or pubs around the city or in other parts of Victoria will have time to finish up and head home well before the dawn services begin across Victoria. It is obviously very important that the Shrine of Remembrance in Melbourne in particular be spared from any disrespectful behaviour.

In the last couple of weeks I have had time to consult with the president of the Greensborough RSL, Mr Lee Webb, about this bill. As you would imagine, he is very supportive of the provisions in the bill. I have also consulted the members of the committee of the Watsonia RSL club, and they too have expressed strong support for the provisions this bill includes.

While I am on the subject I want to pay tribute to those two RSL clubs for the work they do in my local community. They contribute in a whole range of ways,

but in relation to this bill they do a lot of work at local schools. For example, Watsonia RSL runs an Anzac Day scholarship program which supports primary school students going into secondary college by giving modest but important financial support to help with the purchase of books and so on. This sort of work in the community helps to educate young people and to remind them of the importance of Anzac Day. It is through the leadership of RSL clubs such as those at Watsonia and Greensborough that we will see fewer examples of the behaviour we saw at the shrine last year.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until later this day.**

## OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE BILL

*Second reading*

**Debate resumed from 23 February; motion of Mr BATCHELOR (Minister for Energy and Resources).**

**Ms WOOLDRIDGE** (Doncaster) — I am very pleased to speak on the Offshore Petroleum and Greenhouse Gas Storage Bill. This is an important bill generally for the energy industry, for the environment and for the future of Victoria. It is very important that these activities are part of the process to ensure that Australia, Victoria and our energy generation moves to a low-carbon-emission base. The coalition supports the development of carbon capture and storage and other clean coal technologies because they are of critical importance for the future of our state. Victoria is heavily reliant upon brown coal. Depending on whose figures you believe, approximately 95 per cent of our electricity in Victoria is generated by brown coal, but it is also a source of our competitive advantage because it is a cheap source of energy. However, from the perspective of greenhouse gas emissions it is an unfortunate polluter.

Our economy, jobs and communities right across the state, but especially in the Latrobe Valley, are particularly reliant upon coal, and the future of the coal industry and those communities will be affected by the development of carbon capture and storage technologies.

Along with drying and gasification, a full carbon capture and storage program is a significant opportunity because it can lead to a massive reduction in emissions

of up to 80 and 90 per cent, which would be an excellent outcome for the environment and for communities across the state, so it is worth trying to achieve. However, it is important to note that this is not the only objective we should have in trying to reduce greenhouse gas emissions. Unfortunately we are still awaiting the government's climate change white paper and the associated legislation, which has been repeatedly delayed.

We also need to look at other emission-reducing activities such as other forms of carbon capture and storage, including algae, which has already been mentioned by the member for Malvern, and also sources of renewable energy — wind, solar and geothermal — which are very important opportunities for our community but must be undertaken with the support of local communities. Unfortunately we have seen an approach by the government which has neglected to involve communities in having a say on these renewable projects.

I turn to some aspects of the bill. The bill re-enacts with modifications provisions regulating exploration and recovery activities and petroleum facilities. It also provides for the regulation of geological storage of carbon dioxide. The agreement between the commonwealth, the states and the Northern Territory — the offshore constitutional settlement — establishes that the offshore area within 3 nautical miles of the coast is within the jurisdictional area of the relevant state and territory, which is obviously what we are dealing with in this bill. Areas beyond that 3-nautical-mile limit are under the jurisdiction of the commonwealth. A bill which has been debated and passed by the federal Parliament complements this bill, and those bills have been drafted to fit nicely together.

The bill establishes a system for greenhouse gas storage site exploration similar to the system for offshore petroleum and exploration recovery permits, leases and licences. The purpose is to allocate those permits to those who wish to explore and identify potential areas for sequestration of greenhouse gases under the ocean. If an area is deemed to be suitable for greenhouse gas operations by the minister, a greenhouse gas holding lease can be issued over the relevant area as allocated by a competitive tender.

As I have said, members of the coalition support carbon capture and storage technologies and their expansion and the enabling legislation to achieve that. Nevertheless we have some concerns in relation to the bill, although we are not opposing it at this time. The particular area of concern which was outlined very eloquently by the member for Malvern is the issue of

limitation of liability and the fact that we are taking a position which is divergent from that of the commonwealth.

The commonwealth act provides that all liabilities are transferred to the Crown 15 years after the greenhouse gas injection operation is closed, but the Victorian bill fails to recognise any such limitation, so there is a clear distinction between the two. The concern is that the liability remains with the company after the surrender of the licence and after 15 years. This is likely to impact on the development of greenhouse gas storage in Victoria within that 3-nautical-mile limit, because companies will be faced with a choice between competing sites, given that if everything else is the same, one site will have limited liability and the other unlimited liability. Logically you would think that they would favour those sites with limited liability. Our concern is what the implications might be for Victoria of having this difference between the commonwealth act and the Victorian act.

We also have some concerns about the regulations. Many regulations will accompany this act, but they have not yet been developed and we are concerned about how detailed they will be. For example, the definitions clause of the bill states that 'greenhouse gas substance' means:

- (a) carbon dioxide, whether in a gaseous or liquid state; or
- (b) a prescribed greenhouse gas, whether in a gaseous or liquid state ...

The details are to be in the regulations, but we have not yet seen them, because the regulations have not yet been developed.

Another concern on which it would be helpful to have some answers from the government and the minister is the environmental management of such sensitive projects as offshore petroleum and greenhouse gas storage. Our understanding is that the Department of Primary Industries will undertake the environmental work relating to greenhouse gas storage operations. The Environment Protection Authority is a well-respected regulator of environmental issues, but it has been excluded from this process in favour of the DPI. Members of the coalition would like an explanation from the government of why that is the case.

As I have said, carbon capture and storage is important for the future of the state. It is particularly important for the Latrobe Valley, and it requires support to enable the technologies, which are still a long way from being proven, to be put in place and developed. The government must focus on other areas of carbon

capture and storage, other areas of renewable energy and other ways of reducing greenhouse gas emissions. Coalition members have some concerns about provisions for the limitation of liability for activities in Victorian waters not being included in the bill, in the regulations or in the oversight of environmental management. For those reasons the opposition will not oppose the bill, but we look forward to the successful development of important technologies for the future of our state.

**Mr SCOTT** (Preston) — I rise to support the Offshore Petroleum and Greenhouse Gas Storage Bill 2010. The aspect of the bill I will discuss is the facilitation of geological storage of carbon dioxide. This is one of the most significant issues this Parliament can deal with because a large body of science suggests that carbon dioxide is causing atmospheric warming through the greenhouse effect and that if the concentration of greenhouse gases in the atmosphere continues to rise, there is every likelihood there will be a significant rise in temperatures which will have a serious impact on the environment. One of the important ways to deal with that is to reduce the emissions of greenhouse gas. That can be done in a number of ways, and in particular in this bill we are talking largely about carbon dioxide.

Carbon dioxide is produced by humans as a result of burning carbon, usually to produce energy for transport or electricity. Once the carbon dioxide is produced there are a number of ways to reduce those emissions; and in this case we are talking about sequestering the carbon underground. There are proposals to sequester carbon in deep ocean storage, but sequestering it underground after it has been produced through the burning of coal for electricity, as in this case, makes geosequestration a likely outcome in Victoria.

This is an important aspect because coal is an abundant and relatively cheap source of energy, and as has been discussed, it provides baseload power. All this gives us great advantages, and Victoria is blessed with large supplies of coal that have allowed us to develop energy supplies at a relatively low cost. However, while I welcome the support of opposition parties for this bill, anyone who expects geosequestration to take place without an effective price being imposed on carbon dioxide emissions is kidding themselves. To sequester carbon dioxide and to place it into geological storage requires capturing the carbon after combustion, then pumping that carbon to sequester it underground. This will use energy and cost money. By its very nature, more coal will have to be burnt to produce the required amount of electricity; without there being a price on carbon, geosequestration simply will not take place.

Some members who support geosequestration have stated in this chamber that they believe it is an important part of the future for dealing with the greenhouse gas emissions, the future of the environment and our energy security, but without having a commensurate price on carbon, none of that will happen. This debate has to come back to first principles that if we support this bill because in large part it allows the opening up of opportunity for geosequestration, then we must realise that geosequestration will simply not take place without a price, whether it be achieved directly by a carbon trading system in some form, or indirectly through regulation and a less efficient form than a carbon trading system. Without that price on carbon, geosequestration will not take place and the provisions of this bill will remain irrelevant. I commend the bill to the house. It is an excellent step forward and I hope it will build on Victoria's strengths as an energy producer and help to build a sustainable future for our state.

**Dr NAPHTHINE** (South-West Coast) — The first purpose of the legislation is to re-enact the Petroleum (Submerged Lands) Act 1982 which regulates offshore exploration of petroleum recovery operations within Victorian coastal waters. The second purpose of the legislation is to provide regulation of the geological storage of carbon dioxide (CO<sub>2</sub>) in Victoria, including Victorian coastal waters. In both purposes the term 'Victorian coastal waters' is used and is defined as being within 3 nautical miles offshore. When we are talking about geological storage of carbon dioxide, if that storage facility extends beyond the 3-nautical-mile limit then there has to be cooperation between federal and state agencies with regard to the storage.

As other speakers have said, Victoria is very dependent on brown coal-fired electricity for baseload power to power our homes, industries and provide jobs for Victorians. It could be said that the Victorian economy post-Second World War has been built on the developments of the brown coal industry in the Latrobe Valley. All Victorians have much for which to thank the pioneers of the brown coal industry and the people of the Latrobe Valley who have built that industry which provides the baseload electricity power at a low cost to Victorian industries, creates Victorian jobs and drives our economy. In my own electorate Portland Aluminium, which provides 600 direct jobs and probably an equal number of other jobs for contractors and people who service the industry, is very dependent for its production of aluminium on the low-cost brown coal electricity from the Latrobe Valley. Portland Aluminium is Victoria and Australia's largest single exporter.

Similarly in my electorate and across Victoria the dairy industry has been built not only on the back of our fine agriculture, great irrigation systems and high rainfall areas in south-west Victoria, but it is also an industry that really depends on electricity, both on the farm and in particular for milk processing. It is one of the leading employers and one of our largest exporters. The dairy industry is a large user of electricity. It has been said that between 94 per cent and 98 per cent of Victorian electricity production is coal fired from our brown coal. It is also estimated that Victoria has a further 500 to 1000 years supply of brown coal.

It is important to Victoria that in a carbon-constrained economy in the future we are able to develop mechanisms to capture and store the CO<sub>2</sub> emitted by the generation of electricity in the Latrobe Valley so that we can continue to benefit from the enormous resource we have in Victoria. It is absolutely critical to the Victorian economy and the quality of life of all Victorian families that we deal with this issue.

Carbon capture and storage has the opportunity to play a key role in tackling this challenge. The state coalition strongly supports the research efforts and trials which are currently under way. One of those trials is in Nirranda, which is in the electorate of Polwarth but it also adjoins my electorate. Those trials are testing geosequestration for carbon capture and storage. We support that research and we support other research associated with testing, refining and improving carbon capture and storage technology. We understand there are a number of options available to do with CO<sub>2</sub>, including geosequestration, research with respect to using algae and perhaps even bacteria, to capture and store carbon. There are real opportunities in terms of soil carbon, where we can produce some win-win outcomes in terms of storing carbon and improving the quality of our soils at the same time. All of those things need to be researched, and we support those research efforts.

In conjunction with this bill, it is important to talk not just about coal-fired electricity and carbon capture and storage, as the bigger picture also involves looking at the alternate energy opportunities that are available in Victoria and that we should pursue. Therefore I am deeply concerned that there has been a serious policy stuff-up — and there is no other way to describe it other than as a stuff-up — made by the Rudd Labor government and its Minister for Environment, Heritage and the Arts, Peter Garrett, that has put hundreds of jobs at risk and vital alternate energy projects on hold in south-west Victoria.

I quote from the *Australian* of 13 February. It says:

Australia is facing a renewable energy investment 'strike', with projects worth billions of dollars on hold and workers being sacked because of a flaw in the policy that was supposed to drive the switch to large-scale clean power.

Further on it states:

When the Rudd government closed its \$8000 solar rebate scheme, it shifted rooftop solar domestic hot water heaters into the RET along with a special deal for household solar rooftop panels to make the incentive attractive to domestic consumers.

That left the scheme with five times as many renewable energy certificates as it was designed to have, and drove down the value of the renewable certificates big energy users are required to buy to meet their renewables target.

The renewable energy certificates are trading at just over \$30 instead of the \$50 or more expected in most business plans.

The Clean Energy Council says the result is a renewable energy market flooded with cheap certificates, which has completely undermined the business case for more expensive larger scale projects.

'Without changes there will be no investment at all on an industrial scale in renewable energy for up to seven years', said Clean Energy Council chief executive Matthew Warren.

An article in yesterday's *Age* states:

Renewable energy backers warned the design flaws were on the brink of costing jobs. Wind turbine maker Keppel Prince Engineering said it had to decide this week whether to sack up to 150 workers at its plant at Portland in Victoria's south west.

It goes on to say that the Victorian Minister for Energy and Resources — and I give credit to him — agrees with the Victorian opposition and with the federal opposition that this has been a policy stuff-up by Peter Garrett and the Rudd Labor government, and that it needs to change.

**Mr Batchelor** interjected.

**Dr NAPTHINE** — Correct. The Minister for Energy and Resources deserves credit for standing up to the Rudd Labor government which has made a mess of this policy. It is putting jobs at risk in my electorate. What is on hold is a 174-turbine wind farm at Macarthur, worth \$800 million. AGL is saying — —

**Mr Nardella** interjected.

**Dr NAPTHINE** — I have always been and still am a strong supporter of wind farms in areas where the communities support them, like the Macarthur wind farm. AGL has also put on hold its 500 megawatt gas-fired power plant for Tarrone. Steve Garner of Keppel

Prince Engineering told me only recently that he has put 70 workers on leave for a month; if that wind farm does not go ahead, those workers will have to be sacked. In addition, there are another 30 jobs at risk.

But if the wind farm goes ahead, and if Peter Garrett and the Rudd Labor government get their policy settings right, not only would those workers not lose their jobs but there would be another 100 workers employed at Keppel Prince. It is solely at the discretion of the Rudd Labor government and Peter Garrett, who have got this policy wrong. They have stuffed up the policy, and the Minister for Energy and Resources here in Victoria agrees with that. Under the Labor government we lost 136 jobs in Portland when Vestas closed in December 2007, and now we have hundreds of jobs at risk because of a policy failure by Peter Garrett and the Rudd Labor government.

When we are talking about carbon capture and storage, and geosequestration, we know they are the vital components for a future for the Latrobe Valley brown coal energy industry. We strongly support research into geosequestration, and we strongly support the development of alternate energy. That is why Portland needs to be recognised as the alternate energy capital of Victoria and Australia.

We are the home of wind farm development, which I support strongly. We are the home of wave energy developments, and tests are going to be conducted off Portland. We are the home of geothermal and hot rocks development. There is an opportunity to demonstrate how solar works in one of the most southern parts of mainland Australia. It is an alternate energy capital. We need to go forward with both coal-fired power and alternate energy.

**Ms DUNCAN** (Macedon) — I rise in support of the Offshore Petroleum and Greenhouse Gas Storage Bill 2010. As I said previously today, the benefits, if there are some, of being in opposition are that you can always have a bet each way, and so opposition members never support bills — they just do not oppose them. They say they support the objectives 'but', and it is always the 'buts' we hear a lot about.

This must be a difficult issue for the coalition, because probably half of its members do not believe in climate change, and therefore I cannot imagine why they would think carbon is a problem. I am not quite sure why coalition members are going through any of these processes if they do not believe in climate change.

Nonetheless the bill seeks to set up a regulatory framework to deal with carbon capture and geological

storage technologies as they develop in this country. This framework is really important for many reasons. It is important for both industry and for our communities. It is very important for industry because it shows the government is serious about developing carbon capture and storage technologies in Victorian coastal waters, and along with the commonwealth government this government is committed to ensuring consistency across the country, which sends a clear message to industry.

It is also important that the community has confidence that all injection and storage operations are done in a manner that minimises risks not only to public health but also to the environment. We know these technologies are developing fairly quickly, and they need to, and we have seen some good outcomes with the Otway project that is continuing near Noranda in Victoria. That is a terrific project which offers us opportunities to see these technologies at work and understand how they can benefit us in the future.

Victoria in particular has a vested interest in these technologies because we are a very large user and have large storages of brown coal. We know we will need to rely on brown coal for a fair part of our energy needs. Carbon capture and storage will play a key role in this state, in particular in ensuring Victoria meets its greenhouse gas reduction targets. I remind the house that in 2006 the government set a long-term target of reducing greenhouse gas emissions by 60 per cent of the 2000 levels by 2050. Victoria's climate change green paper articulates the commitment and urges the commonwealth government to set a national emissions reduction target of 80 per cent by 2050. We know these technologies will play a critical role in us achieving those targets.

For these reasons it is important to have regulatory frameworks that are transparent and which give confidence to industry and to the community. They will ensure Victoria remains a leading state in developing these technologies and in meeting the greenhouse gas targets we are very proud to set. I urge the opposition, both in this state and federally, to wake up to the imperative to develop these technologies and to appreciate the threat that increased carbon emissions in the atmosphere creates for us.

I believe this is a challenge that requires bipartisan support and urgent action on the part of all governments across the world, but I think it is particularly important that Victoria, being such a large user of brown coal, leads the charge in this area. It is for this reason that I am very proud of the commitment this government has

shown to developing these sorts of technologies. I commend the bill to the house.

**Mr MORRIS** (Mornington) — I think the last time we discussed geosequestration I preceded the member for Macedon, so it must be something about the subject.

The bill we are discussing this afternoon is a reasonably good attempt to combine one of the oldest activities of the industrial age — that is, the search for a reliable, consistent and relatively cheap energy source — and one of the newest challenges for the post-industrial age, and that is how we deal with the by-product of converting that material into energy and how we deal with the waste of that process. In this case the waste is carbon dioxide. Each of those things is an immensely complex issue. Each has an enormous downside if we get it wrong, and each also has great potential benefit if we get it right.

The complexity of the task in this instance is made somewhat greater because of the federal-state demarcation issue, which was itself the subject of a landmark settlement over 30 years ago. The task is also simplified because, to a large extent, we are simply re-enacting the Petroleum (Submerged Lands) Act 1982 with what the explanatory memorandum describes as a 'modest number' of policy changes. I will come back to that in a couple of minutes.

I note that the second paragraph of the explanatory memorandum indicates that:

The purpose of this bill is to provide a more user-friendly enactment that will reduce compliance costs for the upstream petroleum industry and for the governments that are charged with administering it.

I do not know how anyone can claim, when they have taken a 360-page act and turned it into a 967-page bill, that they are cutting red tape. That is a very long claim, and perhaps that is part of the core of the problem that we in opposition have with this bill.

The second part of the task is dealing with waste — the whole carbon capture and storage subject. While the protocols and practices for petroleum exploration and recovery and all the processes that go with that have been refined — no pun intended there — over a long period, the processes for carbon capture and storage are relatively new.

I do not intend to go into the specifics of the bill. Clearly, given the size of it, time would not permit me to do so. In terms of the petroleum aspects of the bill there are a couple of things that are worth commenting on. The first is the expanded definition of 'petroleum'. Whereas the original legislation essentially referred to

'naturally occurring hydrocarbons', this piece of legislation contains a much expanded definition that refers to gas that may have been reintroduced into a petroleum pool and later recovered. So it is a product that could either be the original product, the original product with additives, the original product with fewer constituent parts or a mixture of all of the above. That is an important change to the legislation.

I also indicated earlier that I would come back to the section of the explanatory memorandum that refers to the 'modest number' of policy changes. The only reference to a policy change I could find in the bill related to the definition of the word 'explore'. In the original legislation the word 'explore' was not defined at all; it was simply intended to be a dictionary definition. Under this legislation there is a substantial expansion of the definition to include seismic surveying, seabed sampling and the various forms of exploration currently in practice, in large part to ensure that speculative survey companies are in fact included in the legislation and that the exploration work is linked to a title. That is an important part of the legislation as well.

Before I talk about the greenhouse gas storage aspects of the bill I think it is useful to reflect on the relatively narrow area of operation we are talking about. We are not talking about huge offshore areas. We are only talking about the 3-nautical-mile-wide strip around the Victorian coast. That is the 'land', 'submerged land' or 'sea' — however you wish to describe it — that was the subject of the offshore constitutional settlement which was reached at the Premiers Conference in June 1979. I was interested to read a document that was printed the following year by the Australian Government Publishing Service entitled *Offshore Constitutional Settlement — A Milestone in Cooperative Federalism*. I thought that was interesting because it is a term the Premier has sought to coopt and very much make his own, when it was in fact around in 1979. Of course it was the Hamer and Fraser governments of the day that made that cooperation a reality.

The settlement followed a High Court decision, which in turn was prompted by the passage of the Seas and Submerged Lands Act 1973. Essentially the outcome of the settlement ensured that legislation would be passed with the agreement of all state parliaments, and I understand it was the first time that section 51(xxxviii) of the Australian constitution was going to be used to, amongst other things, ensure that the territorial seas, the 3 miles breadth, would be placed under the control of the states, which of course was what everyone had thought was the case until the High Court decision.

Members might say why should the states continue to administer that 3-mile zone plus the enclosed waters, like Port Phillip Bay and Western Port bay. While they may generate some problems, wherever you have boundaries and demarcations, you are going to have issues of overflow.

It is important that given the environmental sensitivities, particularly, of the intertidal zone and the areas in proximity to the shore and also the incredible connection that people have with that part of the environment that the states retain control over the abutting areas of the coast. It is an area that could have significant impact on the environment. It could also have a significant impact on the amenity of the lifestyle of all Victorians. It is important we retain that authority.

Those greenhouse gas principles in parts 3, 5, 6 and 8 of the bill have some history. The original legislation on greenhouse gas geological sequestration was debated in Churchill some 16 months ago. That act is in place for land-based activities. In 16 months events have moved rapidly. But it remains important that we move towards a clean coal environment, particularly in terms of brown coal. It is critical for the future of jobs in the Latrobe Valley; it is critical for the future of our state's energy; it is critical for the whole security and future of our economy. It is an abundant resource. By some accounts we may have an energy supply for half a millennium, which is a difficult concept to grasp. We simply cannot afford to squander that.

Yes, there are some issues. There is no doubt it is complicated. We need to be concerned with the issues regarding long-term viability. The member for Doncaster and the member for Malvern have dealt with that issue. Yes, there are some challenges, particularly environmental challenges, along the way. But like the issues regarding the original bill, these issues are not insoluble. I have no doubt that given the abilities and skills of our scientists, researchers and technicians, they are more than capable of sorting out any challenges. This is an important step forward in the clean energy debate. Despite some deficiencies, I am more than happy to not oppose the bill.

**Mr BROOKS (Bundoora)** — It gives me great pleasure to speak on the Offshore Petroleum and Greenhouse Gas Storage Bill 2010. From the outset I have to say it is pleasing that members opposite are supporting the bill.

This bill sets up a regulatory framework for the exploration, recovery, injection and permanent storage of greenhouse gas substances in the Victoria offshore area. It represents another positive move by the Brumby

government that adds to a long string of initiatives to combat climate change.

This bill follows on from the successful Greenhouse Gas Geological Sequestration Act, which was introduced and passed in 2008. Specifically the bill sets up a system for regulating the following activities: the exploration of petroleum, the recovery of petroleum, the construction and operation of infrastructure facilities relating to petroleum or greenhouse gas substances, the construction and operation of pipelines for conveying petroleum or greenhouse gas substances, the exploration for potential greenhouse gas storage formations and the injection and storage of greenhouse gas substances.

When we talk about the injection and storage, which is known as carbon capture and storage (CCS) of greenhouse gases, we are referring to the emerging technology that will allow us to make significant cuts in carbon dioxide (CO<sub>2</sub>) emissions from stationary CO<sub>2</sub> sources, such as power stations and chemical plants, by capturing greenhouse gases, liquefying them and injecting them into underground geological formations for the purpose of their permanent storage, thereby eliminating the harmful effects they would have on our atmosphere. As some members would know, there are promising indications about being able to store those gases in the offshore area of Victoria.

The bill before the house re-enacts the Petroleum (Submerged Lands) Act 1982 with a small number of changes to the structure and style of the legislation. The bill implements a small number of policy changes from the framework set out in the Petroleum (Submerged Lands) Act 1982. The management regime for offshore petroleum exploration, production, processing and conveyance that is proposed in this bill is largely unchanged from what is set out in the Petroleum (Submerged Lands) Act 1982.

In accordance with the Australian regulatory guiding principles for carbon capture and geological storage, this bill is largely consistent legislation developed by the commonwealth and being developed by other states and territories with respect to the offshore underground storage of carbon dioxide and other gases.

The proposed legislation is also broadly consistent with the act pertaining to Victorian onshore areas — that is, the Greenhouse Gas Geological Sequestration Act 2008. It has been stated on numerous occasions in this house that the Brumby government is committed to reducing atmospheric greenhouse gas emissions by 60 per cent by 2050 compared to 2000 levels. The bill before the house again highlights this government's

commitment to achieving this goal and, moreover, it sends a clear signal to Victoria's residential and business community that we are committed to achieving this goal and will continue to pursue the storage of greenhouse gases as a means to do this.

On Monday I was pleased to hear the Minister for Energy and Resources announce that the Victorian government would be contributing \$1 million towards funding a survey to investigate carbon storage potential in Bass Strait. The federal government has also provided \$4.5 million towards that survey project, which will cover 16 500 square kilometres in Bass Strait and is expected to be completed in April.

The information from that survey will be used to develop a state-of-the-art three-dimensional geological model of the Gippsland Basin that maps underground formations and their characteristics to assist in determining the geological feasibility of carbon storage in that area. The survey will be administered under the federal Offshore Petroleum and Greenhouse Gas Storage Act 2006. This is just another example of how the Brumby government is taking action on climate change.

In summary, it was the state Labor government that introduced a renewable energy target — it was the first state to mandate such a target. This bill will allow for the expansion of the emerging industry of carbon capture and storage technology and the promotion of a greater awareness of climate change and this government's uncompromising resolve to combat climate change.

This type of technology presents us with possibly the best balance between utilising our natural resources whilst also limiting the damaging effects this has on our environment. Any moves such as this bill to encourage the use of this technology should be supported. I fully support the bill and wish it a speedy passage through the Parliament.

**Mr INGRAM** (Gippsland East) — I rise to speak on the Offshore Petroleum and Greenhouse Gas Storage Bill. It is quite a substantial piece of legislation and involves a very technical process. The legislation around this impacts on so many existing licences, tenements, areas and potentially other industries. This is an important piece of legislation. We have had only the last couple of weeks to look at the potential impact of legislation of, in effect, about 1000 pages and two volumes, which is fairly difficult to do. But I understand the interrelationship between the state and federal governments and the responsibility between the

states for inside and outside the 3-mile state jurisdictional limit.

My area of Gippsland East substantially covers a large part of the Gippsland oil and gas fields, which predominantly make up the areas viewed as needing to be regulated by the offshore petroleum and greenhouse gas storage legislation. There are many risks involved in undertaking what is being proposed through this legislation. The biggest concern is making sure that the greenhouse gases we are potentially capturing and storing in these areas will be contained forever. It is counterproductive to go through the process of collecting but then not containing greenhouse gas.

I understand a fair amount of what is currently being done in the oil and gas fields and how they are linked together. I am fortunate to have been briefed on the bill and to have seen the images of the structures. Also, prior to coming to Parliament I worked in the commercial fishing industry and spent a lot of time out in the areas where the oil and gas fields are now situated. Essentially the oil and gas fields are all interconnected.

Basically what we have are upside-down containers, if you like; that may be a fairly broad term, but the gas flows from one to another and is trapped in solid structures over the top, or the gas and oil is trapped in porous rock. Throughout time, when shelves lift and fall, it gets trapped, but it will flow through under that and into other areas.

The reason this is important is that other industries are affected by what happens in the oil and gas fields. In Gippsland there has been a lot of concern for many years about the impact of the extraction of oil and gas out of the offshore Bass Strait fields. It has impacted on the Latrobe aquifer and water use by the farmers. Whilst much of the water use of the Latrobe aquifer is in the electorate of the member for Gippsland South, it also extends through a large part of my electorate.

Members might be aware that historically there have been hot springs at Metung. They are natural springs where basically hot water has bubbled up out of the aquifer. Many farmers in the area have extracted water from these aquifers. But because of the extraction of oil and gas from the offshore fields, these aquifers no longer run at pressure, and farmers have had to extend their bores and pumps quite significantly, at significant cost. That is having a major impact on the agricultural industry in my area. There is also subsidence in some areas along the coast because of the removal of oil and gas from these fields.

In a perfect world repressurising the aquifers in the oil and gas fields should mitigate some of the other industry risks. But none of these things is very simple, and it is important that we get right the framework, the regulation, the legislation and the rules around where, when and how we undertake these activities so that we do not impact on other industries. One of the worst things we could do is store carbon dioxide in some of these fields and then impact on the oil and gas extraction in a neighbouring reservoir. Likewise, the financial risk to businesses involved in that investment, or even the liability of governments, would not be acceptable.

According to the evidence there are clear impacts on industries like the commercial fishing industry. We have seen that not only the exclusion zones around pipelines and oil and gas rigs but also the seismic activity that is used to identify fields has an impact on commercial fishing reproduction. It is important we make sure that all of the industries that are impacted by oil and gas extraction or carbon gas storage are protected in legislation. The technical challenges are clearly there. It will not be simple. We have to not only capture the greenhouse gas off the back of the power stations but also pipe it out into these areas and recharge it.

I will use an example. We have a small gas field in the far east up near Marlo called the Patricia-Baleen. They have looked at the extraction of gas out of small fields. The technology is available for what we are talking about here. One of their components was that they were treating very pure gas out of one small field. They would do that one first because when they extracted the gas out of it, they would reprocess gas from another field, which was not quite as clean. They would reinject the unwanted gas back into the original field. So the technology is available for the re-injection of gas, water or other components. I understand it is not actually gas they are re-injecting; it is actually a liquid form that is pressurised and put back into the basins.

The reason we are doing this is essential. Clearly in Victoria we rely too much on brown coal for our electricity production, and we have to reduce our greenhouse gas emissions and our impact on the environment. It is very clear that we need to take substantial action in reducing our carbon footprint. This is one of the technologies that may make a substantial improvement to our environmental footprint.

Environmentally I think it is very important that we find the technology to do that and to do it right, but I think the biggest thing is intergenerational equity. We must make sure that we clean up the brown coal

emissions and diversify into a range of different renewables and other forms of electricity production. But we are still going to rely on coal as a major portion of our electricity generation in the future, so anything we can do to improve the environmental performance we should do, and greenhouse gas capture and storage is one such thing.

In East Gippsland clearly we have substantial empty reserves. The extraction of gas and oil from those fields over a large number of years has created space, but we need to make sure there are no outside impacts and that we do not damage other industries as we go through this process.

With those words, I will be supporting the legislation before the house.

**Mr NORTHE** (Morwell) — It gives me great pleasure to rise to speak on the Offshore Petroleum and Greenhouse Gas Storage Bill 2010. This is obviously an extensive and comprehensive piece of legislation that does a number of things. I would like to confine my contribution to the aspects of regulation surrounding the geological storage of carbon dioxide.

Obviously this aspect is pertinent to the Morwell electorate and the wider Gippsland community. As we know, a host of coal-fired power generators operate in the Latrobe Valley accounting for approximately 95 per cent of Victoria's energy needs: Loy Yang A has a capacity of 2200 megawatts, Hazelwood power station has 1675 megawatts, Loy Yang B has 1026 megawatts and Yallourn has 1480 megawatts. A lot of people forget that we have the Morwell power station with a generating capacity of 170 megawatts.

One of the challenges for us all is to ensure that we minimise our carbon dioxide (CO<sub>2</sub>) emissions from coal, and one of the methods identified by which we can do that is carbon capture and storage. Depending on who you believe, there is something like 500 years worth of brown coal available for us to utilise, and research has identified that in the Gippsland Basin there may be some 285 years worth of greenhouse gas storage capacity.

The energy industry is integral to the Gippsland community. Some recent work done by a consultant group commissioned by Latrobe City Council has identified the economic benefits of the energy industry to the Latrobe Valley and its associated industries. It shows that in the vicinity of \$280 million per year is contributed to the local community, which is 21.2 per cent of the gross regional product. It also shows that 125 employees are directly included in the coal mining

sector and an additional 1705 people are employed in the supply sector. That gives some indication of the importance of the energy industry

As the member for South-West Coast suggested in his contribution, there are trials on this technology being undertaken in the Otways currently, but this is not the silver bullet; there are other ways and means of cleaning up our energy industry that we need to investigate and inquire into.

Certainly there are alternative technologies; I do not believe anybody thinks we should not investigate solar, wind or geothermal technology and the like. I think these are exciting projects that require further investigation. One such project is producing an algae product from capturing CO<sub>2</sub> emissions and using it in what is called the algae synthesiser project. There is a memorandum of understanding between a company called MBD Energy Ltd and Loy Yang Power looking at trials of undertaking this technology. I find that quite exciting. The reality is that this technology for carbon capture storage is many years away.

I want to take the opportunity to acknowledge the Minister for Energy and Resources who has been very apolitical, in my view, in ensuring that the Gippsland members of Parliament have been kept up to speed on some of the work being conducted on the storage capacity in the Gippsland Basin. I acknowledge him for keeping us briefed on that.

But we face a number of different challenges in reducing our CO<sub>2</sub> emissions from brown coal energy production. Unfortunately there is a perception in the community that we can simply shut down Hazelwood power station tomorrow and everything will be fine. That would not be the case. We know the generators' capacity in the Latrobe Valley is quite high, and if we took one of those offline, it would have an enormous impact across Victoria not only on the business community but on households as well.

I certainly want to make note of the number of studies have been conducted on the impact of the emission trading scheme at a federal level. If that legislation were to pass in its current form, it would have a significant impact upon the Latrobe Valley community, as was identified in the Victorian government's climate change green paper. Whilst there have been a lot of nice words in acknowledgement of this fact, as we enter the new world of cleaning up our brown coal electricity production we need to ensure there is a plan for our local economy, so we are not disadvantaged.

In saying that, I acknowledge the carbon capture and storage technology. Some trial projects have been undertaken by Loy Yang Power; those results have identified that it is possible to capture the carbon dioxide emissions. The next challenge is how we deal with them. This legislation is a good step in the right direction, and I wish it well.

**Mr STENSHOLT** (Burwood) — I support the Offshore Petroleum and Greenhouse Gas Storage Bill. I note, as other speakers have, that experts like Ross Garnaut, David Karoly or Graham Pearman all acknowledge that we need to take a variety of actions if we are going to reduce our net greenhouse gas emissions. Carbon capture and storage in its various forms is one technology that provides a lot of promise, and it has produced one of the largest bills I have ever seen in this house.

It is good that we are acting now to set up a framework for this concept. It is something that will serve us well in the coming years, because there still remains an awful lot of research, expertise and expensive testing to go into this, as other members have suggested. Carbon capture and storage involves geological storage or ultimately geosequestration. The Speaker has organised a number of briefing sessions on emerging issues, and there has been one on this subject; I think it was held last year when experts talked to the audience about this technology.

This bill is large because it re-enacts the previous legislation — namely, the Petroleum (Submerged) Lands Act 1982 — to provide for the regulation of petroleum operations. The bill also establishes the legal and regulatory framework, including the system of titles and rights, to enable the conduct of greenhouse gas operations in Victoria's offshore areas, and it ensures consistency with the commonwealth legislative framework. The commonwealth passed amending legislation in November 2008 in the form of the Offshore Constitutional Settlement.

This bill covers the arrangements for the capture processes for greenhouse gases which would be regulated under the Environment Protection Act. The transport of captured greenhouse gas substances would be via pipelines on shore under the Pipelines Act. But once those pipelines reach the shore they would be regulated under the pipeline licences provided for in this bill.

This is very important legislation, because in 2006 Victoria made a commitment to a long-term target of reducing greenhouse gas emissions by 60 per cent of 2000 levels by 2050. Our climate change green paper

articulates the commitment and urges the federal government to set a national emissions reduction target of 80 per cent by 2050.

This bill is part of a wider context. I am very pleased to see that a lot of work is going on already in Victoria, and some projects have received funding from the Energy Technology Innovation Scheme. These include \$90 million towards the development of a carbon dioxide storage and transport system, \$3.5 million to investigate the feasibility of building a small-scale plant at an existing brown coal power station and a range of other projects which will look at ways of dealing with carbon dioxide emissions. This bill provides for the storage and other arrangements of these emissions. I commend the bill to the house.

**Mrs FYFFE** (Evelyn) — In the brief moment that is left before the sitting is suspended for the lunch break, I will not go into the detail of the bill because other speakers have done that, but there are key issues with carbon capture and storage. Lots of questions are being asked, such as 'What are the costs? How efficient is it? What should be done with the contaminants? What is the storage capacity? Is it safe?'. If I could get a message through on this process, it would be that we ask everyone to hasten slowly as there are so many unanswered questions.

**Sitting suspended 1.00 p.m. until 2.06 p.m.**

**Business interrupted pursuant to standing orders.**

### DISTINGUISHED VISITOR

**The SPEAKER** — Order! Before calling questions, I acknowledge in the gallery today the former Minister for Community Services, Kay Setches. Welcome, Kay!

### QUESTIONS WITHOUT NOTICE

#### Ombudsman: government support

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer to the Ombudsman's comments that:

Attempts are made from time to time by people or associations with vested interests who have been found out, to attack and undermine the office or its investigators —

I ask: given that a number of members of the Brumby government, including Mr Theophanous, a member for Northern Metropolitan Region in the Legislative Council, and the President of the Council, Mr Bob Smith, have sought to attack and undermine the

Ombudsman, will the Premier now express his total and full confidence in and support for the Ombudsman, or is it in fact the Premier himself who is responsible for the campaign to undermine the Ombudsman because this government bullies and intimidates anyone who stands up to it?

*Honourable members interjecting.*

**The SPEAKER** — Order! I suggest to all members that many have had their opportunity to interject at this question time, particularly the members for Lara and Polwarth.

**Mr BRUMBY** (Premier) — I thank the Leader of the Opposition for his question, because on our side of the house we have always expressed full support and confidence in the independence of the Ombudsman. I have made the point many times in this chamber that under our government we have enshrined these positions in the constitution. We have given the Ombudsman additional powers and, might I say, additional resources.

The Leader of the Opposition's question, I have to say, was news to me today, because the only people that I am aware of who want to do away with the Ombudsman are the state opposition.

*Honourable members interjecting.*

**Mr BRUMBY** — It is exactly true.

**The SPEAKER** — Order! I ask the Premier not to debate the question. I ask the member for South-West Coast to cease interjecting, and I suggest to the member for South-West Coast that he is warned.

**Mr BRUMBY** — I am happy to check the record, but my recollection would be that on every occasion in this house and publicly we have expressed full confidence in and support for the Ombudsman. We have done that because we believe the Ombudsman is a vital part of the armoury that we have in this state to protect public administration, protect public integrity and tackle corruption.

It first started back here some years ago when someone used a very pejorative expression about the Ombudsman as a cardigan wearer — it was again the then Leader of the Liberal Party — so the attacks on the Ombudsman in this state have come from the Liberal and National parties.

**Mr McIntosh** — On a point of order, Speaker, the Premier is clearly debating the question. I ask you to

draw him back to the question and answering it properly.

**The SPEAKER** — Order! The Premier is debating the question, and I ask him to come back to government business.

**Mr BRUMBY** — I can only repeat that we have consistently supported the role, the importance and the independence of the Ombudsman.

*Honourable members interjecting.*

**Mr BRUMBY** — This was an amazing question, like the interjections now! The record will show there has been constant criticism of my support and our support for the Ombudsman. That is what the record will show. We had the embarrassing spectacle of the former New South Wales Premier, Nick Greiner, down here at the weekend hitting the Liberals' plan for an ICAC (independent commission against corruption) for six!

*Honourable members interjecting.*

**The SPEAKER** — Order! The Premier!

**Mr BRUMBY** — That is what he did. Do you know what he said, Speaker?

*Honourable members interjecting.*

**The SPEAKER** — Order! The Premier will refrain from debating the question.

**Mr BRUMBY** — As I have said, our position in supporting all the independent officers of the Parliament — the electoral commissioner, the Auditor-General, the Ombudsman, the Office of Police Integrity — is on the record. We have been consistent in our approach, unlike those opposite, who have had seven different positions over the last three years.

### **Water: government initiatives**

**Mr TREZISE** (Geelong) — My question is for the Premier, and I refer him to the government's commitment to make Victoria the best place to live, work and raise a family. Can the Premier update the house on how the government is delivering on its water plan and what benefits it is delivering for communities across Victoria?

**Mr BRUMBY** (Premier) — I thank the member for Geelong for his question. I joined the member for Geelong and other Geelong MPs, with the Minister for Water, last week as we made another very positive,

good news announcement about water for Geelong, and I will come to the detail of that in a moment.

The point of this question and the point of my answer, as it is to come, is that on our side of the house we have had a very clear view and a very clear plan in terms of water security for our state.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Scoresby will cease interjecting in that manner. I ask for some cooperation from the Leader of the Opposition.

**Mr BRUMBY** — The Arundel Puddle!

**The SPEAKER** — Order! The Premier!

**Mr BRUMBY** — Our plan for water security in our state has five key planks — firstly, of course, the desalination plant, which is progressing now very rapidly indeed, being Australia's largest desalination plant.

**Ms Asher** interjected.

**The SPEAKER** — Order! The Deputy Leader of the Opposition is warned.

**Mr Trezise** interjected.

**The SPEAKER** — Order! And so is the member for Geelong.

**Mr BRUMBY** — It will cost \$3.5 billion for the largest desalination plant in Australia, which is already generating hundreds of jobs through south-eastern Victoria and eventually thousands of jobs for our state.

Melbourne currently recycles more of its wastewater than any other major city in Australia, and we are investing in the eastern treatment plant.

As far as conservation goes, we have our Target 155 campaign — a great campaign, embraced by Victoria but opposed by those opposite — and the new shower head campaigns and water tank rebates are effective. Under Target 155, by the way, I am advised that Ballarat, Sunbury, Macedon and Melbourne households are now the most water efficient in the state.

The fourth plank includes the water grid, which we are building across the state: the Hamilton pipeline; the Geelong pipeline; Sugarloaf, which we have opened; the Wimmera–Mallee pipeline, which is bringing water security — bankable capital, bankable assets — to the people of the Wimmera and Mallee; and the goldfields

super-pipe. That water grid is now securing supplies across our state for Ballarat, Bendigo, Geelong and more than 40 towns in the Wimmera and Mallee.

The fifth plank of our water plan is the irrigation upgrades and the \$2 billion Northern Victoria Irrigation Renewal Project — the biggest water-saving project in Australia and in Australia's history — which will save up to 400 billion litres of water and give 80 per cent of those savings back to Victoria's farmers and rivers.

Whatever way you look at these projects, these are transformational projects. These are great projects for our state: securing our water future, generating jobs and securing new industries for us.

As I indicated, last Friday we were in Geelong with Barwon Water for what was a fantastic announcement for Barwon Water and for the people of Geelong — that is, the easing of water restrictions down to stage 3, which means that there will now be 8 hours of watering and more water for sporting grounds, bowling greens, cricket wickets, tennis courts and golf greens.

There is a similar story across the state, and it is a great story to tell. From 1 January this year Ballarat and Bendigo went from stage 4 to stage 3; in October last year Horsham went to stage 1; and now towns such as Swan Hill, Echuca, Stawell, Mildura, Shepparton and Yea are on stage 1 water restrictions; and the towns of Warragul, Traralgon and Wonthaggi have no restrictions at all.

Let me conclude on this note: in February 2009, 47 towns were on stage 2 water restrictions; today there are 15. In February 2009, 58 towns were on stage 3; this month there are 44. In February 2009, 104 towns were on stage 4 with exemptions; this month there are 64. In February 2009, 48 towns were on stage 4, and this month there are 18. This is a great story across our state, and most importantly we are seeing the level of restrictions eased, particularly in regional Victoria.

In all the things we are doing, in all our new investments — whether it is the Sugarloaf pipeline, the desalination plant, the Wimmera–Mallee pipeline, recycling or the Northern Victoria Irrigation Renewal Project — all of these things are delivering water security to our state, which will help us to generate jobs and maintain our livability in the future. The government has a clear plan in relation to this matter. This is a plan which is delivering results to the people of Victoria and particularly to country Victorians.

**Schools: government promotional material**

**Ms WOOLDRIDGE** (Doncaster) — My question is to the Premier. I refer the Premier to a letter received by his office on 15 February from Felicity Wilkeson, whose daughter is a prep student at Moorabbin Primary School.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order. The member for Eltham!

**Ms WOOLDRIDGE** — In her complaint to the Premier, Mrs Wilkeson wrote:

Could you please refrain from using our children as political messengers.

I am absolutely appalled that school-aged children are given political propaganda under the thin disguise of sporting information to take home.

I ask: why did the Premier not act 10 days ago to stop the distribution of his political propaganda promoting himself to primary school students?

**Mr BRUMBY** (Premier) — I think it is fantastic that the government cares so much for local communities that we are investing \$75 000 to upgrade the Highett oval. It is a good thing.

*Honourable members interjecting.*

**The SPEAKER** — Order! Opposition members will come to order.

**Mr BRUMBY** — My understanding is that local residents are delighted with this investment from our government — —

**Mr O'Brien** interjected.

**The SPEAKER** — Order! I warn the member for Malvern.

**Mr BRUMBY** — In relation to the question raised by the honourable member, my understanding is that the honourable member for Mordialloc did produce a leaflet, as she is entitled to do and as many members of Parliament do. She provided that leaflet to the Highett cricket and football clubs, and one of the members of those clubs, who is not a member of a political party, believed it would be a good thing to put that — —

**Mr Wells** interjected.

**The SPEAKER** — Order! The member for Scoresby!

**Mr Hulls** interjected.

**The SPEAKER** — Order! The Deputy Premier!

**Ms Pike** interjected.

**The SPEAKER** — Order! The Minister for Education!

**Mr BRUMBY** — My understanding is that the pamphlet was provided to the school through one of the members of the school council. It was intended as a promotion of the registration for young people to join the Highett cricket and football clubs — —

**Mr Merlino** interjected.

**The SPEAKER** — Order! The Minister for Sport, Recreation and Youth Affairs!

**Mr BRUMBY** — The member for Mordialloc did not request that the pamphlet be attached to the newsletter. As I described on radio earlier this morning, the individual concerned has made an innocent mistake in doing what they thought was the right thing for the cricket and football clubs.

**Fishing: Snobs Creek native fish hatchery**

**Mr HARDMAN** (Seymour) — My question is to the Minister for Agriculture. I refer to the government's commitment to make Victoria the best place to live, work and raise a family. Can the minister inform the house as to what action the Brumby government is taking to improve recreational fishing opportunities and how investing in recreational fishing benefits Victorians, particularly those in our regional communities?

**Mr HELPER** (Minister for Agriculture) — I thank the member for Seymour, who joined me last week to turn the first sod of a \$1.3 million investment that the Brumby government is making in a native fish hatchery at Snobs Creek. The important thing about this investment, in the immediate sense, is that it provides up to 50 construction jobs — and they are not just 50 construction jobs, as important as that is. They are 50 construction jobs in a bushfire-affected area where that economic stimulus will be greatly appreciated, I am sure.

Let us go back and put the Snobs Creek facility into historical perspective. The Snobs Creek facility was outsourced by the previous government, thereby not only reducing the reliability of availability of fish for stocking in Victoria, but also massively increasing the costs. After the Labor government was elected, we

returned Snobs Creek fish hatchery activities in house, gaining from that not only reliability in producing fish but also, by being able to do it more efficiently, the ability to stock more fish.

The next step we are putting in place is the native species hatchery at Snobs Creek. That will provide us with the opportunity to stock Murray cod, golden perch, trout cod and Macquarie perch — all valued species as native fauna and also very much valued by recreational fishers.

At this stage I want to congratulate the fisheries staff and the scientists who have made it possible for us to be able to do such fishing. What does this mean to Victoria and to regional Victoria? It means that the 721 000 Victorian fishers can enjoy greater fishing opportunities right throughout the state. It is a massive spin-off in terms of jobs, small business and the recreational activities that families can enjoy around this state.

To give a little bit more historical perspective: the Labor Party promised in its election commitment in 2006 an investment of \$43.9 million for recreational fishing policy initiatives. It has got a tick against every one of the 19 initiatives it outlined back in 2006. There was an alternative, which was the slashing of this amount by 80 per cent, which would have been a massive cutting of the recreational opportunities that Victorian fishers could enjoy. Of course this alternative came from a party that hopped into bed with a dog and caught a bit of a flea, and it was that party's policy — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the minister to confine his remarks to government business, and I ask members of the opposition not to jeer in that manner.

**Mr Foley** interjected.

**The SPEAKER** — Order! I ask the member for Albert Park not to interject in that manner.

**Mr K. Smith** interjected.

**The SPEAKER** — Order! I do not need the assistance of the member for Bass.

**Mr HELPER** — I ask the 721 000 Victorians who enjoy recreational fishing to reach a conclusion on who will best represent them into the future — those for an 80 per cent cut or those for \$43.9 million invested in regional jobs and recreational fishing opportunities.

### **Schools: government promotional material**

**Ms WOOLDRIDGE** (Doncaster) — My question is to the Premier. I refer the Premier to his answer to my previous question, and I ask: why did the Premier authorise and distribute another advertisement, this time promoting himself to students at Mordialloc Secondary College, which was also then given to students to take home to their parents?

**Mr BRUMBY** (Premier) — I have got no knowledge of the document described by the member.

**Mr McIntosh** — On a point of order, Speaker, perhaps the Premier might look at the full-page ad on page 3, and a picture of himself saying, 'We are coming to Mordialloc'. Do you want to have a look? There it is — in the school newspaper!

*Honourable members interjecting.*

**The SPEAKER** — Order! The Premier on the point of order.

**Mr BRUMBY** — I have not completed my answer, Speaker.

*Honourable members interjecting.*

### **Questions interrupted.**

## **SUSPENSION OF MEMBER**

### **Member for South-West Coast**

**The SPEAKER** — Order! Under standing order 124, the member for South-West Coast will leave the chamber for 30 minutes.

*Honourable members interjecting.*

**The SPEAKER** — Order! I am quite happy to keep suspending members.

**Honourable member for South-West Coast withdrew from chamber.**

## **QUESTIONS WITHOUT NOTICE**

### **Schools: government promotional material**

### **Questions resumed.**

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

**Mr BRUMBY** (Premier) — As I was saying, I am not aware of any leaflet which has been distributed of the type described by the member. I am aware that we had a community cabinet in that area. From my perspective and from that of the government, we are very proud of community cabinets. We have taken the community cabinet to more than 100 communities across the state. We take the whole of the cabinet out to communities. We go to businesses, schools, sporting clubs, elderly citizens clubs and ethnic communities — and we listen to what people say.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the Minister for Water to cease interjecting in that manner, and I once again warn members of the opposition not to jeer in that manner or they will be named and sent from the chamber.

**Mr BRUMBY** — I still remember the very first community cabinet we had, which was in Wangaratta. Literally hundreds of people through the north of the state were hungry for the opportunity to speak to the government of the day, which opportunity they had never previously had. When you take community cabinet out — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask members of the government to come to order.

**Mr K. Smith** — On a point of order, Speaker, the Premier sat down before. He answered that he did not know anything about it. He sat down, and it was only that the member for Kew got up and raised an issue. The Premier had never even got up on a point of order. He said ‘No point of order’. Now he is rambling on and trying to make excuses, and he should not even be on his feet speaking straight after — —

**The SPEAKER** — Order! I have heard enough on the point of order. There is no point of order.

**Mr BRUMBY** — It stands to reason that if you are taking the cabinet out to a certain area — whether it is Wangaratta, Bendigo, the eastern or south-eastern suburbs or Mordialloc — what we try and do is give the community some notice in advance. What we try and do is say, ‘The cabinet will be there and the Premier will be there, and if you want to speak to the Premier or speak to ministers or attend the function, this is what you do’. I would have thought this is a great thing.

This is a great thing about strengthening democracy. It is great thing about taking government to the people.

How bizarre it is that the opposition would scurry around with a silly question like this.

### **Children: early childhood services**

**Mr CRUTCHFIELD** (South Barwon) — My question is for the Minister for Children and Early Childhood Development.

**Mr R. Smith** interjected.

**Questions interrupted.**

### **SUSPENSION OF MEMBER**

#### **Member for Warrandyte**

**The SPEAKER** — Order! Under standing order 124, the member for Warrandyte is asked to leave the chamber for 30 minutes.

**Honourable member for Warrandyte withdrew from chamber.**

### **QUESTIONS WITHOUT NOTICE**

#### **Children: early childhood services**

**Questions resumed.**

**Mr CRUTCHFIELD** (South Barwon) — My question is to the Minister for Children and Early Childhood Development. I refer to the government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house how the Brumby Labor government is investing in early childhood services to support young families across Victoria?

**Ms MORAND** (Minister for Children and Early Childhood Development) — I thank the member for South Barwon for his question. This government understands what is important to young families. The member knows that early childhood services are very important to young families. I was really pleased to join with the member for South Barwon recently when we visited the Moriac kindergarten to open the renovated spaces there.

That renovation was made possible by a \$90 000 grant from the Brumby government to ensure that there were extended spaces for the families in that community. The Moriac kindergarten is sharing in \$71 million of capital funding for kindergartens and children’s centres right across Victoria, including \$47 million going towards

98 children's centres right across rural and regional Victoria and metropolitan Melbourne.

I also had the great opportunity to visit Warrnambool last week to open the Warrnambool Children and Family Centre, a centre that brings many different early childhood services together under the one roof. Originally it was an information centre, and it is now providing three-year-old kinder, play groups and maternal and child health services.

In fact an immunisation service was under way while I was visiting, and a huge number of people were involved in the delivery of early childhood services at that opening. That demonstrated the importance that families place on early childhood services. That centre was no. 54 of the children's centres we have opened right across Victoria, and all of them have been fantastic examples of a partnership between the state government, local government and the community.

While I was down there I also inspected the Portland children's centre, which is another great example of a centre that will be opened shortly. In fact other regional children's centres in planning or under construction are in Wodonga, Bendigo, Ballarat, Port Fairy, Moe, Beaufort and Foster. There are 28 centres currently under construction or in planning right across Victoria. This would not have been possible without the investment this government has made in children's centres.

Starting a family and owning your own home are aspirations that most people in this house understand. We understand also that housing affordability is a major factor for young couples wanting to start a family. Some people just do not seem to get that. This government understands that and understands that all children deserve to have the best possible start in life. That is achieved through integrated, co-located early childhood services, and that is exactly what we are getting on with. We are ensuring that every child has the best possible start in life.

### **Liquor licensing: fees**

**Mr INGRAM** (Gippsland East) — My question without notice is for the Minister for Consumer Affairs. The changes to the liquor licence regulations have severely impacted on businesses throughout country Victoria. As the government has finally announced changes to the liquor licensing tax hikes for music venues, I ask: when will the government also intervene to address the crippling fees imposed on wine bars, small-scale packaged liquor outlets, bed and breakfast establishments, country hotels, wineries, farmers

markets and other affected businesses facing price hikes in many cases of up to 600 per cent?

**Mr ROBINSON** (Minister for Consumer Affairs) — I thank the member for Gippsland East for his question. While I have the opportunity I will acknowledge the role he has played in his community in standing up and recognising that alcohol-related antisocial activity is a problem right across the state. The member has stood up as a non-government country member and acknowledged that in parts of his electorate there are problems that need to be dealt with, and I commend him for that stance.

The government is committed to the most profound reforms in liquor licensing for at least a generation. We made that clear at the time we launched the Victorian alcohol action plan, and the liquor licensing reforms fit into a very broad strategy of reform. It is true, and we have acknowledged it, that these reforms have given rise to a series of challenges, not just for the industry but for the government as well.

Indeed by coincidence last night during the adjournment debate the member for Murray Valley raised a number of very good examples, I thought, that demonstrate the work we have to do in a number of key areas. We had that exchange, and I will not repeat everything I said. The Leader of the Opposition and the member for Murray Valley were here last night, and we had quite an exchange.

**Mr O'Brien** interjected.

**Mr ROBINSON** — The shadow minister was not here last night. I do not know where he was, but nevertheless it was a productive exchange, and I encourage the member for Gippsland East to read that in *Hansard*.

*Honourable members interjecting.*

**The SPEAKER** — Order! I suggest that the minister come back to the question and not discuss last night's adjournment debate any longer.

**Mr ROBINSON** — Some of the issues raised last night — —

**Mr O'Brien** interjected.

**Questions interrupted.**

## SUSPENSION OF MEMBER

### Member for Malvern

**The SPEAKER** — Order! The member for Malvern has already been warned, and under standing order 124 I ask him to leave the chamber for 30 minutes.

**Honourable member for Malvern withdrew from chamber.**

## QUESTIONS WITHOUT NOTICE

### Liquor licensing: fees

**Questions resumed.**

**Mr ROBINSON** (Minister for Consumer Affairs) — The issues that have been touched upon and were certainly touched upon yesterday demonstrate some changing business activities within our licensing system. The point I was making last night with respect to the issues raised by the member for Murray Valley is that often now we have licensing categories that do not reflect accurately the changing activity in those categories.

A good example of that would be bed and breakfast establishments which have never been identified as a separate licence type but have become a far more important part of the tourism industry and regional and rural activity. We have a challenge, and we are committed to working with that sector, for example, to try to identify ways in which it might be given better recognition and therefore separate treatment under our licensing system, which is not currently the case.

With respect to the live music industry mentioned by the member for Gippsland East, the issue we have been working on very productively in recent weeks — and I nominate the member for Bentleigh and the Minister for Housing for the work they have done — has not actually been about liquor licensing fees; it has been about conditions and the way in which conditions are applied to that particular part of the licensed industry. That has been a practice in place for some 10 years, and the industry has come to us to seek modifications to the way in which those conditions are applied. We have been able to accommodate it through a new accord, and I think that will be very productive.

With respect to wineries and farmers markets I can say that this again is an issue the Victorian Wine Industry Association has brought to us. I met with the association last week, and it has made numerous

representations. Increasingly farmers markets are becoming a more important part of what wineries do, and we recognise that. I advise the member for Gippsland East that in recent weeks there has been a change of policy by the director of liquor licensing. The director has written to the Victorian Wine Industry Association. I quote from her letter, which states:

The current policy is that a licensee of a winery can attend a maximum of three markets on a single licence ... I have reviewed this policy. To help promote the high-quality boutique wines of Victoria, I have issued new guidelines for licensees to obtain a renewable limited licence to supply their wines at markets.

Licensees who hold either a vigneron's licence or renewable limited licence can apply for a temporary limited licence that authorises the licensee to attend and sell their wine at up to 12 market events in one year under the one licence. The applicant would be required to list the markets that they wish to be authorised to attend, and if a winery wishes to attend more than 12 markets in any one year, then an additional temporary limited licence will be required.

The effect of that change is that wineries wanting to do that under that system will pay proportionately less than the amount they paid under the old system. That is an example of the way in which regulations can be changed to accommodate changing business practices.

In closing, I give a commitment to the member for Gippsland East that we will continue to work with different parts of the industry, whether that be the small rural hotels where we have commissioned further research or whether it be wineries, clubs or bed and breakfast establishments, to ensure that we get a more functional liquor licensing system going forward.

### Racing: government initiatives

**Ms DUNCAN** (Macedon) — My question is to the Minister for Racing. Can the minister inform the house how the government is assisting the thoroughbred racing industry to make racing safer for its employees and horses and of any threats to its plans to strengthen country racing?

**Mr HULLS** (Minister for Racing) — I thank the member for her question and her interest in country racing. It was with the greatest pleasure that I recently announced the rollout of the new Maw Safe Rail running rails as part of the Brumby government's passionate commitment to strengthening regional racing in general, and racing safety in particular, in this state. The running rails are developed and produced right here in Victoria. They were invented here in Victoria by a fellow by the name of Dan Mawby, who, from memory, is a plumber from Mordialloc. He came up with a fantastic idea for producing plastic running

rails, and already they have been installed at Flemington and at Caulfield, and they will be installed at 25 rural and regional racetracks across Victoria over the next 13 months.

The Brumby government is contributing more than \$2 million to this project through the \$86 million Regional Racing Infrastructure Fund which, as members know, is the largest ever regional infrastructure fund in Victoria's history. On this side of the house we are passionately committed to the racing industry. We want to make sure it is as safe as possible for all participants, and these new plastic rails will ensure the greatest standard of safety for race participants anywhere in Australia or indeed around the world.

There has been interest from other parts of the world. I understand Dubai has expressed interest in these safer running rails. Not only will they keep people safe, they will keep people in jobs as well. They are much safer for horses, but they will also help provide work for employees at local companies. They are being produced right here in Victoria, and they will sustain at least 30 jobs.

The \$86 million fund, together with the Living Country Racing program, supports all three codes of racing in this state; it also includes picnic race clubs. I was asked about threats, and I have to say that recently I noticed an attempt to talk down the fund and the industry. The person said picnic clubs would not be eligible for access to this fund unless they met certain targets set by the industry. I am happy to say to country clubs and to picnic clubs that it is nonsense. It is a lie; it is nonsense and it is not true.

My research shows that it is being spread by the same person who previously advocated in the *Hamilton Spectator* that country clubs should not continue to be a drag on the industry if they do not meet certain targets. It was said by none other than the honourable member who has been kicked out of this place, the shadow Minister for Racing.

**The SPEAKER** — Order! I ask the Deputy Premier to limit his comments to government business.

**Mr HULLS** — Speaking of Hamilton, on Sunday I will be at the Hamilton Pacing Cup to officially reopen the new racetrack at the Hamilton Harness Racing Club. I hope all members of this house take the opportunity to be there, because the day will be bigger than *Ben Hur!* The club received some \$400 000 from the infrastructure fund to support the track

redevelopment, which will see it return to racing and be able to conduct TAB meetings.

I conclude on this note: we are passionate about investment in infrastructure in regional and rural racing clubs. We believe regional racing is part of the bigger picture of supporting families and local communities and securing an industry that certainly provides modern facilities for local communities. It is an industry that provides a focal point for local communities, and most importantly it is an industry that provides jobs and opportunities for thousands of Victorian families. We are about ensuring country clubs and picnic clubs not just survive but thrive, unlike those opposite who believe they are a drag on the industry.

### Crime: knife attacks

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. Does the Premier stand by the government's claims on radio this morning that there are now so many stabbings in Victoria that any requirement to report these incidents would clog up Victorian hospital emergency departments?

**Mr BRUMBY** (Premier) — I thank the Leader of The Nationals for his question. I think under standing orders he is required to provide the quote. I ask him to do that.

*Honourable members interjecting.*

**The SPEAKER** — Order! Members of the government will come to order! The Leader of The Nationals, on a point of order.

**Mr Ryan** — Thank you, Speaker. For a start, I did not quote. What I am able to say — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order.

**Mr Ryan** — What I am able to say is that on radio stations this morning this was what — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order.

**Mr Ryan** — What I am able to tell the house is that on the 8.00 a.m. news on radio stations such as 3AW this was the message being conveyed on behalf of the government, and I ask the Premier: does he stand by that message from the government?

**Mr BRUMBY** — As I have made very clear to the house this week, the government has been changing the law and tackling the practices that lead to crime. I think the opposition has the view that whenever you put the word ‘mandatory’ in front of something, it is going to change something, it is going to make it tougher or it is going to reduce the incidence of a crime. What we have been doing through increased resources, through tougher powers and through changes in laws is tackling the root causes of this problem.

As I indicated yesterday, when we announced the changes in 2007 we doubled the penalties for carrying or for using prohibited weapons, such as daggers or flick knives, or controlled weapons such as fishing knives, to \$28 000 or two years in prison. There have been a number of changes since then. We also introduced the increased search powers for Victoria Police. During the first use of these powers in January at Footscray railway station 182 people were searched; 7 people were detected carrying 12 weapons, including a machete.

We have provided additional police. As I said this week, I forecast additional measures including more advertising, the bringing forward of the amnesty and a crackdown by Consumer Affairs Victoria. There may be further initiatives — —

**Mr Ryan** — On a point of order, Speaker, the question is clearly being debated by the Premier at a time when his own spokespeople are saying these measures would delay doctors treating other patients and would do nothing to reduce knife crime, and when his own spokesman is saying — —

**The SPEAKER** — Order! I have heard enough of the point of order. I reminded the Leader of The Nationals yesterday that making points of debate under the guise of taking a point of order is in fact contrary to the standing orders. I ask the Premier to confine his remarks to the question.

**Mr BRUMBY** — The approach — —

**Mr Ryan** interjected.

**Mr BRUMBY** — You are out of touch, mate. Fair dinkum!

**The SPEAKER** — Order! Once again I ask the Leader of The Nationals to cooperate with the smooth running of question time. I ask the Premier to ignore interjections. I ask the Leader of The Nationals not to continually interject.

**Mr BRUMBY** — As I have said, the measures we have taken are designed to attack crime and to attack the root causes of crime. In relation to doctors: they and nurses are there to provide care and the best health services, and that is what we believe they should do.

### **Employment: government initiatives**

**Mr HOWARD** (Ballarat East) — My question is for the Minister for Regional and Rural Development. There are no quotes or pretend quotes in this question. I refer to the government’s commitment to make Victoria the best place to live, work and raise a family. I ask: can the minister inform the house about the Brumby Labor government’s drive to create jobs and build the whole state, and are there any other approaches?

**Ms ALLAN** (Minister for Regional and Rural Development) — I am delighted to answer the question from the member for Ballarat East, whom I will come to in a moment with respect to some great jobs announcements in the Ballarat area.

As we on this side of the house know, it is the Brumby government that has been doing the hard work and showing leadership to make sure we are supporting investment and growing jobs right across the state. There is certainly evidence that the approach that we have taken to grow the whole of the state is working. We need look no further than the most recent employment figures that have been released by the Australian Bureau of Statistics. The employment figures for the last quarter told us that of all the jobs created across regional Australia, 86 per cent were in regional Victoria, so nearly 9 out of 10 jobs created in regional Australia were created in regional Victoria.

These figures are the result of an approach of this government involving hard work and investment in our regions, but we also know that in the past others have taken a different approach. I would like to quote from a Monash University report released in January of 2000. The report pointed out that:

Regional Victoria has also suffered more in employment terms from the rationalisation of government services initiated by the Kennett government.

On this side of the house we are about governing for the whole of Victoria — opposition members may not like it, but it is certainly the truth — and about securing jobs and investment right across the state.

The member for Ballarat East asked about some of these examples. I would like to share them with the house. We recently provided \$2.1 million through the Regional Infrastructure Development Fund — a

fantastic fund — to Burra Foods in Korumburra. We are helping Burra Foods with a major expansion of its factory; it is going to grow its export opportunities in the dairy industry and, most importantly, secure 80 jobs in that area.

I visited CMI Industrial in Ballarat with the member for Ballarat East a couple of weeks ago. The Brumby government is supporting CMI Industrial by securing 100 jobs in Ballarat and Horsham, but most importantly helping it to expand and provide a further 125 new jobs across Ballarat and Horsham — a fantastic outcome for that region.

Finally, an outstanding example of the government working with industry and the unions to get a very strong outcome is the great story of Inghams chickens. This could have been a very different story for Victoria, the workers and the chicken growers in the south-east of Melbourne and through to Gippsland. As we know, in January Inghams lost its factory in Somerville in a fire. With government support Inghams is going to be helped to rebuild its factory on the same site. Inghams could have gone anywhere else — it could have gone to South Australia or Queensland — but it has chosen to rebuild here in Victoria, securing hundreds of jobs, creating hundreds more during the construction phase and securing employment for the future workers at the factory. I think that is what you would call ‘poultry in motion’ for that part of the state.

We are supporting investments right across Victoria, and you might ask why the Brumby government wants to support jobs growth across Victoria. Why do we want Victorians to have rewarding careers and good jobs for themselves and their families? It is because we want them to have a good quality of life and to make sure they have the opportunity to own their own homes.

Others, as the Monash University report pointed out, do not support jobs but are big supporters of rising house prices. The only people who like rising house prices are real estate agents such as the Leader of the Opposition, who are happy to see prices go through the roof.

**The SPEAKER** — Order! I warn the Minister for Regional and Rural Development that question time is not an opportunity to attack the Leader of the Opposition.

**Ms ALLAN** — As you can tell, this is clearly not an approach the Brumby government supports. We support working families, whether they be in Somerville, the south-east of Melbourne, Korumburra or Ballarat. We support workers and their families right across the state. We want them to have good jobs, a

great life for themselves and their families and to be able to afford their own homes.

## OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE BILL

*Second reading*

**Debate resumed.**

**Mr FOLEY** (Albert Park) — It gives me great pleasure to speak very briefly on the bill currently before the house, the Offshore Petroleum and Greenhouse Gas Storage Bill.

I want to make a few very brief comments following on from the contributions made before lunch. If we accept the proposition that the capture and storage of carbon produced from man-made activity to generate electricity is important for the future of this state, then we are on common ground with the opposition. We accept and welcome its support for this bill. But where we differ from those opposite is on their hypocritical stance. On the one hand opposition members got up in this Parliament before Christmas last year and said they supported the notion that there is man-made climate change as a result of the increase of carbon in the environment and said that something needed to be done about it, but in the very next breath and on the other hand they removed themselves from the position of supporting the notion of a market-based system to capture carbon, the ensuring of appropriate pricing and a cap on carbon being produced in the community.

Those opposite now say they support this element of the government’s strategy, and they support the issues about promoting alternative energy sources, particularly renewable energy sources, but they oppose the fundamental building stone of that at the federal level, and they adopt that position now at the Victorian level. It is the one run by the climate change sceptics, and it is the one run by climate change deniers — that is, there is no room for a market-based cap and trade system.

I find myself drawn to the conclusion of Ross Garnaut, the head of the Victorian-initiated review of what a carbon cap and trade system might look like — which was then later adopted by the federal Labor government, taken over and turned ultimately into a bill that is now, for the third time, before the federal Parliament. When asked to comment on the opposition’s alternative policy, Ross Garnaut said on ABC radio that he had not given it much thought. Then he said:

To think that regulation decision by bureaucrats and governments can reach the right conclusions is I think delusional. The only way in which you can take rational

decisions is through market processes which can deal with very large amounts of information.

He then concluded:

I thought that debates over government taking huge decisions about resource allocation ended with the fall of the Soviet Union.

Those opposite, the once proud leaders of the free-market approach who balanced the market and community approaches, now have this view that they are, with their federal friends, the Soviet-styled commander control champions when it comes to promoting renewable energy and dealing with the real issue of climate change.

We welcome the opposition's commitment to supporting this bill, but we urge it to persuade its federal colleagues and to adopt at the state level the real position to drive that change to provide the market basis for ensuring that we promote renewable energy to the point where we have a sustainable energy source for the future development of the Victorian economy and the Victorian people, by supporting the cap and trade system in this particular area. With those few comments, I wish the bill a speedy passage.

**Mr BURGESS** (Hastings) — I rise to speak on the Offshore Petroleum and Greenhouse Gas Storage Bill 2010. The purpose of the bill in relation to Victoria's offshore areas is to re-enact, with modifications, provisions regulating petroleum exploration and recovery activities in petroleum facilities and to provide for the regulation of the geological storage of carbon dioxide.

The agreement between the commonwealth, states and Northern Territory, known as the offshore constitutional settlement, provides that the offshore area within 3 nautical miles is substantially within the jurisdiction of the relevant state or territory, while the area beyond 3 nautical miles is within the jurisdiction of the commonwealth.

The commonwealth Parliament legislated the Offshore Petroleum Amendment (Greenhouse Gas Storage) Act in 2008. It covers the commonwealth's offshore waters. The Offshore Petroleum and Greenhouse Gas Storage Bill is intended to be complementary to the commonwealth act and cover Victoria's coastal waters.

The Victorian bill re-enacts a complex system of provisions regulating petroleum exploration permits, petroleum retention leases where production is not currently viable but is expected to be viable within 15 years, petroleum production licences to produce petroleum and infrastructure licences for facilities on or

attached to the seabed concerned with processing, storing or preparing petroleum for transport.

The bill also provides for the regulation of greenhouse gas operations, including the granting of authorities that enable exploration for geological storage formations and the injection and storage of greenhouse gas substances.

The most significant difference between the Victorian bill and the commonwealth bill is the limitation of liability. The commonwealth act provides that 15 years after a greenhouse gas injection operation can be closed, all liabilities, including common-law liabilities, are transferred to the Crown. The Victorian bill contains no such limitation, meaning that the liability for greenhouse gas injection is open-ended even after the surrender of the licence.

The commonwealth bill originally contained no limitation of liability. Following a recommendation of the House of Representatives Standing Committee on Industry and Resources on the bill, the federal coalition successfully amended the bill in the Senate to limit long-term liability. The federal government accepted the Senate's amendment. This situation is likely to have a significant impact on the viability of the development of greenhouse gas storage in Victoria. A company faced with competing potential sites, one of which has limited liability and the other unlimited liability, will favour the jurisdiction with limited liability, other things being equal.

This refusal to follow the commonwealth in limiting liability is purely a policy decision that has been taken by the Victorian government, which claims that the position is consistent with Victorian and Queensland onshore geosequestration legislation. However, if Victoria is the first state to follow the commonwealth's offshore legislation, there is a danger that other states will offer limited liability as a means to attract greenhouse gas storage operations and the green jobs that may go with it away from Victoria.

Between 94 to 98 per cent of Victoria's electricity is generated by brown coal. It is a relatively cheap and reliable fuel which we have in abundance. It is believed to be one of Victoria's major competitive elements — that is, it is one of the things that gives us an edge over the competition. Between 800 to 1000 years of energy generation is available to Victoria. The Victorian government has estimated that the Gippsland Basin alone has a potential greenhouse gas storage capacity of 35 000 megatonnes. It is sufficient to store around 285 years worth of Victoria's greenhouse gas emissions at the current rate.

Given those parameters it is clearly in the best interest of Victoria for this sort of legislation to be in place. It is unfortunate, however, that the government has seen fit not to follow the commonwealth in putting in a limitation of liability and has therefore put in place some sort of impediment to businesses or to people coming to Victoria to compete in this area. As we know, it is competition that drives improvement in these fields, and certainly it is competition that will help us improve our environmental aspects in the future. With those few words, I will not be opposing this bill.

**Mr HOWARD** (Ballarat East) — I would also like to add my support to the Offshore Petroleum and Greenhouse Gas Storage Bill. As we have heard from previous speakers in this debate, it has been brought in to achieve two things. One is clearly to show this government's commitment to addressing climate change issues and therefore supporting the opportunities for further developments in carbon sequestration and storing greenhouse gases under the sea, offshore. That is one of the objects.

It also brings the state legislation into line with federal legislation. The aim of this bill is to clarify regulation of activities relating to petroleum around state waters, and it also sets regulations for activities relating to the injection and storage of greenhouse gas substances in Victorian waters.

As part of the overall detail of the bill we are clearly requiring those involved in such activities in state waters to comply with all appropriate expectations of the community — that is, to comply with the Environment Protection Act, the Dangerous Goods Act, the Aboriginal Heritage Act, the Coastal Management Act, the Flora and Fauna Guarantee Act, the Water Act and the National Parks Act. The bill clearly sets out those requirements for anybody involved in those activities.

It also gives the minister the opportunity to plug any wells in areas that have been vacated by persons who had been operating in those areas. If another party plans to access the well areas, particularly with a view to sequestering greenhouse gases, this bill provides them with an opportunity to do so.

I am pleased that this government continues to move forward to explore and support opportunities associated with carbon sequestration. Clearly, if there are opportunities to capture the carbon dioxide that is being emitted into the atmosphere and to store it in these formerly used petroleum wells under Bass Strait, that is an activity we want to support.

This government continues to support a whole range of other measures and has shown leadership, as I have said on earlier occasions, in addressing climate change by introducing the requirement for energy producers to use non-renewable energy through the Victorian renewable energy target scheme — we started that, and it is great to see that the federal government has taken it up — and a whole range of initiatives, working with the community to get it to reduce its carbon emissions. I am very pleased to see that the government has taken the next step in showing support for opportunities for carbon sequestration, and I look forward to this bill progressing through the house.

**Mr BATCHELOR** (Minister for Energy and Resources) — I would like to thank those members who have made a contribution to debate on the Offshore Petroleum and Greenhouse Gas Storage Bill. This bill is an important piece of legislation and the debate has had contributions from the members for Malvern, South Barwon, Mildura, Doncaster, Preston, South-West Coast, Macedon, Mornington, Bundoora, Gippsland East, Morwell, Burwood, Evelyn, Albert Park, Hastings and Ballarat East. Acting Speaker, you can see from the long list of members who have made contributions in this parliamentary week that the legislation has interest for members right around the state, from Mildura to Gippsland East and from Morwell to Burwood. We can see that it is an important piece of legislation and has widespread support.

It is a pleasure to be summing up the discussion. I am advised that this is the biggest piece of legislation to have come before the Victorian Parliament — biggest in terms of the number of pages required to constitute the bill. I congratulate all those who have taken the opportunity and had the tenacity to work through various issues here. It is not an easy thing, particularly for a new shadow minister, to be presented with a large bill to deal with. We thank the other members who were supportive of his role and also of the legislation.

I also congratulate those who are responsible for the drafting and development of the bill. They have put in a lot of hard work in order to get this mammoth document ready for introduction and passage through the Parliament. Today will see its passage through the lower house; that is an important milestone.

This bill is another step that the Brumby government is taking to develop a range of solutions to smooth our transition as a society to a carbon-constrained future. The solutions that the government is looking at include renewable energy sources, increased energy efficiency and lower emission technologies such as carbon capture and storage (CCS).

CCS has the potential to make deep cuts in greenhouse gas emissions, in particular from coal-fired power generation. It was pleasing to hear the support from members opposite for the action that the Brumby government is taking to bring carbon capture and storage online in Victoria, to make it a reality and to help it play its part in that task of serious and large carbon abatement.

As well as providing a framework to help reduce Victoria emissions, this bill will help to drive growth. That is a very important matter, because growth and jobs and confidence in Gippsland and the Latrobe Valley are important issues for the Brumby government.

As we have heard, this bill regulates petroleum activities and facilities and geological storage of carbon dioxide and other prescribed greenhouse gases in offshore Victoria. The bill re-enacts the Petroleum (Submerged) Lands Act 1982 with little change to the regulation of petroleum activities in Victorian waters. The innovative part of the bill provides a streamlined regulatory approach for the injection and underground storage of carbon dioxide and other prescribed greenhouse gases in Victorian waters, so as to provide a number of important outcomes.

Firstly, it will provide certainty to investors with respect to their legal rights and obligations. Secondly, it will provide certainty for other potentially affected interest holders. Thirdly, it will provide the community with confidence that injection and storage operations will be undertaken in a manner which minimises risks to public health and the environment. It does so in a way that is consistent with offshore underground storage of carbon dioxide and other prescribed greenhouse gases legislation which has been developed by the commonwealth and other states and territories.

However, as has been pointed out in the debate, there is one significant difference. The shadow minister asked to have this difference further explained, and I seek to do that. We have continued with this difference because we believe it seeks to protect hardworking Victorians in a more open, important and strategic way, and I will attempt to explain that.

The commonwealth legislation transfers all liabilities from an injection operation to the Crown 15 years after the commonwealth minister is satisfied that a carbon storage operation can be closed. This bill will differ from the commonwealth legislation and provide that common-law liabilities remain with the operator after surrender of the licence. Although it differs from the commonwealth act, this legislation mirrors the

treatment of liability by the onshore Victorian act passed previously by this house. In that essential element it mirrors what we are doing in Victorian land CCS. I remind members that this bill covers CCS in Victorian waters.

The advantage of the Victorian policy is that its treatment of the long-term liability means that the Victorian public does not take on the liability for company negligence. It also provides the greatest incentive for companies injecting to ensure the permanence of their injection activities. If the long-term liability affects the take-up of tenements, this can be dealt with on a case-by-case basis by agreement with the state. In the meantime it is preferred not to set up a regime that embeds unlimited liability being assumed by the state.

Accordingly we have constructed the bill in this manner, and it is an alignment with the provisions of the onshore sequestration legislation which this Parliament has previously accepted and assented to. This bill is as important as it is large, and I look forward to its successful passage through the other place.

**Motion agreed to.**

**Read second time; by leave, proceeded to third reading.**

*Third reading*

**Motion agreed to.**

**Read third time.**

## PUBLIC FINANCE AND ACCOUNTABILITY BILL

*Second reading*

**Debate resumed from 3 February; motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission); and Mr CLARK's amendment:**

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to:

- (1) ensure independent public bodies are not subject to political control and direction by government;
- (2) ensure that outcomes are specified and reported on in a manner that enables government to be held accountable for its performance or non-performance towards achieving those outcomes;

- (3) prevent government manipulation of performance measures through eliminating or redefining measures it finds politically embarrassing;
- (4) prevent deliberate accumulation and dumping of annual reports in Parliament each year by government so as to avoid accountability;
- (5) ensure that budget papers and annual reports provide a full range of relevant information on the performance of government, departments and public sector entities; and
- (6) require that directions, determinations, notices and other requirements by the minister under the legislation be made public and be readily accessible via the Department of Treasury and Finance website.

**Ms DUNCAN (Macedon)** — I rise to speak in support of the Public Finance and Accountability Bill, which strengthens the government's accountability to Parliament and the public by modernising the state's principal financial and resource management legislation. The bill continues this government's focus on forward-looking substantive reform that serves the long-term public interest. In particular, this bill will ensure that Victoria remains at the forefront of public sector financial and resource management, both within Australia and across the world.

This bill creates an act to replace the Financial Management Act 1994, the Borrowing and Investment Powers Act 1987, the Monetary Units Act 2004 and the Public Authorities (Dividends) Act 1983. The bill also amends the Constitution Act 1975, the Administrative Arrangements Act 1983 and other related legislation — if that was not enough.

The main provisions of this bill include the establishment of a differential framework to better account for the range of captured public entities and their differing sizes, complexities and risk profiles and the provision for the government's intended outcomes and associated outputs to be the determinants for the whole-of-cycle planning, resource allocation, resource management and reporting.

The bill also includes requirements that all government reporting is clear, accurate, timely and accessible for users. It creates a more effective procurement governance that focuses on the probity of high-risk procurement activities of all public entities, an extension of the scope of borrowing and investment powers to all public entities essentialising their application through the Treasury Corporation of Victoria and clarification of the responsibilities of department heads, accountable officers and public entities in relation to each other as well as the executive government and Parliament.

As I said earlier, this bill will continue Victoria's position as a leader in public finance and resource management, both in Australia and across the world. This bill and the frameworks that are supported in it will introduce a couple of best practice elements — namely, public finance and accountability principles that will guide all finance and resource management practices.

This will be done through greater focus on intended outcomes by requiring the government to continue to identify and plan for outcomes, to report against the progress for achieving those outcomes and to align appropriations and associated budget management provisions to outcomes so as to increase what is referred to as a joined up government approach. It also provides a differential framework for all the public bodies controlled by the state, which will ensure the fit-for-purpose application of public finance requirements that have regard to both sides — risk and complexity — of the public body and includes planning, reporting, procurement compliance and financial risk management.

The existing best practice features in the current financial management frameworks, including output revenue certification and the independent scrutiny of the budget processes by the Auditor-General, will be retained. This government continues its commitment to those transparent processes and to supporting the powers of the Auditor-General. We reconfirmed that in the early part of this government's term, back in 2000.

The Department of Treasury and Finance is not aware of any other jurisdiction nationally or internationally that has a public finance and accountability framework encompassing all these key elements. The purpose of this bill is to ensure that the framework that operates in this state continues to ensure that we operate under best practice principles in these areas of finance.

As I said, the main purpose of this bill is to modernise the framework for public finance and resource management and for accountability generally in Victoria. This principle-based legislative framework will deliver enhanced governance across the public sector and cover all key elements of public finances, including planning, reporting, procurement, borrowing, investment and appropriations. It makes the achievement of outcomes the basis for decision making and accountability, and it applies public finance requirements, including planning and reporting on a fit-for-purpose basis, while preserving clear minimum standards.

While it is quite complicated in many ways, this legislation is very simple in what it seeks to do — that is, to make sure Victoria continues to be well governed and to make sure our Parliament and our financial structures remain accountable to the Parliament and to the community. I commend this bill to the house.

**Mr R. SMITH** (Warrandyte) — I rise to speak on the Public Finance and Accountability Bill 2009. I want to start at section clause 9 of the bill, entitled ‘The procurement principles’. I am pleased the government is placing some focus on procurement, because as we all know public spending can and does play an integral part in supporting local industry.

At least on the surface this government has paid some lip-service to the principles of procurement policy in the last 10 years. However, when I get around the state and talk to manufacturers and local industry groups I see it is not the having of the principles that is the problem; it is the application of those principles that appears to be the problem for most of the people I speak to. Generally speaking, most people are not happy with the way the government applies its procurement principles and procurement policy. What I am hearing around Victoria, as I speak to these groups, is that the government has failed to properly implement these principles and develop a competitive environment so that local manufacturers have equal access to public tenders for manufacturing work.

One of the major issues raised with me is the definition the government uses for ‘local content’ and the way it applies that notion of local content over the whole life of the product. If you read the transcripts of the Economic Development and Infrastructure Committee’s inquiry into manufacturing in Victoria you will see that most of the witnesses said that that notion was flawed, that it did not represent them and that it did not represent getting good value for local manufacturers. Particularly amongst those transcripts you can read the evidence given by the Australian Workers Union and the AMWU (Australian Manufacturing Workers Union); they are certainly right against that notion of defining local content over the life of the project.

I have received a number of other complaints that under Labor local manufacturers are regularly being disadvantaged in the tendering processes. I am hearing of a number of different issues such as that local manufacturers are not being made aware of tender opportunities in enough time, that they are being given unrealistic lead-up times to quote for tenders, that they are locked out of tenders due to foreign accreditation standards and that they often find bundled tenders are

too large for medium or small-sized companies to bid on.

Manufacturers are saying that as the system currently operates the government’s procurement policy is not creating a full, fair and reasonable opportunity for local manufacturers. We have seen that over the last 10 years. Labor’s failure to adhere to its own procurement policies and principles has meant that in many cases local manufacturers have missed out on government work and that work has gone to international firms and Victorian jobs have gone offshore. We on this side of the house believe Victorian manufacturers have the opportunity to lead the way in terms of innovation, quality and the delivery of better products, so we think local manufacturers should be getting much more of a chance to tender for government work than they are being given now.

It is my sincere hope that with these procurement principles the government is going to pay closer attention to the application of these principles so that local manufacturers get a bit more of a go in tendering for this work. I must say, however, that given the Premier’s recent suggestion that reviving Victoria’s manufacturing may not be the top task for his new Minister for Industry and Trade, local manufacturers could be forgiven for being a little cynical about the government’s direction in this area.

I want to turn to clause 16 of the bill, which sets out the responsibilities of the new State Procurement Board, which will replace the Victorian Government Purchasing Board. During the debate in 1994 on the Financial Management Act, which it is proposed this bill replace, the then Leader of the Opposition, John Brumby, complained bitterly about the fact that the then new Victorian Government Purchasing Board was perhaps not as good an institution as the former State Tender Board. Not only did Mr Brumby not take steps, on having achieved government, to change the make-up of the Victorian Government Purchasing Board, but the then finance minister made a ministerial statement in response to a government-commissioned KPMG report, saying the policies and arrangements of the Victorian Government Purchasing Board struck the correct balance.

The then opposition leader was also very upset that the new Victorian Government Purchasing Board, under the Financial Management Act of 1994, had reduced powers in comparison to the former State Tender Board. I was interested in that because I noticed that under this bill the new State Procurement Board has a number of reduced responsibilities relative to the Victorian Government Purchasing Board. Amongst

those powers held under the previous act, the VGPB had the power to develop, implement and renew policies; under this bill the State Procurement Board only has the power to advise the minister on such things. The VGPB was able to monitor departmental compliance and report to the minister; under this act the State Procurement Board can do that only if the minister directs it to do so. The VGPB had the power to make improvements to purchasing systems; the new board only guides development in some way that is perhaps not so direct.

The VGPB also had the power to establish and maintain a comprehensive database of purchasing data for departments and supply markets for access by departments. I asked the department during the briefing why the new State Procurement Board was not bound by legislation to keep that database going. The government officials told me it was because databases were outdated and no longer needed in the 21st century. I found that a bit peculiar, because I know institutions such as the Industry Capability Network use databases extensively. Further, it was interesting that after getting that advice — that databases were out of date — I received advice from the government saying that:

Under the Public Finance and Accountability Bill ... it is proposed that departments and public bodies will be required to maintain a database of procurement activity in a consistent format which can be reported under the broader financial reporting provisions ...

It is interesting to note that, despite getting this advice that departments and public bodies will be required to maintain a database, there is no mention of databases in this bill.

I move on to clause 16(1)(d), which details, under the functions and powers of the new State Procurement Board, procedures to deal with complaints from manufacturers or other suppliers who feel they have perhaps been hard done by. The government's procurement process can make complaints to the board. I think that is a good idea. It could be argued that the State Procurement Board is bound to make available to the minister the report about people who have complaints. I think that report should be made public, and indeed it can be made public if the minister directs it to be in the State Procurement Board's annual report. The truth is that is only going to really occur if the minister directs it to be so. I certainly would like to see that happen should this bill be brought into legislation.

I support the member for Box Hill's reasoned amendment. It is pleasing that the government has taken some advice in that regard and that this bill is going to be pulled in and re-examined.

I cannot support this bill in the manner that it is presented to us, and to lead into that, I want to start with a quote. I refer to the debate in this place on the passage of the Financial Management Act 1994. The then Leader of the Opposition, now the Premier, said:

... Victoria has a Premier who has no concept whatsoever of the notion of the separation of powers and cannot distinguish between the executive and the Parliament. The Auditor-General, the Ombudsman and other statutory appointees, including the Director of Public Prosecutions, are accountable to the Parliament and hence to the people of Victoria.

They are not, never should be and never would be under a future Labor government accountable to the executive arm of government.

The reality is that the bill does exactly that: it makes all those statutory bodies accountable to this Labor government in every way. This bill makes those bodies accountable to fulfil the government's statement of outcomes, whatever they might be, and that statement of outcomes could be as broad or as meaningless as making Victoria a better place to live, work and raise a family.

My suggestion to the government is that it withdraw the bill, as the member for Box Hill has suggested in his reasoned amendment. I agree with him, and I am glad the government has done that, but the government should ensure that when this bill does come back with debate in the house, it comes back with provisions that include some tangible and measurable outcomes.

**Mr BROOKS** (Bundoora) — I am delighted to be able to make a brief contribution to debate on the Public Finance and Accountability Bill 2009. This bill, as previous speakers have mentioned, replaces the Financial Management Act 1994, the Borrowing and Investment Powers Act 1987, the Monetary Units Act 2004, and the Public Authorities (Dividends) Act 1983. The bill is evidence of this government's commitment to continue to update the legislative framework, ensuring that our financial management practices are seen as best practice. In particular, it is good to see that the bill shifts the focus of these financial management legislative instruments to that of the achievement of outcomes.

It does this in three key ways. Firstly, the bill, as is set out in the explanatory memorandum, provides us with a clearer definition of the framework for different public bodies and creates four different categories, each of those differentiated on the basis of their complexity, size and their risk profile. I believe that makes a lot of sense and, in listening to the debate from those opposite, it does not seem that there is a great deal of contention around those issues.

Secondly, the bill sets out the principles for public finance, accountability and procurement that will apply for these practices in Victoria, and again it is a laudable thing to have those things clearly set out in the legislation.

Thirdly, in relation to those principles, there is the requirement of government in its planning, budgeting and accountability processes to ensure that it is able to achieve those outcomes.

In the end it is important that legislation is focused on outcomes, that it is not an end to itself. We know that Victoria has punched well above its weight economically through very tough times globally recently. While the rest of the world has suffered the full impact of the global financial crisis (GFC), here in Australia, and in particular here in Victoria, we have been able to soften the impact of the global financial crisis and, as the Premier predicted when the government handed down last year's budget, we were positioned very well for the recovery.

What we are seeing now through the stunning result in jobs growth is that the Premier was right, that the budget did set us up for a very strong economic performance coming out of the downturn.

We have seen 99 000 new jobs created in Victoria over the last year, which, as I have mentioned before, is more than three times the number of jobs created in any other state. For the same period over the last year, while Victoria has created those 99 000 jobs, New South Wales has been able to create 31 000; Queensland, a resource rich state, just over 9000; South Australia, 21 000; Western Australia, 12 000. Quite clearly, Victoria is leading the way in the creation and protection of jobs. That job growth has continued for nine consecutive months, despite the impacts of the global financial crisis.

Victoria's unemployment rate is something that we want to see even lower, regardless of the rate. Labor governments work very hard to ensure that those people who want to work can get a job — and get a good job with conditions that are fair and reasonable. Victoria has a rate of 5.3 per cent, which mirrors the national rate. It is interesting to look abroad. At the moment the UK has an unemployment rate of 7.8 per cent; and the USA, 9.7 per cent. As I mentioned earlier, our financial management and the economic performance of Victoria has led to it being able to weather the storm a lot better than some other places.

A large part of that is because of the actions of this government. We have seen record investment in

infrastructure. An amount of \$11.5 billion was invested in last year's jobs budget to ensure that our focus as a state was on protecting and creating jobs through that difficult time.

We have also had a commitment to post a budget surplus, which we have done; that has helped to protect our AAA credit rating, something that helps to ensure that people have confidence investing in our great state.

We have reduced the tax rates in a number of employment-related tax areas. We have also been able to limit, to a reasonable level, the growth in public sector wages, so again maintaining that balance between giving people jobs, particularly in the public sector, with fair and reasonable wages, but ensuring that it does not outstrip the ability of the state to be able to afford those.

We have created 173 000 new skills places, and that is so important in ensuring that particularly young Victorians but also older Victorians who might be looking to reskill in a new area with the changing economy are able to get the skills they need to be able to hold down employment and make a contribution to the economic activity now in place in Victoria.

We have also done something that I think probably the opposition fails to grasp. We have been able to work cooperatively with the federal government to secure investment in this state because we have the infrastructure planning in place. When the federal government decided to take the path of stimulus funding through the GFC, our state was ready with projects that were ready to be funded. We have projects like the \$4.3 billion regional rail link and the Parkville Comprehensive Cancer Centre.

**Dr Napthine** — On a point of order, Acting Speaker, with due respect to the member on his feet, I would ask that he be brought back to the bill. The bill is not a budget bill, to talk about a broad range of issues in terms of funding a budget. It is specifically about the Public Finance and Accountability Bill and about the management of those processes. I would you ask you to bring him back to the substance of the bill.

**The ACTING SPEAKER (Mr Howard)** — Order! I accept the point of order, and ask the member for Bundoora to come back to the bill.

**Mr BROOKS** — I am happy to restrict my comments to the actual bill; I can understand that members opposite probably do not want to hear all of the good news that is happening in Victoria.

As I was saying, this bill will shift focus from budget and management practises per se to the delivery of outcomes. It does that in three steps. The first of those is to give us a very clear definition of the framework for public bodies. As I said, those public bodies will have four distinct categories based on their size, complexity and risk profile. The bill will also set out the principles for financial management here in Victoria and for procurement. It will do that by focusing, as I said, on outcomes.

I think this is a great bill — one that will help to ensure that we have the right framework in place for further prudent management of the state's finances. I commend the bill to the house.

**Mr MORRIS** (Mornington) — The Public Finance and Accountability Bill, if it is passed, will change totally the manner in which the government and the public sector account to the Parliament and to the community. It turns on its head entirely the notion of the independence of the Victorian public service, and it concentrates power even further in the hands of the Minister for Finance, WorkCover and the Transport Accident Commission. It will lock in an accountability framework that is simply not up to the task.

There is lots of loose talk about outcomes, and there is lots of waffle. There is no mention of appropriate performance measures and no proper benchmarks or targets. The bill fails to address the constant changes we see in program components and the constant removal of embarrassing performance indicators — or, quite often, the lack of sensible performance indicators entirely. It does absolutely nothing to address the muddled and unaccountable structure of public administration in this state, and it ensures that the decision-making process will be even more opaque than the entirely non-transparent regime we currently have in place.

This bill, as the minister noted in his second-reading speech, is the third tranche of what he described as reforms. While the rhetoric is all about improving governance and strengthening democracy, the reality is that the outcome has been almost entirely the reverse. If there is a consistent thread in all the changes this government has made, from the major changes that were made to the Constitution Act onwards, it is a clear and deliberate intent to reduce clarity when it comes to responsibility. When it is about members of Parliament — and particularly when it is about ministers — there is a consistent approach: it is about fudging responsibility and accountability, and seeking to remove responsibility for politically unattractive aspects of portfolios. There is a refusal to accept that

with office comes an obligation to deliver for the people of Victoria — or to move on.

We have seen a plethora of third-party organisations and offices set up in this state to distance members of the government from the need to make their own decisions or, when they do have to make decisions, to provide political cover or to take the heat when things go wrong. That has been the pattern over the last 10 years. We had the former Minister for Public Transport, who did not want to take responsibility for running a train system, blaming the operators every time something went wrong, when quite often the only person who was able to fix the issue was in fact the minister herself. We have the Minister for Police and Emergency Services, who I am happy to say does a fantastic job going around opening police stations and new fire stations — he is very good at it — but on the day we had a real crisis in this state, a day when he needed to be on the job making decisions, he was nowhere to be seen.

The bill under discussion today is entirely consistent with the form we have seen develop over the last 10 years. Some parts are good; indeed, many parts of the bill are worthwhile initiatives. For instance, presenting the capital works budget at the time of the annual budget is a welcome change — although I suspect that in this instance it is more about hoodwinking the public into thinking that something is actually happening in an election year than it is about genuine finance reform. Nonetheless, that is a good innovation. Unfortunately the bill also contains a lot of nasties. It is a totally unacceptable bill, and that is why it needs to be withdrawn and redrafted.

The subject matter of this bill is essentially dry. It is of interest to practitioners, to policy-makers and probably to policy wonks around the state, and it is of interest to parliamentarians, but it is not of great interest to ordinary Victorians. However, what it is about — that is, the outcomes that will flow from this legislation — is of vital interest to Victorians. What flows from the operation of the public sector financial management framework, the Financial Management Act, the Borrowing and Investment Powers Act, the Monetary Units Act and the Public Authorities (Dividends) Act is the assurance that the government of Victoria and all its associated entities operate at all times not for the good of the organisation, and not to serve the political interests of the party that happens to form the government of the day, but in the interests of all Victorians in delivering the necessary services, facilities and infrastructure in an efficient way and in a timely and effective manner. That has been the agreed position across the chamber for many years.

The public finance sector has faced a whirlwind of reforms since the 1970s. A huge amount of damage was done to the Australian economy by the Whitlam government in the 1970s, and it took decades to unravel it. If there was any upside to that whirlwind of devastation it was the reforms that flowed from it. In Victoria the situation was made even worse by the performance of the Cain government and then the Kirner government, and more than \$30 billion of state debt. Unfortunately the state is heading in that direction again. According to the forward estimates, Victoria is going to be right back where it was so many years ago. In part I suspect those problems hastened the reforms, and they have been good reforms.

There has been the introduction of accrual accounting in the public sector, increased sophistication in budgeting and in particular, the introduction of program budgeting. There has been the incorporation of depreciation into accounts, instead of assuming that assets had an infinite life. There has been the development of performance reporting and much-improved auditing. All of those things have changed the face of the public finance sector for the better.

When in government both sides of the house have advanced them and generally been supportive of these reforms. I was trying to remember when the first program budgets came through in the Cain era — I think 1986–87. It was a terrific advance and very helpful.

Under Premier Kennett there was the introduction of Financial Management Act 1994, the further development of accrual accounting and budgeting, and output management. However, this reform — or this so-called reform — goes one step too far. The government cannot be allowed to politicise the public sector in the manner that would flow from the passage of this bill. We must have a budget that has clear, consistent performance measures, not the woolly nonsense that is proposed. We cannot possibly afford to further concentrate power behind the closed doors of the finance minister.

We need to review the existing power the government has to keep jacking up fees and charges without reference to the Parliament, not cement it even further. That is why this bill needs to be withdrawn, redrafted and put together in a manner that includes the good points that are in it, as I identified, but in a manner that does not go one step too far and totally politicise the public finance sector and the Victorian public service.

**Mrs MADDIGAN** (Essendon) — I rise to support the Public Finance and Accountability Bill. What a

pleasure it always is to follow the member for Mornington, one of my colleagues on the Drugs and Crime Prevention Committee.

This bill is the extension of a number of reforms in the constitutional and financial areas the government has brought into this place since it was elected. Most people would agree that the measures we have brought forward have provided a fairer Victoria, a fairer constitutional basis for Victorians and indeed a fairer and more easily understandable financial accounting basis for Victorians.

Public finance reform was listed in the statement of government intentions and has been looked at quite extensively by the Public Accounts and Estimates Committee, and the PAEC inquiry into public finance made a number of recommendations. The government supports the work of the PAEC, although its manner of achieving the end result is slightly different in the way it is incorporated.

Changing financial systems is always difficult, because people find them difficult to understand unless they have had some training in that area. Referring back to the days when I was a councillor in local government, I know that while councillors would argue for hours about the expenditure of \$4000, when it came to \$1 million, they would pass it straightaway, because people find it very difficult to understand financial complexities of large amounts of money and the processes that people go through in a budgeting sense.

Certainly we have heard a number of views about accrual accounting and its benefit. I suppose people would have to have some training in accounting to have the full benefit of some of the more complex accounting procedures. However, that does not mean that they are not worthwhile and that they do not give better information to the public at large and to people who work in these areas.

This bill increases the accountability of the executive to the Parliament and the people of Victoria, even though some concerns have been raised obviously by the opposition, who do not support it. We need to remind ourselves about which provisions of this bill increase the government's accountability to the Parliament and the public, and government departments' accountability as well, so I want to reiterate some of those provisions.

In relation to the government, the bill increases accountability to the Parliament and the general population of Victoria: by adopting the principles of public finance and accountability and administering the act and its supporting frameworks; by reporting to

Parliament on a more timely basis — and I think most people would agree with that; and by stating its intended outcomes, described how output delivery is intended to contribute to the achievement of outcomes and reporting annually on progress.

It is very important that if aims are not reached within a certain time, that people have the opportunity to see the progress of those actions and why there may be delays or, in some cases, it might be early.

The bill enhances accountability by providing for the disclosure of more comprehensive financial and non-financial information to Parliament, once again on a more timely basis and in a more consistent manner to allow greater scrutiny. It is important that when people are looking at documents and comparing the government's areas that they have a common way of comparing things, rather than having them all done differently.

The bill also enhances accountability by subjecting more public bodies to a more cohesive legislative framework on a fit-for-purpose basis that increases compliance, by increasing disclosure of budget management provisions and by capping supplementation at 3 per cent of total appropriation with clear criteria for its use, and by clarifying roles and responsibilities, including of departments, in relation to portfolio public bodies.

I would have thought all those aims and requirements of the bill would give people a certain amount of confidence that they will be able to understand much more clearly how the government operates.

The bill also refers to government departments and their accountability to the Parliament and to the people of Victoria. Specifically in relation to departments, the bill increases accountability by adopting the principles of public finance and accountability in all finance and resource management practices; by reporting to Parliament on a more timely basis; by establishing a clearer role in supporting ministers' oversight of public bodies' performance and compliance; by increasing transparency to Parliament and the public on the use of public money and contributions to intended outcomes; and by stronger alignment of responsibility, accountability and authority for procurement of goods and services. They are all aims that most members of this house would be pleased to support and would be pleased to pass.

When governments are elected they normally have a very clear policy, which is often expressed at election time, about what they intend to do during their time in

Parliament, and they should be assessed in relation to that so that people can clearly look at government's capacity to fulfil their promises and the way they are working in the future. The annual statement of government intentions, the third of which we recently heard, is one way the government can outline what it intends to do in the future, which is important. However, this bill provides for the assessment of that work and how the government will report to the Parliament and the people in relation to public finance.

For many people, public finance is an interesting subject, because they are aware that it is their taxes and their contributions that allow state governments to operate, so they quite reasonably expect to see high-quality reporting and have the capacity to see where their taxes, rates and other charges are going. I believe this bill will enable them to understand that more clearly in the future.

#### **Business interrupted pursuant to standing orders.**

**The ACTING SPEAKER (Mr Howard)** —  
Order! The time set down for consideration of items on the government business program has expired.

### **CRIMES LEGISLATION AMENDMENT BILL**

*Second reading*

**Debate resumed from 23 February; motion of  
Mr HULLS (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### **EDUCATION AND TRAINING REFORM AMENDMENT BILL**

*Second reading*

**Debate resumed from 23 February; motion of  
Ms PIKE (Minister for Education).**

**Motion agreed to.**

**Read second time.**

*Third reading***Motion agreed to.****Read third time.****LIQUOR CONTROL REFORM  
AMENDMENT (ANZAC DAY) BILL***Second reading***Debate resumed from earlier this day; motion of  
Mr ROBINSON (Minister for Consumer Affairs).****Motion agreed to.****Read second time.***Circulated amendments***Circulated government amendments as follows  
agreed to:**

1. Clause 13, page 6, line 1, omit "and" and insert "or".
2. Clause 13, page 6, line 16, omit "and" and insert "or".
3. Clause 13, page 6, line 22, after "under" insert "a late night (general) licence,".
4. Clause 13, page 6, line 25, after "section" insert "11A(2),".
5. Clause 13, page 6, line 26, after "14(1B)" insert "or the licence".

*Third reading***Motion agreed to.****Read third time.****PUBLIC FINANCE AND  
ACCOUNTABILITY BILL***Second reading***Debate resumed.**

**Mrs MADDIGAN** (Essendon) — I believe I have 3 minutes to complete my contribution on the Public Finance and Accountability Bill 2009 and the amendments to this bill that the opposition has put forward to be considered at a later stage.

As I said before, it is very difficult for people in the community to understand some of the finer points of accounting, especially if they have not had the opportunity to have training in that area. Further

reporting and a capacity for people to be able to understand how state government money is spent is very important. Accordingly, this bill and the changes to it will make a significant difference.

I congratulate the Public Accounts and Estimates Committee on the work it has undertaken in this regard. It has done some great work and given a strong basis for the government to draw up this bill to change some of the more significant aspects of public finance accounting. I am therefore very pleased to support this bill and wish it a speedy passage.

**Debate adjourned on motion of Mr BURGESS  
(Hastings).****Debate adjourned until later this day.****Remaining business postponed on motion of  
Mr WYNNE (Minister for Housing).****ADJOURNMENT****The DEPUTY SPEAKER** — Order! The question is:

That the house do now adjourn.

**Rail: Brighton level crossing**

**Ms ASHER** (Brighton) — The matter I raise is for the attention of the Minister for Public Transport. The action I seek is for him to reopen the New Street railway gates in Brighton. We now have a new minister; I have had no success with the previous minister, and in fact I regard it as a great dereliction of her duty that it took two and a half years to make a simple decision on whether or not to open a set of railway gates. I implore the new minister, given that he travels on the Sandringham line, to lift his eyes from his reading material — I am told he catches the train all the time — and look at the problems that have been generated by the closure of these gates.

The history of the matter is that these gates were closed by Connex in September 2007 after a train ran into them, and we have had this closure for the last two and a half years. The closure has caused significant inconvenience and congestion, and a number of safety risks have emerged as a result of this closure.

I have surveyed all the residents who live there; a clear majority of them want the gates reopened. The residents favour the manual gates remaining in place, and only a small number of residents support the installation of boom gates.

The City of Bayside has now employed traffic consultants who have made an assessment of the impact on traffic movements in the area since closure. Broadly, the findings are as follows: traffic has increased by 33 per cent in Hampton Street. There is massive traffic blockage in Hampton Street. Another interesting finding is that there has been a 68 per cent increase in the volume of right turns from Beach Road into Hampton Street, with it being a major thoroughfare in the Brighton and Sandringham electorates. Also, despite the sign prohibiting right turns from Beach Road into South Road, motorists are executing right turns or alternatively motorists drive into the Brighton Beach station car park, make a U-turn and drive back out onto South Road.

I am realistic enough to know that the government will never upgrade that crossing. Two bureaucrats are investigating the situation with a view to making a recommendation. The minister has, I think, an easy decision in front of him. He brings a fresh, new mind to this issue and my request of him is to reopen the gates. It is not all that difficult.

There is a major problem in existence, there are safety issues and residential amenity issues involved, and I absolutely understand why the residents do not want boom gates. I remind the minister that there will be no additional cost to Metro because the staff member at that location has been opening the pedestrian gates for two and a half years.

### **Shire of Surf Coast: sports facilities**

**Mr CRUTCHFIELD** (South Barwon) — My issue is for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is for him to fund new lighting for the Surf Coast Football Club's new facility at the council's community and civic precinct. The civic precinct is something that council has long planned, and it is soon to come to fruition. It will be a recreational precinct that will do the Surf Coast proud. It is a significant precinct that will have two Australian Football League-sized senior football grounds. It will have soccer pitches and netball courts that can also be used for outdoor basketball. It will have an indoor stadium and a number of other recreational areas. The Torquay community in particular has been growing exponentially in recent times, and there has been a dearth of quality recreational facilities.

The Surf Coast Soccer Club is one of the largest — and certainly one of the youngest — soccer clubs in the region. The growth of the sport in the Surf Coast area is quite dumbfounding. The growth of soccer — the world game — which has occurred in my patch on the

Surf Coast is extraordinary. For the female fraternity in particular the Surf Coast Soccer Club is an extraordinarily strong club. It has been extremely successful over recent years since its inception in terms of winning championships and also in terms of young girls representing the region and the state.

I understand the council has submitted an application to the minister for a synthetic pitch for soccer in this location. I urge the minister, as he has done previously in terms of encouraging soccer participation, to look favourably at this application. Strengthening the world game is about installing competition-standard sport lights to the main football pitches in this area. I congratulate the council and the football club for getting ahead of the game. The grounds have not quite been finished, but they are certainly looking at installing quality lighting as this project is progressed. Well done, and again I encourage the minister to look favourably upon my request.

### **Wind farms: Bald Hills**

**Mr RYAN** (Leader of The Nationals) — I wish to raise an issue for the Minister for Planning in relation to the Bald Hills wind farm which is proposed to be constructed at a site about 10 kilometres away from Tarwin Lower. The action I seek from the minister is to revoke the approval he has recently granted to Mitsui Australia, the company which is developing the wind farm. That approval is to increase the height of the turbines proposed to be built from 110 metres to 135 metres. My further request to the minister is that a supplementary environment effects statement be conducted so people have an opportunity to properly investigate the implications behind what Mitsui wants to do.

This is a project of some 52 turbines. It was approved after a process which was trenchantly opposed and bitterly contested by the people of South Gippsland. That approval was granted in 2006. There was a lot of talk at the time about issues of natural justice. What has happened now is that the minister, in response to a request from Mitsui, has granted an approval without consulting the local people with regard to this fundamental change to the scope of the project. The same government, which intervened in the original planning process back in 2006 or thereabouts and which sought on the basis of natural justice among other things to have this project approved, has now secretly given approval to the developer about an aspect of this initiative which is absolutely basic to its construction.

Of course, this is more of the same from the government where deceit and secrecy have become tools of trade. It is all the more unfortunate that this should happen in an area adjoining the desalination plant site where we have seen too much of it occurring over the past couple of years.

Quite understandably local people are outraged. I have had correspondence from Andrew Chapman, Dr Geoff Mosley, John and Suzanne Brandenberger, Jenny O'Sullivan, Don Fairbrother and others. In the course of the letter Don has sent to me he summarises the situation pretty well. In his note of 12 February he says:

Therefore — —

and this is on the basis that approval proceeds —

... aviation rules come into play. Lights on towers and floodlit perimeter similar to the Waubra wind farm. This will turn the rural outlook into a lit up industrial site 10 kilometres long.

Labor Party members laugh because it is all just cannon fodder for them. For the people who live in this lovely area and who delight in the magnificence of Bald Hills this matters immensely, and that the Brumby government should allow this to happen is absolutely disgraceful. I ask the minister to intervene to address this terrible injustice.

### **Aberfeldie: netball facilities**

**Mrs MADDIGAN** (Essendon) — I would like to address an issue to the Minister for Sport, Recreation and Youth Affairs, and I would like the assistance of the minister and his department to help the Aberfeldie netball association to create a new netball centre for its games. The netball association has been around for many years and now has many young women and girls playing netball at the weekend. It started as a church competition in the region, but it has now extended well beyond the areas of Aberfeldie and indeed Essendon. It is a very popular and large competition.

The association finds itself in an interesting situation. For many years it has played at Aberfeldie Primary School, but being one of the recipients of the large federal government funding program to improve schools, the school is now finding it does not have enough netball courts at the school to cater for the number of girls who wish to play netball at the weekend. In fact, even if the school had all the netball courts it used to have there would still not be enough to meet the demand.

The association needs 10 courts to run its competition at the weekend. While Aberfeldie Primary School has

been very helpful in assisting the netball association where it can, the long-term future of the Aberfeldie netball association must be somewhere different from the primary school. Part of the difficulty in Essendon is that we have very little vacant land. Certainly the netball association has never undertaken any process of planning with all the intricacies of a business plan for such a large netball facility.

Currently I am helping the association with Moonee Valley Council, but I think we will need some assistance. I ask for some assistance from Sport and Recreation Victoria in the Department of Planning and Community Development, through the minister, to enable this planning to go forward, and to use the expertise of the staff employed in the department.

As we know, netball is one of the most popular sports for girls and women in Victoria. It is the desire of the government to ensure all young people have sporting opportunities not only for their interest but also for their health. I look forward to the development of the facility in the future, and I look forward to assistance from the minister and his staff.

### **Mining warden: future**

**Mr O'BRIEN** (Malvern) — I raise a matter for the attention of the Minister for Energy and Resources, and the action I seek is for the minister to cease his attack on the independent mining industry watchdog, the mining warden, and assure the community that the independence and judicial functions of the Victorian mining wardens court will be preserved.

The minister's departmental website states the following:

The Victorian mining warden is the oldest continually existing public service position in Australia.

...

The Victorian mining warden is a wholly independent entity that reports directly to the Minister for Energy and Resources. The Victorian mining warden is not an employee of the Department of Primary Industries and is wholly independent of that department.

Under the Mineral Resources (Sustainable Development) Act the mining warden has powers in relation to investigation, mediation and arbitration of a variety of mining-related disputes. These disputes can involve not only mining companies, prospectors, landowners and the public but, importantly, the department itself. The mining warden therefore acts as a crucial independent watchdog and can review actions of the department. That independence has been highlighted by the minister himself. In announcing the

appointment of the current mining warden, Andrew Swindells, on 6 March 2009 for a three-year term, the minister stated that:

The mining warden is an independent position ...

and that:

... this appointment will mean disputes between mining licensees and other parties can continue to be dealt with swiftly and effectively.

None other than the Victorian government solicitor, John Cain, provided advice which states in part that the mining warden falls within the definition of a 'court' for the purposes of section 3 of the Evidence Act.

Let us be clear: the mining warden is an independent watchdog exercising judicial functions and constituting a court in the performance of statutory duties. So why is the Brumby government now moving to sack the mining warden ahead of abolishing the mining warden's court?

The State Services Authority review of the mining warden gave a clue when it noted:

The mining warden is unique in Victoria in having this role of investigating disputes involving a department.

The review referred to the 'problematic nature of the mining warden's independence'. This scrutiny-shy government is terrified by the prospect of being held accountable. The Minister for Energy and Resources does not like independent officers with the functions of a court to keep him and his department accountable. Instead, the minister wants his department's actions to be reviewed by his department, so there will not be the independent scrutiny of the government's actions in mining administration that has existed under the mining warden. There is strong industry support for an independent mining warden's court. It is telling that groups whose interests often conflict have all come out in favour of the Office of the Mining Warden, including the Minerals Council of Australia, the Mining Warden Stakeholders Group, the Prospectors and Miners Association of Victoria and the Victorian Farmers Federation.

This minister wants to put down the mining industry watchdog and abolish his court. The coalition rejects that outrageous proposal and calls on the Minister for Energy and Resources to end his threat to the Office of the Mining Warden.

### **Housing: Geelong**

**Mr TREZISE** (Geelong) — I wish to raise a matter for the Minister for Housing. I request that he consider

having or that he work with the Minister for Planning to ensure that there is further community consultation around the mixed housing development proposed for the Moorabool Street site in my electorate of Geelong.

This is a two-stage development, with stage 1 delivering 30 units of social housing while stage 2 currently proposes 40 townhouses for private sale. There is local community concern about important elements of stage 2 of the project. I seek this action whilst at the same time recognising the importance of the timely delivery of the social housing component of the project.

As members are well aware, about a year ago the federal government announced a \$6 billion package for social housing, of which Victoria has secured \$1.16 billion to build 4500 new homes. This is a welcome investment from the federal government, because there is a real shortage of affordable housing right across the state. This investment builds upon the record \$510 million investment of the Brumby government to increase social housing. In my own electorate there is a real and immediate need for housing that is well located, safe and affordable. Social housing tenants spend no more than 30 per cent of their income on rent. The introduction of new social housing stock in Geelong will reduce the number of families with housing problems and will ensure that families can afford to spend money on necessities other than rent.

The specific development which I wish to bring to the attention of the house is the redevelopment of a prominent site — that of the former Gordon Institute of TAFE, located in Moorabool Street in Geelong. The entire development has received planning approval under the streamlined planning process. As a local member of Parliament I am well aware that there are community concerns that relate primarily to the planning process and the second stage of the development, which will provide homes for private sale.

In working to understand and represent the concerns of the local residents, in recent weeks I have met with many residents to listen to and act on their concerns. I raised these issues with the Minister for Housing, and at my request he visited Geelong last week and met with representatives of the City of Greater Geelong and the local community.

In addition, VicUrban held a public meeting last Wednesday to hear residents' concerns about the development. When the minister visited Geelong last Tuesday he commented that not only is this government in the business of building public and

social housing but we as a government are in the business of building communities. That is why it is important to ensure that the committee and local government are supportive of these developments, and it is why VicUrban, the Office of Housing and the Department of Planning and Community Development need to work with the community and local government to reach a compromise that takes into account the community's views.

### **Akron Roads: subcontractor payments**

**Mr K. SMITH** (Bass) — I have an issue for the Minister for Roads and Ports. I ask him to ensure that a subcontractor to Akron Roads is paid in full for the work it has done, particularly on the Bass Highway duplication.

As the minister would be aware, Akron Roads went into voluntary administration on 1 February owing tens of millions of dollars. I understand the minister is also aware that VicRoads kept this company on even though it had shown incompetence in the building of other stages of the Bass Highway by running over time by many months.

Work on the Bass Highway duplication began during the Jeff Kennett era. It went very smoothly until this government took over. The difficulty is that the work has been done in a number of stages. If you have ever travelled down to Phillip Island, Wilsons Promontory or any of those areas — they are lovely areas — you will have seen that the roadworks have been going on there now for 11 years. For 11 years that highway has had 'Slow down' signs. It has had stretches where the speed limit would go from 100 kilometres an hour down to 40 kilometres an hour and then up to 60 kilometres an hour, and stretches where the limit of 80 kilometres an hour would change down to 20 kilometres an hour. These changes in the speed limit have been driving people absolutely mad.

The Minister for Roads and Ports came to my electorate when I raised issues with regard to this. He travelled with me up to Pakenham from Wonthaggi and we were able to look at the road. I have expressed to him my concerns about Akron Roads, the work it had been doing on that particular road and the very poor performance of Akron Roads. I was advised at that time that Akron Roads had been awarded the next stage of the highway even though it had done a bad job on the previous stage. I was advised that stage 5, which Akron Roads has just completed, was months behind and that Akron Roads is on a \$5000 a day penalty for late delivery — yet it has been given the next stage. The company employed subcontractors to work on stage 5

and stage 6, the new stage. These subcontractors have not been paid for in excess of four months. The government, through VicRoads, has continued to pay Akron Roads. It was my understanding that there were conditions to this payment. There was a statutory declaration that said that the subcontractors must be paid.

I would like the minister to establish if this is correct. Many of these small company operators will go broke and lose their homes and their equipment. I believe the government and VicRoads have a responsibility to these people, and they have been negligent in not ensuring that the subcontractors were paid by Akron Roads. I believe VicRoads and the government have also been grossly negligent in awarding further works to Akron Roads.

### **Barkly Street, St Kilda: speed limits**

**Mr FOLEY** (Albert Park) — I raise a matter for the attention of the Minister for Roads and Ports. The specific action I seek is that he take action to ensure that the speed limit in Barkly Street, St Kilda — a thriving area, particularly around the key activity zones of Acland Street, Carlisle Street and Inkerman Street — is reduced to 40 kilometres per hour.

I make this request because of this government's well known commitment — and a bipartisan commitment — to reducing the road toll, improving road safety and pedestrian safety outcomes. Reducing speeds along streets that have a high pedestrian activity is an effective tool for reducing the number and severity of pedestrian injuries.

A range of studies has fully established that a pedestrian hit by a car travelling at 60 kilometres per hour is highly unlikely to survive such an impact, whereas if there were a 40-kilometre-per-hour speed limit, the chance of survival rises to 75 per cent. Reducing speed limits along streets in strip shopping areas such as those in St Kilda has meant a reduction, on average, of about 17 per cent in pedestrian casualty crashes compared to other untreated sites.

This particular strategy has been successful elsewhere in my electorate. I look forward to that particular outcome occurring in this area of St Kilda. I ask the minister to take this action under the initiative regarding strip shopping centres, which is part of the government's road safety Arrive Alive 2008–2017 strategy, to pursue the goal of reducing the road toll by 30 per cent over that period.

Everyone knows that Victorians are more likely to die violently as a result of a road crash than through any other cause. Every life and every injury on our roads is too precious. To lose one life or for one person to suffer an injury is one too many. Road trauma causes great pain and heartache to those Victorians who lose family and friends in road crashes. It places a huge economic burden on the entire community.

The Arrive Alive 2008–2017 strategy sets out how the Victorian community can continue its international leadership in this area to deliver safer road systems for all road users and to make significant reductions to road trauma. Road safety is a shared responsibility for us all. It is an important responsibility which particularly falls to the Minister for Roads and Ports. I ask him to give this matter particular attention.

### **Crime: Kilsyth electorate**

**Mr HODGETT** (Kilsyth) — I wish to raise a matter of importance with the Minister for Police and Emergency Services. I draw his attention to the rising levels of violent crime in the community, including in my electorate of Kilsyth. I ask him to take action to allocate additional resources for the Croydon and Mooroolbark police stations so that our policemen and policewomen are supported in the performance of their duties to make our streets safe.

The Brumby government is failing dismally on community safety and law and order. The Premier has clearly lost touch with community concern about violent crime by continuing to recite his mantra that Victoria is the safest state in Australia. Everyone except the Premier and his ministers is prepared to accept that Victoria has a problem with violence. The Premier needs to listen and acknowledge that Victoria does have a problem with violence.

I will give members an example from my electorate. It concerns a 73-year-old lady in Ringwood East who wrote to me about community safety issues. She said this is something all people in Victoria are thoroughly disgusted with and that they generally feel let down by the Brumby government. This lady went on to say that Brumby's softly-softly approach is ruining our great state and that something needs to be done urgently.

This local resident informed me that her family was devastated to find that a family member was a recipient of a physical injury at a party. The party was being held for her grandson, and guests were invited by invitation only. A short time after the party started, a number of teenagers broke into the house, smashed her grandson's right jaw and injured the guest of honour's mother's

face, broke her glasses and left her with several cuts to her face.

The police and ambulance arrived and statements were taken. Her grandson spent two days in Maroondah Hospital and was then transferred to Dandenong Hospital where he was operated on by a specialist surgeon. He now permanently has a pin and a plate in his jaw. The lady informed me that the police told her daughter, who is the boy's mother, that they knew about this gang. She said that the people at the party were very lucky as the gang members were known to carry knives. This party was held in Kilsyth.

In 1999 Labor promised to address the proliferation of knives under its 'No more excuses on crime' police policy. It is obvious Labor's campaign was about government spin and self-promotion, because violence has escalated under Labor. Victorians no longer feel safe, because not enough police are on the streets to protect them.

I will stand up for my local community and demand that law and order be restored to keep our suburbs safe and free from these horrible attacks. The Brumby government is not listening to Victorians about violence on our streets and is failing to protect local citizens. After years of inaction Labor cannot be trusted to deliver on law and order, and community safety. The Premier has lost touch with Victorians and will not listen to their desperate pleas to put more police on the streets to protect them from the record level of violent crime. The government should stop underfunding our police and do its job by putting more police on the streets, where they are desperately needed.

### **City of Moreland: sports facility**

**Ms CAMPBELL** (Pascoe Vale) — I raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. I ask him to examine the funding application by the City of Moreland on behalf of a local soccer club under the major category of Sport and Recreation Victoria's (SRV) community facility funding program. If successful, the funding would provide for the construction of a new multipurpose community sporting pavilion at C. B. Smith Reserve. The pavilion would be available for use by sporting and community groups, schools and local residents. This venue is a major community facility. It is also used by John Fawkner College and Fawkner Leisure Centre.

I want to commend the Rocco family, particularly Mario, who is secretary of the local club, and his wife, Anne, who have brought this matter to my attention. They have told me that the redevelopment will

encourage parents and families to engage with the club and community and will further engage young people of all ages to participate in physical activity. The facility would provide a venue for broad community use. The new facility would be accessible for people with a disability and for parents and grandparents who come along to cheer on the local soccer club. Seniors groups could operate from the venue. We also have a large culturally and linguistically diverse community in that neighbourhood. I am told that a seniors group with 90 members already uses the existing clubrooms.

This soccer club, which was established over 40 years ago at the C. B. Smith Reserve, has provided a community home and sporting facilities for the people of Moreland and the surrounding area. I understand the minister will be visiting the area shortly. I would appreciate his taking the opportunity to talk with Moreland council staff, who have done a lot of planning on the rebuilding of that pavilion, and also with members of the local community and the soccer club so he has a really strong understanding of what would be a wonderful use of the SRV community facility funding, major category classification.

### Responses

**Mr WYNNE** (Minister for Housing) — The member for Geelong raised a matter for my attention and for the attention of the Minister for Planning in relation to a mixed public, social and private sector housing development in Geelong.

As members of the house are aware because I have spoken about this a number of times in the house, the government is committed to providing an extra 4500 units of public and social housing through the economic stimulus package, which is really a wonderful opportunity for us to deliver both an economic outcome, obviously through the direct impact on jobs in the building sector and the knock-on effect to the supply chain of the building industry, and also the social outcome of providing much-needed public and social housing right throughout the state.

As I have indicated on a number of occasions, we have split this allocation of funding between public housing and housing associations, and this record investment by the federal government will make a significant impact obviously in metropolitan Melbourne and in major centres such as Geelong.

It is in that context that I turn specifically to the proposal the member for Geelong has brought to my attention. It is a 91-unit development: 30 units of high-quality architect-designed social housing — 24 one-

bedroom units and 6 two-bedroom, self-contained units; a private dwelling development of 45 three-bedroom units; and 16 two-bedroom and three-bedroom apartments.

The social housing development is proposed to be owned and managed by Loddon Mallee Housing Services. The 30-unit development will have three shops on the ground floor, although they will not be funded under the social housing stimulus package funds; they will be funded as part of the broader package of this development. That is a really important outcome because as members, including the member for Geelong, know, there is an extensive need for social housing in his area.

The Moorabool Street development has caused some community comment. Last week the member for Geelong and I met with the chief executive officer and Cr Kontelj of the City of Greater Geelong as well as a number of Geelong residents, who expressed concerns about aspects of the planning and consultative process. There was a strong affirmation, by both the council and the local residents I met with; they were strongly supportive of the social housing development and not only saw a great need for it but wanted that project expedited as soon as possible.

Certainly there were some concerns expressed about what is called stage 2 of the development, which is the 61 units. I should indicate to the house that this is a VicUrban development. At that meeting I committed to continue to talk with the City of Greater Geelong, particularly about some of the car parking and traffic provision issues that pertain to the social housing development, and that I would take on notice the questions that were raised specifically in relation to what is called stage 2, the private sector development.

In that context I can indicate to the house that the member for Geelong and I have already had some preliminary discussions with the Minister for Planning about some opportunities for further consultation and the development of a mechanism where the further views of the community surrounding the Moorabool Street development can be considered, so their voice can be heard and understood and the concerns they have expressed about the planning process can be properly addressed.

We had a good preliminary conversation with the Minister for Planning, at the request of the member for Geelong, and I have welcomed his support in the conversations we have had with the minister. The minister has taken on notice the concerns the member for Geelong has raised. He quite properly needs to go

away and consider those matters in the broader context of his responsibilities as the Minister for Planning.

From my point of view, and I can speak with absolute confidence, the member for Geelong has an ongoing and deep commitment to the social housing outcome that we want to achieve on the Moorabool Street site, and the matters we committed to at our meeting with the City of Greater Geelong we have clearly transmitted to the Minister for Planning. He properly needs to go away and consider those questions and obviously report back in the appropriate forums on how he wishes to take those matters forward.

I thank the member for Geelong for his advocacy and support for what I think will be an exciting development at that TAFE Moorabool Street site. We want to ensure we bring all of the community along with us in this development going forward.

In relation to other matters that have been raised, the member for Brighton raised an ongoing matter for the Minister for Public Transport in relation to the resolution of what has been an ongoing matter in my local government portfolio area for which I also have some responsibility — that is, the New Street railway gates. We hope to resolve that soon.

**Ms Asher** interjected.

**Mr WYNNE** — It is a complex matter, as the member for Brighton knows.

The member for South Barwon raised a matter for the Minister for Sport, Recreation and Youth Affairs, seeking support for lighting for the Surf Coast Football Club. I will make sure that the minister is aware of that matter.

The Leader of The Nationals raised a matter for the Minister for Planning, seeking revocation of the planning permit for the Bald Hills wind farm, and I will make sure the minister is aware of that request.

The member for Essendon raised a matter for the Minister for Sport, Recreation and Youth Affairs, seeking a grant for the development of the Aberfeldie Netball Association site and the development of a new comprehensive facility there. I will make sure that the minister is aware of that advocacy.

The member for Malvern raised a matter for the Minister for Energy and Resources in relation to concerns about the independence of the mining warden. I will make sure that matter is drawn to the attention of the Minister for Energy and Resources.

The member for Bass raised a matter for the Minister for Roads and Ports, seeking the intervention of the minister in relation to payments of subcontractors who had subcontracted to Akron Roads, the builders of the large parts of the duplication of the Bass Highway. I will make sure that matter is brought to the minister's attention.

Similarly the member for Albert Park raised a matter for the Minister for Roads and Ports, seeking his advocacy for a speed limit of 40 kilometres an hour for Barkly Street, St Kilda, between Acland and Inkerman streets. I will make sure that the minister is aware of that request.

The member for Kilsyth raised a matter for the Minister for Police and Emergency Services, seeking further police numbers in the Croydon and Mooroolbark police stations. I will make sure the minister is aware of that.

Finally, the member for Pascoe Vale raised a matter for the Minister for Sport, Recreation and Youth Affairs, seeking his support for an application by the City of Moreland for a community facilities grant at the C. B. Smith Reserve.

**The SPEAKER** — Order! The house is now adjourned.

**House adjourned 4.43 p.m. until Tuesday, 9 March.**