

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

20 March 2003

(extract from Book 2)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The Ministry

Premier and Minister for Multicultural Affairs	The Hon. S. P. Bracks, MP
Deputy Premier, Minister for Environment, Minister for Water and Minister for Victorian Communities.....	The Hon. J. W. Thwaites, MP
Minister for Finance and Minister for Consumer Affairs	The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and Youth Affairs	The Hon. J. M. Allan, MP
Minister for Transport and Minister for Major Projects	The Hon. P. Batchelor, MP
Minister for Local Government and Minister for Housing.....	The Hon. C. C. Broad, MLC
Treasurer, Minister for Innovation and Minister for State and Regional Development	The Hon. J. M. Brumby, MP
Minister for Agriculture.....	The Hon. R. G. Cameron, MP
Minister for Planning, Minister for the Arts and Minister for Women's Affairs	The Hon. M. E. Delahunty, MP
Minister for Community Services	The Hon. S. M. Garbutt, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. A. Haermeyer, MP
Minister for Manufacturing and Export and Minister for Financial Services Industry	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Workcover	The Hon. R. J. Hulls, MP
Minister for Aged Care and Minister for Aboriginal Affairs	The Hon. Gavin Jennings, MLC
Minister for Education and Training	The Hon. L. J. Kosky, MP
Minister for Sport and Recreation and Minister for Commonwealth Games.....	The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and Minister assisting the Premier on Multicultural Affairs.....	The Hon. J. Pandazopoulos, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Energy Industries and Minister for Resources	The Hon. T. C. Theophanous, MLC
Minister for Small Business and Minister for Information and Communication Technology.....	The Hon. M. R. Thomson, MLC
Cabinet Secretary	Mr R. W. Wynne, MP

Heads of Parliamentary Departments

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

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

Hansard — Chief Reporter: Ms C. J. Williams

Library — Librarian: Ms G. Dunston

Joint Services — Director, Corporate Services: Mr S. N. Aird
Director, Infrastructure Services: Mr G. C. Spurr

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JUDY MADDIGAN

Deputy Speaker and Chair of Committees: Mr P. J. LONEY

Temporary Chairs of Committees: Ms Barker, Ms Campbell, Mr Delahunty, Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:
The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:
The Hon. J. W. THWAITES

Leader of the Parliamentary Liberal Party and Leader of the Opposition:
Mr R. K. B. DOYLE

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:
The Hon. P. N. HONEYWOOD

Leader of the Parliamentary National Party:
Mr P. J. RYAN

Deputy Leader of the Parliamentary National Party:
Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Leighton, Mr Michael Andrew	Preston	ALP
Asher, Ms Louise	Brighton	LP	Lim, Mr Hong	Clayton	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Batchelor, Mr Peter	Thomastown	ALP	Lockwood, Mr Peter John	Bayswater	ALP
Beard, Ms Dympna Anne	Kilsyth	ALP	Loney, Mr Peter James	Lara	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Lupton, Mr Anthony Gerard	Prahran	ALP
Bracks, Mr Stephen Phillip	Williamstown	ALP	McIntosh, Mr Andrew John	Kew	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	McTaggart, Ms Heather	Evelyn	ALP
Buchanan, Ms Rosalyn	Hastings	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maughan, Mr Noel John	Rodney	NP
Carli, Mr Carlo	Brunswick	ALP	Maxfield, Mr Ian John	Narracan	ALP
Clark, Mr Robert William	Box Hill	LP	Merlino, Mr James	Monbulk	ALP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Mulder, Mr Terence Wynn	LP	LP
Delahunty, Mr Hugh Francis	Lowan	NP	Munt, Ms Janice Ruth	Mordialloc	ALP
Delahunty, Ms Mary Elizabeth	Northcote	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Dixon, Mr Martin Francis	Nepean	LP	Nardella, Mr Donato Antonio	Melton	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Doyle, Robert Keith Bennett	Malvern	LP	Overington, Ms Karen Marie	Ballararat West	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Eckstein, Ms Anne Lore	Ferntree Gully	ALP	Perera, Mr Jude	Cranbourne	ALP
Garbutt, Ms Sherryl Maree	Bundoora	ALP	Perton, Mr Victor John	Doncaster	LP
Gillett, Ms Mary Jane	Tarneit	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Plowman, Mr Antony Fulton	Benambra	LP
Haermeyer, Mr André	Kororoit	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	NP
Hardman, Mr Benedict Paul	Seymour	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Harkness, Mr Alistair Ross	Frankston	ALP	Ryan, Mr Peter Julian	Gippsland South	NP
Helper, Mr Jochen	Ripon	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Herbert, Mr Steven Ralph	Eltham	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Lyndhurst	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Kenneth Maurice	Bass	LP
Howard, Mr Geoffrey Kemp	Ballararat East	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Sykes, Dr William Everett	Benalla	NP
Hulls, Mr Rob Justin	Niddrie	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Ingram, Mr Craig	Gippsland East	Ind	Thwaites, Mr Johnstone William	Albert Park	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	NP	Trezise, Mr Ian Douglas	Geelong	ALP
Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	NP
Kosky, Ms Lynne Janice	Altona	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

CONTENTS

THURSDAY, 20 MARCH 2003

PETITIONS

<i>Frankston: radiotherapy unit</i>	407
<i>Housing: loan schemes</i>	407

PAPERS.....407

PUBLIC HOLIDAYS AND SHOP TRADING REFORM

ACTS (AMENDMENT) BILL

<i>Introduction and first reading</i>	407
---	-----

MEMBERS STATEMENTS

<i>Northcote International Women's Day Prize</i>	407
<i>Buses: Ringwood station terminal</i>	408
<i>Southern Ethnic Advisory and Advocacy Council</i>	408
<i>Lake Mokoan: decommissioning</i>	408, 412
<i>Iraq: conflict</i>	409
<i>Mount Martha: fire response</i>	409
<i>Cuc Lam</i>	409
<i>Frankston: radiotherapy unit</i>	410
<i>Mordigras festival</i>	410
<i>Cr Ann Cox</i>	410
<i>Frankston: councillors</i>	410
<i>Freedom of information: government performance</i>	411
<i>Cultural Diversity Week</i>	411
<i>Wilmot Road Primary School: harmony program</i>	412
<i>Ballarat: Nativity choir</i>	412
<i>Banyule: council elections</i>	412
<i>Moorabbin Reserve: ground improvement</i>	413
<i>Brimbank: election advertising</i>	413
<i>Geelong: government priorities</i>	413
<i>Burwood: election campaign</i>	414

SOUTHERN AND EASTERN INTEGRATED

TRANSPORT AUTHORITY BILL

<i>Second reading</i>	414
-----------------------------	-----

SMALL BUSINESS COMMISSIONER BILL

<i>Second reading</i>	415, 457
<i>Remaining stages</i>	457

TERRORISM (COMMUNITY PROTECTION) BILL

<i>Second reading</i>	423, 457
<i>Remaining stages</i>	457

CONSTITUTION (PARLIAMENTARY REFORM) BILL

<i>Second reading</i>	431, 446
<i>Committee</i>	446
<i>Third reading</i>	457
<i>Remaining stages</i>	457

FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL

<i>Second reading</i>	433
<i>Committee</i>	438
<i>Third reading</i>	439
<i>Remaining stages</i>	439

QUESTIONS WITHOUT NOTICE

<i>Freedom of information: government performance</i>	439
<i>Terrorism: alert status</i>	439
<i>Rail: gauge standardisation</i>	440
<i>Severe acute respiratory syndrome: government action</i>	441
<i>Minister for Police and Emergency Services: conduct</i>	442
<i>Bristol-Myers Squibb: research and development hub</i>	442
<i>Snowy River: joint government enterprise</i>	443
<i>Major events: economic impact</i>	444
<i>Schools: maintenance</i>	444
<i>Public transport: National Express services</i>	445

RETAIL LEASES BILL

<i>Second reading</i>	457
<i>Third reading</i>	457
<i>Remaining stages</i>	458

PARLIAMENTARY COMMITTEES (AMENDMENT)

BILL

<i>Second reading</i>	458
<i>Circulated amendments</i>	458
<i>Remaining stages</i>	458

SEAFOOD SAFETY BILL

<i>Second reading</i>	458
-----------------------------	-----

MAJOR EVENTS (CROWD MANAGEMENT) BILL

<i>Second reading</i>	460
-----------------------------	-----

MELBOURNE CRICKET GROUND (AMENDMENT)

BILL

<i>Second reading</i>	462
-----------------------------	-----

COMMONWEALTH GAMES ARRANGEMENTS

(AMENDMENT) BILL

<i>Second reading</i>	463
-----------------------------	-----

GOVERNOR'S SPEECH

<i>Address-in-reply</i>	464, 480
-------------------------------	----------

BUSINESS LICENSING LEGISLATION

(AMENDMENT) BILL

<i>Second reading</i>	477
-----------------------------	-----

SENTENCING (AMENDMENT) BILL

<i>Second reading</i>	478
-----------------------------	-----

TERRORISM (COMMONWEALTH POWERS) BILL

<i>Introduction and first reading</i>	480
---	-----

CRIMES (PROPERTY DAMAGE AND COMPUTER

OFFENCES) BILL

<i>Introduction and first reading</i>	480
---	-----

CONTROL OF WEAPONS AND FIREARMS ACTS

(SEARCH POWERS) BILL

<i>Introduction and first reading</i>	480
---	-----

BUSINESS OF THE HOUSE

<i>Division list</i>	480
----------------------------	-----

CONTENTS

ADJOURNMENT

<i>University of the Third Age: Glen Eira</i>	501
<i>Bushfires: emergency services</i>	501
<i>Lake Boga: amenity study</i>	502
<i>Latrobe Valley: health sector interpreter services</i>	502
<i>Lorne: pier crane</i>	503
<i>General practitioners: bulk-billing</i>	503
<i>Melbourne Steam Traction Engine Club</i>	504
<i>Camp Pell: commemorative plaque</i>	504
<i>Cohuna: railway land</i>	505
<i>Housing: neighbourhood renewal program</i>	505
<i>Responses</i>	506

Thursday, 20 March 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.35 a.m. and read the prayer.

PETITIONS

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

Frankston: radiotherapy unit

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

The humble petition of the undersigned citizens of the state of Victoria sheweth:

The number of cancer patients from the areas of the southern peninsula, Western Port, Frankston and South Gippsland, who are receiving radiotherapy treatment has dramatically increased over the past three years, resulting in a waiting list of many weeks at the nearest radiotherapy unit, i.e. Monash Medical Centre, Moorabbin. This factor, plus the distance some patients have to travel daily — over the period of treatment of 35 days — adds considerable stress to already ill people.

Your petitioners therefore pray that the government grant approval to the establishment of a privately funded radiotherapy unit at Frankston which though privately owned, will be available to the whole of the community, albeit private or public patients.

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

By Mr DIXON (Nepean) (9757 signatures)

Housing: loan schemes

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

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

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

Your petitioners therefore pray that:

1. the existing loans be recalculated from day one in a way as to give borrowers the loans they were promised — ‘affordable home loans specially structured to suit your purse’;
2. the home ownership be achieved within 25 to 30 years from date of approval;

3. the payments to be set at an affordable level (i.e. 20–25 per cent of income for the duration of the term for all the loan types);
4. past borrowers who have left the schemes be compensated for losses that have been incurred by them being in these faulty structured loans;
5. any further government home ownership schemes be offered in a way as to be easily understood by prospective loan recipients;
6. the interest rate will be at an affordable rate (i.e. flat rate of 3 per cent per annum or less for the length of the term of the loan) geared to income;
7. capital indexed loans be made illegal in this state to protect prospective loan recipients;

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

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

By Mr LEIGHTON (Preston) (10 signatures)

Laid on table.

PAPERS

Laid on table by Clerk:

Parliamentary Committees Act 1968 — Response of the Premier on action taken with respect to the recommendations made by the Scrutiny of Acts and Regulations Committee’s inquiry into the *Subordinate Legislation Act 1994*.

Parliamentary Contributory Superannuation Fund — Actuarial Investigation — report for the year 2001–02.

PUBLIC HOLIDAYS AND SHOP TRADING REFORM ACTS (AMENDMENT) BILL

Introduction and first reading

Received from Council.

Read first time on motion of Mr BRUMBY (Treasurer).

MEMBERS STATEMENTS

Northcote International Women’s Day Prize

Ms DELAHUNTY (Minister for Planning) — As sadly Australia prepares for war, today I wish to salute the work of Ms Lina Hassan, an Iraqi woman who recently won the Northcote International Women’s Day Prize. This award in its inaugural year was asked to assess women against the theme of women and peace.

I thank the panel of three community leaders — Stephanie Lagos from the Migrant Resource Centre, Dalal Smiley from the Victorian Arabic Social Services, and Reverend Daryl Colless from the Northcote Uniting Church — for their work. They assessed the nominees against the criteria of advocate for peace, contribution to women in their community and raising awareness of the plight of people fleeing from war.

Lina Hassan is a worthy winner. She has been working with Iraqi refugee women since 1991, for the Darebin Community Health Centre and for Victoria Arabic Social Services. Her work in the last two years in particular has been supporting women on temporary protection visas — a support group for these women. Since 1991 Lina has also coordinated the Iraqi women's refugee group. She is a quiet achiever. She has put in innumerable hours for refugee women. I thank the panel for recognising her contribution, and I am delighted to honour her today.

Buses: Ringwood station terminal

Mr HONEYWOOD (Warrandyte) — There was a great deal of hoopla recently at Ringwood railway station. After promising over \$12 million three years ago to upgrade this key commuter rail station the Minister for Transport finally delivered, albeit only \$1 million of the \$12 million promised for a new bus terminal at the station.

However, clearly the minister's petty cash tin must have run dry, because after the ministerial advisers, the genuflecting bureaucrats and the local media departed the photo opportunity the local community of Ringwood discovered that there are no seats in many of the bus shelters at the railway station terminal. Indeed a number of elderly constituents in my electorate, including Mr Bill O'Dwyer, have complained that for buses 364 and 365, for which there is up to an hour's wait between buses, the situation is particularly bad because they cannot stand for that long.

Clearly the minister was after his photo opportunity, and he got it, but of the \$12 million that was promised to my constituents for the upgrade of this key commuter railway station in Ringwood it did not deliver even the \$1 million for the bus terminal to pay for seats in the bus shelters. So now many of my elderly constituents are required to walk a long distance down to Eastland shopping centre in order to try to get a seat while they wait for a bus to arrive.

I understand the honourable member for Kilsyth may well have been at that media opportunity and may like

to take up the plight of the many commuters in that local area in her electorate who use Ringwood railway station

Southern Ethnic Advisory and Advocacy Council

Ms BARKER (Oakleigh) — Last Thursday, 13 March, I was pleased to attend the annual general meeting of the Southern Ethnic Advisory and Advocacy Council and be present with other MPs from the southern region of Melbourne to help the council celebrate its 10th anniversary as an organisation.

SEAAC was established in 1991 to introduce to the southern region of Melbourne the fact that people of culturally and linguistically diverse backgrounds and origins exist and have specific requirements and needs as residents of a multicultural community. It was a difficult beginning. There was no recognition that the diverse community of the southern region had a significant migrant population and experienced many barriers in accessing mainstream services. The communities themselves also lacked an awareness of existing services. From that beginning SEAAC has continued to grow and strengthen, and today as it celebrates its 10th anniversary some 67 organisations are involved and represented within SEAAC.

I applaud George Lekakis, Hakan Akyoll and Ilias Tsinanis for their commitment to ensuring that the multicultural community in the southern region had a voice and for their expert lobbying and persistence in ensuring that funding was made available to set it up.

In later years Ross Buscemi assisted enormously in ensuring the organisation could continue its valuable work. I thank the many community representatives who have given voluntarily of their time and effort to work on the committee of management led this year and in recent years by Susie Bunn.

It is a great organisation, and I know it will continue to grow and provide a very valuable service and voice for the multicultural community of the southern region of Melbourne.

Lake Mokoan: decommissioning

Dr SYKES (Benalla) — I welcome the release of the interim report on options for the future management of Lake Mokoan. The report is well presented and reflects a high level of professional input and many hours of hard work.

I am yet to fully digest the report; however, one major issue of concern is the ability to ensure the security of

supply of water to irrigators by the options evaluated. Only option 4, the one proposed by the Save Lake Mokoan Committee, appears to meet this need at this stage. It also appears that no one option stands out alone as meeting all assessment criteria. Therefore I again request that the process be carried out in good faith and that due recognition be given to the input of the local reference committee and due consideration given to the impact on the local community of any changes to the lake management as well as the technical, financial and environmental considerations.

Iraq: conflict

Mr HOWARD (Ballarat East) — I wish this morning to present not only my own views but also the views of a large number of people from my electorate in expressing our deep concern regarding the position of President George Bush in declaring war on Iraq and to express our disapproval of the position of the Howard government in wholeheartedly supporting this action.

Recently I joined with many people from Ballarat in a protest rally to say that we believed a war with Iraq was not justified. A similar event took place in Daylesford. Many people from my electorate have attended the rallies in Melbourne and many have also spoken to me of their deep concerns in regard to this issue.

We are opposed to the present position of the government of the United States of America in declaring war on Iraq without the support of the United Nations. It is immoral to declare war at a time when the United Nations weapons inspectors have reported that they have been achieving positive results with the recent disarmament through the destruction of al-Samoud and other missiles.

Rather than the Howard government declaring its full support for President George Bush, I believe the Australian government, as a friend of the United States, should be cautioning the United States administration. Rather than agreeing with Australia committing troops, we see that war is a last resort where the people of Iraq and others will lose their lives. Lives will be devastated as a result of this, and such devastation is clearly unjustified at this time.

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

Mount Martha: fire response

Mr COOPER (Mornington) — I want to send my congratulations to Captain Brian Smith and the volunteer firefighters of the Mount Martha fire brigade

for their magnificent work in handling a very large and dangerous fire in Mount Martha Park, which broke out last Tuesday night and was finally contained in the early hours of Wednesday morning.

The Mount Martha fire brigade was ably assisted by a large number of other fire brigades, and it was their joint efforts which saw many residential properties in and around Bradford Road, Mount Martha being saved from damage or total loss.

This fire sends a further message to the state government and also to local government about the need to deal with the build-up of ground fuel. Mount Martha Park was a disaster waiting to happen because ground fuel had been allowed to build up. This neglect by those who have the responsibility to properly manage public land puts the lives and properties of the community at risk.

This year we have witnessed vast tracts of public land being ravaged by fire throughout Victoria, yet we still have not heard any admission by the Victorian government that its lack of proper management caused those disasters to be worse than they could have been.

The Mount Martha Park fire on Tuesday night was another message to this government, and along with most other Victorians the Mount Martha community will now wait to see whether that message has sunk home.

Cuc Lam

Mr MILDENHALL (Footscray) — I pay tribute to Cuc Thi Lam, a former councillor of the City of Maribyrnong who was defeated at the election last Saturday. She was the hardest working councillor I have seen at Maribyrnong in my 20 years there. She was an indefatigable community worker with her Western English Language Centre, where she was school council president, with Women's Health West and with the Inner Western Migrant Resource Centre. She was awarded the Public Service Medal last year. She was an inspiration to the multicultural community, which does not now have someone from an ethnic background on the council.

Cuc Thi Lam overcame great hardship to get to Australia and has represented her community well. She lost her council seat following a concerted attack by her opponents on her residential enrolment status despite her eligibility to stand and vote in the election never being under question by the Victorian Electoral Commission. She does not have a dishonest or nasty bone in her body. She was obliged by her culture to

care for an aged and infirm mother-in-law and consistently stayed over at that address which is now under question. It was totally inappropriate for the member for Caulfield, who purports some sympathy for persons of this background, to participate so enthusiastically with her upper house colleagues in this character assassination.

Cuc Lam will look back on her contribution to this community with some pride. Those who attacked her so viciously ought to be ashamed of themselves.

Frankston: radiotherapy unit

Mr DIXON (Nepean) — I refer to the petition tabled in my name today bearing 9500 signatures regarding a proposed day care centre in Frankston. The petition was coordinated through my office by Sister Carmel of the Southern Peninsula cancer support group, a wonderful organisation. The day centre has the support of local doctors, specialists, the community and a major radiotherapy provider.

The group has the land available for the day centre, the initial drawings are done, support from the Frankston City Council and has organised the funding. What do they want? They want someone from the minister's office to help them with the coordination of their efforts in a consistent way because they need to obtain from the government approval in principle for a day care centre. Unfortunately over the last months their efforts have been thwarted by moving goalposts, an inconsistency of advice and a range of people giving conflicting advice. The responsible people in the department seem to have changed titles.

I am asking the minister to make someone available to this group so this wonderful facility, which is badly needed on the Mornington Peninsula but which will be funded privately, can be made available for the public. I think that will provide the best of both worlds for everyone on the peninsula.

Mordigras festival

Ms MUNT (Mordialloc) — On Sunday, 2 March, I was pleased to attend the Mordigras festival in Mordialloc in the heart of my electorate. What a wonderful event it was. On the main stage we were entertained by the Mordialloc Brass Band; Code One, the Victoria Police band; Mordialloc community centre activities; the Wetland Bootscooters; the Beaumaris theatre group; the Southern Dog Obedience School; and Mentone and Mordialloc primary schools.

A large number of community groups were involved in various ways, and I want to take this opportunity to

mention them as well. The groups included Kingston district scouts and Yet Kieu venturer unit; the Mentone district guides; Southern FM community radio; and students from our local schools including Parkdale secondary; Parkdale, Parktone and St John Vianney's primary; MLOC theatre group; and several preschools — Elonera Preschool, Acacia Avenue Preschool and Warren Road playgroup. Also involved were Chelsea callisthenics, the Kingston arts network, the depression awareness research project and Special Olympics.

As I moved around our local festival I was reminded of the great importance of all of these community groups and the rich and vibrant society that they are part of. There was children's storytelling, face painting, foods of many nations, and rides and community displays. I would especially like to thank the organisers from the Mordialloc community centre.

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

Cr Ann Cox

Mr SAVAGE (Mildura) — I wish to place on the record the significant contribution Ann Cox made to my community. Ann was the mayor of Mildura who tragically died on Christmas Day. Ann made a terrific impact in our area. She was three times mayor of Mildura, and she was also the shire president when I was a Shire of Mildura councillor.

Unfortunately she died on Christmas Day, with her family present. Most honourable members who were part of the previous Parliament remember the wonderful address she gave at the population summit in this place. She stood out as a person who entertained but also had a significant message to give. She served her community diligently and was a wonderful family person. Her absence has had a great impact on my position. She encouraged me to take on this role, and without that encouragement I probably would not be standing in this place.

My sympathy goes to her family and her husband, Brian. I am sure all honourable members of this house would be sorry to hear of her untimely passing on Christmas Day.

Frankston: councillors

Mr HARKNESS (Frankston) — I take the opportunity to congratulate the successful candidates in the Frankston City Council elections on Saturday — Barry Priestly, Mark Conroy, Suzette Taylor, Rochelle McArthur, Glenn Aitkin and Vicky McClelland, as well

as the mayor, Cathy Wilson, who was re-elected unopposed. I also acknowledge the campaigns of the unsuccessful candidates.

Now is the opportunity for council to work cooperatively and collaboratively with the state government, whether it is on micro-issues such as fixing uneven footpaths and trimming overhanging branches, or on larger projects such as pursuing an aquatic centre for Frankston or developing a AAA housing policy. Council has a key role to play in delivering for all our residents.

I am standing up for Frankston, and I look forward to working with all councillors, new and returned. I am hopeful of three years of a close working relationship with the Frankston City Council. There is much to be done in Frankston to ensure equitable access to resources and assistance, and I am determined to pursue sustainability in this municipality, adopting a triple bottom line approach.

Freedom of information: government performance

Ms ASHER (Brighton) — I draw to the house's attention the government's appalling performance on freedom of information (FOI). I am not making this claim; it is the opinion of the Ombudsman of the state of Victoria. Just one FOI request to the Minister for Education and Training took 264 days to process, and it was held up by the honourable member for Eltham, her then chief of staff, for 80 days. I wrote to the Ombudsman, who found my complaint substantiated. However, the Ombudsman has uncharacteristically gone much further and has said that the government cannot go on:

... forever ignoring its statutory requirements.

The Ombudsman went further to say:

While the Premier might say their record on FOI has been good, I'd have to say that it has been pretty terrible in terms of responding on time.

That is a damning criticism by an independent officer of this Parliament. In this state we have seen unprecedented delays in processing time, political interference with FOI at the highest level, political reasons for excessive delays and political cover-ups, all of which are in fact denying the opposition access to information it by rights should have under FOI legislation.

This damning criticism of the Bracks Labor government by the Ombudsman will continue. Clearly

there are more complaints in the pipeline, and it is the first occasion on which he has gone public.

Cultural Diversity Week

Mr LANGUILLER (Derrimut) — It gives me great pleasure to put on the record that this week, 17 to 23 March, encompasses the United Nations International Day for the Elimination of Racism. Victoria is recognised as one of the world's most successful culturally diverse societies. Cultural Diversity Week gives us the opportunity to celebrate the success and look at ways to further build on our achievements into the future.

On that note, it gives me pleasure to continue my contribution in Spanish.

Saludo el multiculturalismo y la diversidad.

Estoy orgulloso de mi comunidad latino-americana y su diversidad cultural.

Con placer hago esta intervención en la lengua de Pablo Neruda y de Antonio Machado.

Saludo particularmente a la comunidad Española y Árabe que celebran el multiculturalismo juntos y en hermandad, a razón de 'Semana de la Diversidad'.

Reitero, en nombre de toda la comunidad hispano-americana, nuestro compromiso con la democracia y el multiculturalismo.

Felicito al Premier Bracks y el Ministro Pandazopoulos por los programas desarrollados durante la semana de la diversidad!

Gracias!

[I celebrate multiculturalism and diversity.]

I am proud of my Latin-American community and its cultural diversity.

I am pleased to make this contribution in the language of Pablo Neruda and Antonio Machado.

I particularly wish to commend the Spanish and Arabic communities, who are celebrating multiculturalism together in the context of Cultural Diversity Week.

I commend Premier Bracks and Minister Pandazopoulos for the programs implemented during the course of Cultural Diversity Week.

Thank you.]

Wilmot Road Primary School: harmony program

Mrs POWELL (Shepparton) — I would like to pay tribute to the principal, Barbara O'Brien, and the teachers and staff of Wilmot Road Primary School in Shepparton for their leadership in celebrating their school's cultural diversity and for their commitment to their Living in Harmony program.

On Monday this week I had the privilege of opening Harmony Week at Wilmot Road Primary School. The families, teachers and staff attended the opening, where we enjoyed hearing stories from families who came from other countries and watched children perform the traditional dances of their countries. We saw a wonderful presentation from our Aboriginal community, with traditional dancing accompanied by the didgeridoo.

The school has students from 26 countries and was successful in receiving a commonwealth government grant to enable it to promote cultural diversity and provide programs in the classroom to develop an understanding of other people's cultures, which is particularly important at this time as Australia prepares for war. It is also important for people from other cultures and countries to understand Australia's cultures and its laws.

I also enjoyed helping the children wrap the school's front fence in the harmony bunting. I acknowledge the work of the former principal, Cathy Pianta, who was also at the opening, for her work with the school over the many years. I wish Wilmot Road Primary School all the best with their harmony program.

Ballarat: Nativity choir

Ms OVERINGTON (Ballarat West) — I had the opportunity to attend —

An Honourable Member — What about the begonia festival?

Ms OVERINGTON — The begonia festival was extremely successful once again this year.

Last Sunday I had the opportunity to attend the 10th anniversary of the Nativity choir in Ballarat. As well as providing great entertainment around the many churches and nursing homes in Ballarat, over many years the choir has also raised in excess of \$17 000 which it generously donates to many organisations. One of those is Cops for Kids, which is a police support group for kids with leukaemia and terminal illness.

All 30 members of the Nativity choir participate in the camps for those children and to hear them speak about them last Sunday was quite emotional. Most of the people involved in the choir spoke about their grandchildren, because the choir members are moving into more mature age. It was touching that they now believe that in the future all the money raised will be donated to Cops for Kids.

Lake Mokoan: decommissioning

Mr PLOWMAN (Benambra) — The interim report on the future management of Lake Mokoan is a smokescreen for what this government is really trying to achieve. The Minister for Water is reported in the *Border Mail* of 18 March as saying that there will be a 42 000 megalitre saving per year if the lake is decommissioned. In fact there will not be that saving; at maximum the savings will average 20 000 to 25 000 megalitres. The minister went on to say that the report has acknowledged that the man-made structure at Benalla has many problems including high maintenance costs. These costs have never before been reported, and I would suggest again that that is purely an excuse for the decommissioning of Lake Mokoan.

The government currently has to find sufficient savings to compensate for the 38 000 megalitres being diverted to the Snowy River each year. This flow will build up as a water debt in much the same way as the Labor government builds up its financial debt and the government should at least be honest in respect to its intentions.

Until the government is prepared to fund the water savings in the Murray and Goulburn irrigation areas, which are vital to the environmental issues there, it will never meet the requirements for the 29 per cent increase to the Snowy River, let alone the requirements for the additional environment flows for the Murray River.

Banyule: council elections

Mr LANGDON (Ivanhoe) — I wish to take this opportunity to comment on the City of Banyule election and in particular the Beale ward election, where the outgoing mayor withstood a challenge from his main rival, Kathy Licciardi.

Kathy Licciardi stood as an Independent candidate not belonging to any political group, yet her leaflets were produced and sanctioned by Dale Peters, an Australian Labor Party member and councillor. Cr Peters has also been branch stacking with this person, and her name is registered for pending membership of the ALP. But it gets a bit more complicated, because her last leaflet,

which was produced by Cr Peters, was sent out and posted by a former member for Eltham, Wayne Phillips, who was also handing out leaflets for Kathy Licciardi last Saturday.

So at the election I am not sure who was outmanoeuvring whom, whether Dale Peters was outmanoeuvring Wayne Phillips or Wayne Phillips was outmanoeuvring Dale Peters — but certainly Kathy Licciardi seems to have been operating with and taking opportunities from both sides.

The electorate saw through this and did not elect her. I believe she lost by about 600 votes. But the point of the exercise is that Dale Peters had been using this person to branch stack and Wayne Phillips had been using her to get a Liberal on council. Both failed, I am glad to say, and Greg Ryan has been re-elected to council.

Moorabbin Reserve: ground improvement

Mr HUDSON (Bentleigh) — I would like to acknowledge the work of the Linton Street urban forest group in the Moorabbin Reserve, the home of the St Kilda Football Club.

Over the last 10 years the Linton Street urban forest group has been progressively revegetating the car parks that were provided for fans during the halcyon days of the Saints at the Linton Street ground. The group has landscaped the area and planted over 2000 native trees in the reserve, with only minimal help from the Kingston City Council. It has transformed the barren, muddy car parks into a very pleasant area which is highly valued by residents in a municipality that is below average for public open space. A recent survey showed that over 300 people now use the reserve every day for passive recreation.

Last year the Kingston City Council put forward a proposal to sell off 46 housing blocks in the reserve to fund a new pokie venue and private training facility for St Kilda. The Linton Street group led the opposition to this proposal and over 500 residents lodged formal objections with the council. This has resulted in the Kingston City Council agreeing, with financial assistance from the Department of Victorian Communities, to the development of a master plan for the reserve that must include extensive consultation with local residents and community groups. All of this would not have been achieved without the dedicated work of this group, and in particular the leadership provided by Greg Alabaster, Tony Aravidis, Lex and Marlene Richardson, Tony Pook and Gillian Lelah. I congratulate them on their work.

I will continue working with the group, the Kingston City Council and St Kilda Football Club to produce positive plans — —

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

Brimbank: election advertising

Mr SEITZ (Keilor) — The matter I would like to place on the public record is my concern and that of the ratepayers of the City of Brimbank over the continuing policy that seems to be pursued in the city of advertising only in certain newspapers. This was basically a culture developed by the former Premier, Jeff Kennett, who would not advertise in newspapers that published anything derogatory about him.

The problem is that the local Leader newspaper published no communication or discussion about the elections on the front page or anywhere else in its publication, yet it received all the advertising regarding polling booths and election dates. The *Star* newspaper, which circulates in the district and is involved with local government, and which everyone in my electorate and the City of Brimbank reads, did not receive the same treatment in that it did not have the advertising.

My office has been inundated with people concerned that they had not been aware that the council election was on. They are wondering whether they will be fined as a result of the City of Brimbank choosing to use the Fairfax and Leader newspapers over the *Star* in placing advertising informing the electorate that the elections were on on 15 March. That is of great concern to me, and I hope the City of Brimbank will take note of this and not pursue these people to fine them because they did not vote last Saturday in the council election.

Geelong: government priorities

Mr TREZISE (Geelong) — In these early stages of the second term of the Bracks government I take this brief opportunity to reinforce my commitment to the electorate of Geelong in continuing to work for and with our community to deliver on the government's priorities for the betterment of our city. I see that over the next four years we as a government will continue to build on the work that we have undertaken since 1999, especially in priority areas of health and education.

In its priority area of health the Bracks government has committed to an upgrade of the accident and emergency unit at the Geelong Hospital and also the Andrew Love Cancer Centre at the hospital. We have committed to and commenced the \$75 million upgrade of the Grace McKellar Centre in North Geelong.

In education, work has already begun on the multimillion dollar upgrade of numerous schools in my electorate, such as East Geelong, Tate Street, South Geelong, Herne Hill and Chilwell — the list goes on. And, Deputy Speaker, your old school and mine, Geelong High, is on the verge of a major refurbishment.

In the transport sector the Bracks government has delivered on its promise of upgrading the Geelong Road. In delivering this work the government has committed to a western bypass around Geelong. This is a \$380 million project, of which amount we have committed 50 per cent and it is now up to the federal government to fulfil its obligation. As the member for Geelong I look forward to the next four years of delivering for our community.

The DEPUTY SPEAKER — Order! The member for Burwood has 35 seconds.

Burwood: election campaign

Mr STENSHOLT (Burwood) — I would like to take the opportunity to thank the hundreds of people who supported me last year during the election campaign. We get into Parliament only with their support.

There is a message in this for the member for Malvern, the Leader of the Opposition, who holds the seat next to mine and who, according to a poll, was unrecognised by 60 per cent of his electors. I remember last year he told the Parliament he could not even bother to remember the name of the member for Burwood because, as he said, ‘He won’t be here next time’. I assure him that the people of my electorate had no trouble remembering — they found Bob on the ballot paper! They were also happy to deny Liberal fellow traveller Tom Morrissey his deposit. I am indeed honoured to be their representative here in Parliament again.

SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL

Second reading

Mr BATCHELOR (Minister for Transport) — I move:

That this bill be now read a second time.

The bill establishes the Southern and Eastern Integrated Transport Authority and provides that authority with functions and powers to enable it to oversee and facilitate, on behalf of the state, the delivery of the

southern and eastern integrated transport project. This implements the government decision to establish a special purpose statutory authority to oversee and facilitate the delivery of the project.

The project joins together the Scoresby Freeway project and the Eastern Freeway project into one project under the government’s Partnerships Victoria policy. The project involves the development of an integrated transport corridor, and will include a continuous freeway link of about 40 kilometres between the Eastern Freeway and the Frankston Freeway, connecting Melbourne’s eastern and south-eastern suburbs.

The project will vastly improve the connections between major industrial areas, the ports, the airport, major freight routes and other industrial precincts.

The bill provides the framework for government delivery of the project. The establishment of a separate authority will enhance the project, strengthening focus on the complex legal, commercial and technical/engineering issues inherent in delivering a project of this size and complexity under a Partnerships Victoria framework.

By using the Partnerships Victoria framework, the government is seeking the best deal for taxpayers by optimising the risk to the private sector and encouraging innovative design and operational solutions so as to deliver the best value for money outcome.

Coordination of the delivery of such a vast and complex project is best undertaken by one organisation. For example, this will ensure that the tunnel sections and the rest of the project are delivered in coordinated time frames, thus avoiding severe traffic congestion in the Ringwood area. The authority will comprise a board of between three to five members, appointed by the Governor in Council. It will have a chief executive officer and be able to engage staff.

The bill confers on the authority powers and functions to enable it to facilitate the delivery of the project. These include facilitation and coordination of the project; engagement with the private sector from the bid phase onwards; negotiation and management of contracts; and facilitation and coordination of consultation with statutory bodies, agencies and other persons affected by the delivery or operation of the project.

Further project-specific legislation to underpin the delivery of the project as a public-private partnership will be introduced in due course.

I commend the bill to the house.

Debate adjourned on motion of Mr MULDER (Polwarth).

Debate adjourned until Thursday, 3 April.

SMALL BUSINESS COMMISSIONER BILL

Second reading

Debate resumed from 27 February; motion of Mr BRUMBY (Treasurer).

Ms ASHER (Brighton) — I am delighted to make a contribution to the Small Business Commissioner Bill 2003. At the outset I indicate that the Liberal Party supports this bill, although there are a number of cautionary issues that I wish to raise in the course of debate.

The bill is to all intents and purposes fairly simple: it establishes the statutory office of the Small Business Commissioner. I note the government's purpose in establishing this particular office, and I quote from the bill itself:

The main purpose of this act is to establish the office of the Small Business Commissioner to enhance a competitive and fair operating environment for small business in Victoria.

What the government will need to demonstrate over a period of some years is whether the establishment of a Small Business Commissioner — which to all intents and purposes looks like a great step forward and a great advancement for the cause of small business — will lead to a competitive and fair operating environment for small business in Victoria. That is the government's test.

There is no doubt that small business is disadvantaged in many of its dealings in the Victorian marketplace. There is also no doubt, particularly given the experience of other states, that to have a statutory officer in charge of the concerns of small business, to whom small business can go, looks like a step forward. The issue for the government is whether the position is just about rhetoric or will just be taken up with what I call busy-work or whether the actual results which have been articulated in the purpose of the bill will be achieved. That is, will the establishment of a Small Business Commissioner in this state lead to a more competitive and fairer operating environment for small business in Victoria?

I certainly hope it will, but the two are not inextricably linked. The person chosen for this job will have to be a

particular style of person — that is, someone who understands both the private and the public sector. I think the minister will need to give this person a fair amount of latitude and a significant amount of good will for them to operate effectively. Bear in mind this person will be situated within the bureaucracy, which may not allow them the profile and freedom to do their job.

The government envisages that the style of office will be very similar to the office of the Liquor Licensing Commissioner, who has a close relationship with the minister but has complete freedom to operate and comply with the act. The person will also be part of a department, with responsibility to report to the secretary. Again it will be incumbent on the secretary, given what Labor wants to achieve from this position, not to drag the commissioner down into the bureaucratic mire, with constant meetings, briefings and referrals before anything is done. It will be a real test for the secretary of that department in relation to the operation and powers of the Small Business Commissioner. The appointment will be for five years, with an option of a five-year renewal, which again has certain similarities to the Director of Liquor Licensing.

I want to take a moment to look at the functions and powers of the commissioner because this is a new appointment for Victoria and it is these functions and powers and the capacity of the person to deliver in terms of these functions that will be the judge of the success of this position.

The commissioner has a very broad-ranging brief set by government. Of course this was flagged by the ALP in its election policy. I want to go through clause by clause what the commissioner will be asked to do. The commissioner will be asked to facilitate and encourage the fair treatment of small business in commercial dealings with other businesses in the marketplace. This has been one of the most vexed issues for governments of both political persuasions. The end result of the debate has been the unconscionable conduct provisions in the Trade Practices Act. We debated last night the draw-down of those provisions plus possibly some extra criteria that this Labor government has chosen to put in the Retail Leases Bill.

Again I make the comment that this public servant will have to have unique skills. This person will have to work within a bureaucracy but the brief will be to encourage fair treatment of small businesses in dealings in the marketplace. If members of this Parliament can think back to the circumstances in some larger shopping centres only a few years ago — and this does not apply universally to all operators I might add —

there have been significant cases of abuse of market power. I do not know whether one public servant can stop the abuse of market power, but let us see how the person progresses. Alan Fels will probably be a role model.

The second function of the Small Business Commissioner is to promote informed decision making by small businesses in order to minimise disputes with other businesses. This function is a huge ask of a public servant. Informed decision making is one thing, but one of the critical factors in relation to small business is the reluctance still of small businesses to undergo business planning exercises. If the Small Business Commissioner can get that amount of information out to small business then that person would have taken a step forward. But a brief to promote informed decision making to minimise disputes with other businesses is a very broad brief. I note that there are more specific requirements in relation to retail leases.

The third function of the commissioner will be to receive and investigate complaints by small businesses regarding unfair market practices and to mediate between the parties involved in the complaint. Again this is a particularly large task. One thing I would ask the Minister for Health, who is at the table, or the Minister for Small Business in the other place to clarify is whether this will apply to government. In the briefings the Liberal Party was told verbally that the Small Business Commissioner will have a brief covering government, but I would have thought one of the classic complaints of small business against governments is that governments are often not small business friendly. One example of that is the tardiness of government traditionally to pay bills.

I hope the Small Business Commissioner will have a brief to check that the government pays its bills on time should small business ever be lucky enough to win contracts from governments. I would appreciate clarification from the minister on that point.

The fourth function of the commissioner, as set out in clause 5(2)(d), is:

to make representations to an appropriate person or body on behalf of a small business that has made a complaint referred to in paragraph (c) —

which is the issue I have just touched on.

In the next function the Small Business Commissioner is charged with the responsibility of monitoring and reporting to the minister on any emerging trends in market practices that have an adverse effect on small business. This shows that the Small Business

Commissioner will have a very broad discretion in his or her handling of this. This is an area which is particularly important because it may indicate to government the need to either educate, regulate or legislate, I hope with an emphasis on education in the first instance.

The next function of the Small Business Commissioner is to encourage the development and implementation of small business service charters within government to ensure small businesses receive high-quality service. One of the ongoing complaints of small business is that it is very difficult to deal with government. Small business people are often simply just occupied with running their businesses. Whilst a number of steps forward have been taken in recent times in getting access to government work, if the Small Business Commissioner can achieve progress in that area it will be a credit to them. The commissioner will also have a monitoring role in relation to these small business charters.

The next function of the Small Business Commissioner is to monitor and report to the minister on the impact that legislation, government procedures and administration have on small business. This is where the commissioner will require the greatest courage — if I could use a Sir Humphrey Appleby piece of terminology — because it is difficult to be a public servant and yet advise ministers that their practices in handling small business may be deficient. I would hope that the minister would give the Small Business Commissioner a very broad brief and that he would take up the crusade to act in this regard.

I have often regarded the Minister for Small Business as the ombudsman for small business — that is, the person who at the cabinet table has a brief to put it to other ministers that their legislation, their regulations, their practices and their procedures may not be conducive to small business getting a slice of government action, which, after all, small business is keen to get. It is important that the minister give the commissioner a fairly broad brief in relation to this function.

The next function of the Small Business Commissioner is a particularly interesting one that I am pleased to see in the bill. The commissioner will be required to assist other branches and agencies of government to develop alternative ways in which small business can comply with the requirements of government legislation, procedures and administration. I want to take a moment to talk about this, because although it is relatively obscure and relatively dry, it is particularly important to

small business. I hope the minister achieves some progress in this.

This power is about the burden of regulation on small business. I will give the house an example of an excessive regulation that was presented to me when I occupied the office of Minister for Small Business. As minister I visited a goat cheese yoghurt and milk factory — a very small, family-run, diversified business — in the western part of Victoria. During that visit the owner of the premises indicated to me that a regulation imposed by government was crippling the business, because it imposed a requirement on the factory to buy a certain type of equipment involved in the pasteurisation process. The woman who ran the business said, 'I can't make yoghurt unless I heat the milk anyway. Surely the requirement by regulation should be to heat it rather than specifying what precise piece of equipment I need to buy?'

At that stage the government was specifying an expensive piece of equipment, so the woman was arguing a very broad case. She was simply saying, 'Shouldn't small business be required to get the outcome? Why is government specifying a particular process by which you have to get an outcome?'. The government's responsibility in this instance was health — that is, pasteurisation and killing off bacteria — but the government came over the top and said, 'You have to buy this very expensive piece of equipment in order to do this'. However, the woman could not make yoghurt unless she heated the milk. I think she made a particularly good point — and I understand that regulation has now been changed.

After that instance I gave a term of reference to the Law Reform Committee on regulatory efficiency legislation. I would ask the minister and the Small Business Commissioner, when appointed, to have a look at the report because it may provide them with some ideas in relation to this function. I note that the committee had an all-party membership, given that we have before the house the Parliamentary Committees (Amendment) Bill. The report was particularly good: with the agreement of all parties it came out in favour of what is called regulatory efficiency legislation. This legislation could meet the requirements of what I was talking about — that is, it could allow businesses different means of compliance. If one method of compliance were to impose a cost, provided business met the outcome it could be allowed a different means of compliance.

I take the point put by the Law Reform Committee that a lot of small businesses will not have time to be involved in devising alternative compliance

mechanisms. However, the peak associations for small business are particularly strong in this area, and there would be a role for them to play. Again I note that this is a function of the Small Business Commissioner. So there is that particularly good report of October 1997, which has the endorsement of the major parties.

In the chamber this week we have been talking about the good work done by parliamentary committees. I hope the good work of this parliamentary committee is not just set aside but is used as the basis for this new statutory officer to look at this particular function.

The Law Reform Committee, which was chaired by the member for Doncaster, included yourself, Deputy Speaker, the now Deputy Premier, and the now President of the upper house, Ms Monica Gould. No doubt the minister would be impressed by the credentials of the membership of that committee. As I said, when we talk about the good work of parliamentary committees, I do not think there is much point in compiling reports and then having nothing happen. This is an ideal opportunity to do something, given that one of the specific and legislated functions of the Small Business Commissioner is to look precisely at alternative ways in which small business can comply. The bill before the house provides for this work to be taken up.

The next function of the Small Business Commissioner is to investigate compliance with industry codes, which I guess is obvious. The next functions are to advise the minister about matters for which the commissioner is responsible and to advise the minister on the operation of this act.

It is an amazingly broad brief for one statutory officer. It is an Ombudsman-type role, a commissioner role and a policy role. It is very broad: I do not know whether other statutory officers have been given such a broad role. I am not for one minute disputing individual roles within the legislation; I am simply making the point that it is probably one of the broadest roles that I have seen in bills that have come before this house.

I want to make mention of the fact that the commissioner will also be charged with responsibility for overseeing the minister's liquor code of conduct in relation to packaged liquor and will also have a very key role in the Retail Leases Act. Again, it is an amazing, almost ministerial workload, and it will be interesting to see the results.

I again remind the house that the purpose of the establishment of the office of the Small Business Commissioner, as specified by the government, is to

enhance a competitive and fair operating environment for small business in Victoria. I wish the government well and I wish this person well in trying to move on those objectives.

There are a couple of other issues that I wish to comment on. The first is the 1 May commencement date. In relation to this statutory officer, the Liberal Party has no problem with that. However, the 1 May commencement date has been chosen by government to align with the commencement date for the Retail Leases Act. Last night in the debate in this house I drew attention to the concerns of the Property Council of Australia and the Shopping Centre Council of Australia about the proclamation of that bill. Again I would like to take the opportunity, given the circumstances I am in, to make the point that while 1 May was originally chosen by the government in the last sitting of Parliament, 1 May, particularly given that it is the government's intention to have — —

Mr Hulls interjected.

Ms ASHER — I do remember that election, and I thank the people of Brighton for their support and confidence in me. Indeed 1 May is too soon for all the education processes, including all the rewriting of the disclosure statements, that the Property Council of Australia wishes to undertake for its members.

The point has been made very clearly to the Liberal Party, and indeed to the minister by way of correspondence, that that date is too tight. The Property Council of Australia has requested that the proclamation date be at minimum 1 July. I think that is a reasonable request. Indeed the proclamation date for this particular bill has been chosen as 1 May only because of the government's understandable desire to have its legislation up and running. But it is incumbent on the government, particularly as it has said it will consult with stakeholder groups on this, to make sure that the proclamation dates are achievable for everybody.

Clearly 1 May is not achievable. I do not think it will matter to government. The Small Business Commissioner will be in place on 1 May if the government wishes, but in terms of the proclamation date, I think July would be a reasonable concession by government.

The minister will have the power to give directions to the Small Business Commissioner. Again, I have no problem with that perfectly reasonable provision. However, the issue for the Liberal Party will be the transparency of those directions — whether indeed the

directions will be given to the commissioner in secret, or simply to divert a problem, or whether the minister has some desire to indicate what these directions are.

Mr Hulls interjected.

Ms ASHER — I am not meant to. The Attorney-General is encouraging me to be disorderly, and I will not be.

The DEPUTY SPEAKER — Order! I am sure the Attorney-General would never encourage anyone to be disorderly!

Ms ASHER — I must have been dealing with a different Attorney-General all these years!

I ask the Minister for Small Business to give some clarification on whether the directions she will give to the Small Business Commissioner will be in any way transparent. Particularly given the broad brief that this person has, and given the broad support for the establishment of this role, I think it is reasonable, if the minister gives a series of directions which will occupy this person that these directions be made public.

I also want to make comment on the employment of consultants, which is referred to in clause 10 of this bill:

The commissioner may —

...

- (b) engage consultants to assist him or her in the performance of his or her functions and the exercise of his or her powers.

Consultants always generate excitement from oppositions more than from governments. Given this government's track record in employment of consultants on large contracts, and that many of these consultants have very strong links with the Labor Party, I ask also that the minister indicate whether she is going to simply use the annual reporting mechanism that is required for consultants, whether there will be a more transparent disclosure of the employment of consultants, or whether the employment of consultants can be used by the department to boost the budget of the Small Business Commissioner.

I also wish to make a comment on the powers of delegation in clause 11. The commissioner has been given the power to:

... delegate to any person employed under part 3 of the Public Sector Management and Employment Act any power under this act.

This is a particularly wide power of delegation, and I am particularly concerned about this in relation to the

commissioner's power to intervene in Victorian Civil and Administrative Tribunal cases. Again, it is interesting because we do not have a Scrutiny of Acts and Regulations Committee operating at the moment. I would have expected the committee to comment on that broad delegation power, particularly given the very extensive power of the commissioner's role in VCAT. Again, I ask the minister if she would consider whether that power of delegation for all elements of this act is too broad, or whether for certain functions there should be no delegation at all. It is a matter for government, of course, but I would ask that that be considered.

But the real issue for this Parliament, both for the Labor Party and for the Liberal Party, is — —

Mr Jasper interjected.

Ms ASHER — I would never speak for the National Party, but given I have been given authority to also include the National Party in that, I shall.

The key question for this Parliament is: can a bureaucrat deliver a better business environment? I note, and I wish to place this before the Parliament, that the Liberal Party went to the last election with a policy on small business, as you would expect, and promised to establish:

... a small business ombudsman to assist small businesses who have difficulties dealing with government departments or agencies. The small business ombudsman will be an advocate on behalf of individual small businesses to ensure they are treated fairly.

So the Liberal Party went to the last election with a policy not as broad as the one underpinning the appointment of the Small Business Commissioner but with the concept of an ombudsman to whom small business could relay complaints.

Mr Hulls interjected.

Ms ASHER — It did. It is a good policy. It was based on the South Australian model, which has in fact worked well. The Liberal policy had that particular ombudsman as our model, so you can see that we had obviously gone some way down the track to supporting this style of statutory appointment. However, the ALP's policy, which developed the Retail Industry Commissioner role to the Small Business Commissioner role, the results of which we are seeing in the house today, is a much broader role. I note that the ALP's policy for growing small business, entitled *Getting on with the Job*, specifies the budget for the Small Business Commissioner.

I particularly want to mention this given the very broad brief that I have outlined. The budget for the Small Business Commissioner as outlined in the ALP's policy is \$1 million per annum over four years. I am not arguing for an increased budgetary capacity for the commissioner, but I would be grateful if the Attorney-General or the Minister for Small Business would indicate how all of this work can be done for \$1 million. Will the cost of the consultants that may need to be employed come from a top-up of the budget, or will it be confined to the budget outlined by the ALP in its election document?

I note that there is a genuine concern that bureaucracy can constrain activity. I also note the press release of the Minister for Small Business dated 25 February, in which she announced a reform package, as she termed it, for small business. The press release states:

The legislation will enable the Small Business Commissioner to assist government departments develop small business charters and monitor the flexibility of regulation for small business.

That to me sounds particularly bureaucratic. If we are to see this person achieve the government's purposes and objectives, they will have to have an upfront, hands-on role in relation to small business. Small business is notoriously suspicious of government. I do not think small businesses will be jumping up and down about the establishment of a Small Business Commissioner.

The challenge for the minister and the commissioner will be to get small business on side by demonstrating that this person will act for small business. The person will have to demonstrate that complaints can be solved, that the government will pay its bills on time and that regulation will not continue to be burdensome. The person has a real challenge before them to implement the government's objectives.

I also briefly want to raise the commissioner's capacity to run test cases. There are test cases before the Australian Competition and Consumer Commission, and I seek from the minister an explanation of how they will be run and funded.

I will conclude by making a point which was made to the Liberal Party when it was in government with the National Party during the Kennett era. At that time I heard many comments by members of the Labor Party about the will of Parliament being pre-empted. I note that the position of Small Business Commissioner is described as a challenging new role and a unique opportunity to assist small business — and indeed it is. The position of commissioner was advertised in the *Melbourne Age* on Saturday, 1 March.

I recall being berated ad nauseam by the previous shadow Minister for Small Business about committing the sin of pre-empting the will of the Parliament. I was not advertising, I was simply putting out press releases announcing what the government would do. But I was told it was a very bad thing, that it was a sign of the arrogance of a government with a large majority in both houses. I was told it was a shocking thing to do. I note for the record that this government is behaving in the same arrogant way!

Mr JASPER (Murray Valley) — As a person who has grown up in small business through a deep and long involvement with a family business in the motor vehicle industry, I am certainly pleased to speak on this legislation, particularly on behalf of small business.

I am as clear as crystal as far as small business is concerned. I want to put on the record the fact that the strength of the Victorian economy is based on small business being able to be profitable and operate efficiently. Small business needs to get strong support from governments. We need to ensure that as an effective Parliament we support small business so it can continue to develop, as it should, within the state of Victoria and so it, in turn, can provide support to the economy. Small businesses must be unencumbered by government so they can develop and progress.

I have had longstanding concerns about government interference in business, particularly small business, over a long period of time, which prevents it from being free to operate effectively.

You have to have been in business to understand business. What we see too often in the Parliament is members who have never been in business telling other people how to run their businesses. Unless you have been in business you do not really have an understanding of the difficulties faced by business people. They invest their money and a huge amount of their time to develop their businesses and make them profitable so they can provide employment, which is critical to the state of Victoria.

As I mentioned in the debate on the Retail Leases Bill last evening, unless businesses are allowed to be profitable they will not continue to employ people, and if they cannot continue to employ people we will see the employment rate that the government boasts is so low not remaining that way but increasing. That will happen unless business, particularly small business, continues to be supported and unencumbered so it is able to develop.

On behalf of the National Party I will raise some concerns that people involved in small business have presented to me given my knowledge of small business generally. I note the comments made during the second-reading speech, and it is worthwhile reiterating the figures that were mentioned in it. There are over 270 000 small businesses in Victoria, which account for over 95 per cent of all businesses. Small businesses employ a total of approximately 811 000 people, which represents 43 per cent of the private sector work force.

I will quote a paragraph from the second-reading speech notes, because it is important to put it on the record:

We understand the frustrations of small businesses when dealing with a bureaucracy that does not appear to be responsive to their needs. Small businesses should be able to expect a similarly high level of service from government agencies as businesses provide to their customers.

I hope the government seeks to put that into practice. It is critical to put that into practice, hopefully with the support of the Small Business Commissioner. As I do with all legislation I sought the views of a range of organisations and individual businesses on the provisions of the legislation and the appointment of the Small Business Commissioner. There is very strong support from business organisations and the business community generally but particularly small businesses for this legislation. It will place a significant responsibility on the Small Business Commissioner and the role he or she will play.

The person appointed to this task should not be a person who has grown up in the bureaucracy. The person appointed should be a person who has grown up in business, who has an understanding of business and has been involved in business, and indeed involved in representations to government over a period of time. The bottom line is that the person must have a deep and abiding interest in business, particularly small business, and a background in small business.

I repeat again that it is not much good telling people in business how they should be running their businesses if you do not have experience in business yourself. That is the bottom line. To speak to those people and have a true and abiding interest in what they are doing and to make the appropriate representations to government requires someone with a background in small business.

I believe the implementation of the legislation is a step forward — there is no doubt about that. If the legislation is put into place correctly it will advantage small business throughout the state of Victoria.

I also indicate my concern, as did the honourable member for Brighton, that the legislation will be put into place on 1 May 2003. There are concerns with the proclamation date because I believe that the government does not yet know who it will appoint as the commissioner. I believe time should be given to ensure the most appropriate person is appointed and that the person does have the necessary support within the small business ministry to put this into practice.

Mr Stensholt interjected.

Mr JASPER — I recognise the interjection from the member for Burwood. Perhaps I should take it on board and consider the offer if it is made.

The legislation concerns three particular areas. The honourable member for Brighton took some time speaking about clause 5, which deals with the functions and powers of the Small Business Commissioner. I will not go through all the provisions dealt with by the honourable member, except to say they encompass three areas. Paragraphs (a) to (e) of clause 5(2) relate to fair market practices, a major responsibility of the commissioner. Paragraphs (f) to (i) relate to fair government practices, which again is an important area and one which the commissioner will need to deal with firmly. It is important to remove the government pressure placed on small businesses at the state and federal level. Paragraphs (j) to (l) relate to the compliance with industry codes. It is important that business operates within specific codes.

I also note a that major function of the commissioner relates to the Retail Leases Bill. As I have said, the proclamation date of 1 May, as with the Retail Leases Bill, is not a reasonable objective.

The secretary of the department will be required to provide adequate resources to the commissioner to enable him or her to carry out the functions and exercise the appropriate powers. It is critical that when the commissioner is appointed he or she is given the powers to operate effectively. I also note that the commissioner will hold office for a term not exceeding five years.

I will relay some of the comments made to me by individuals and organisations involved in small business. The Victorian Chamber of Commerce and Industry (VECCI) indicated it did not oppose the legislation but saw it as a double-edged sword and believed it may have some unidentified consequences. It brought to my attention that we should consider the type of watchdog we should have, recognising that today we have a range of watchdogs that presumably

are to protect business, particularly small business in this case. That concern was expressed to me by VECCI. I was not entirely in agreement with the comments it made, but I put them on the record. The other organisations I spoke to strongly supported the legislation, the appointment of a Small Business Commissioner and the importance it should have to Victoria.

I indicate again the National Party strongly supports the appointment of a Small Business Commissioner, the objectives in the bill and what can be gained from it.

In the general sense I have some concerns with some of the watchdogs we have operating in Australia today. The Australian Competition and Consumer Commission (ACCC) often puts up Professor Fels as its spokesman. I have some problems with Professor Fels, and I refer to what he did in relation to the Watty paint company, which was seeking to purchase Taubmans of England. Professor Fels said it would reduce the number of companies involved in the paint industry, recognising that Dulux, or Orica Australia, was the largest operator in the field, and the ACCC rejected Watty's application to buy Taubmans.

The process went on for 12 months with Watty objecting to the rejection of its application, but some months later Taubmans was sold to a South African company. An Australian company, Watty, was prepared to buy the company but was thwarted by the actions of the ACCC. I mention that because some people are concerned about the operations of watchdogs, but I do not say for one minute that we do not need organisations such as the ACCC; I express those concerns.

It is important that I indicate to the house some of the concerns I have which the Small Business Commissioner should address immediately to assist small businesses with the problems they face in being able to operate effectively and profitably. It is a skill. I quote my father in this case, who had a long involvement in our family business, Jasper Brothers, in Rutherglen. He worked for more than 70 years for Jasper Brothers. He was a self-made businessman, something that is not easy to do today. When I entered the family business he said to me that the easiest thing in business is to go broke — you need no special expertise to go broke in business. The trick and the skill is to make money and be profitable.

'Profit' is a dirty word to some people, but as I said earlier in my contribution, if you are not profitable you go out of business and you do not employ people. The trick is to be profitable, give service to people and

provide goods and services, but the bottom line is to be profitable. I make no bones about where I come from, and I trust that most of the government members would support that view.

I express some of the concerns that should be put on the record. I refer to business compliance costs. The burdensome obligations associated with increasing compliance costs and the complexities of industry and business legislation, the GST, the business activity statements, Workcover, superannuation and apprenticeship schemes are all taking their toll of small businesses. You need only talk to small businesses to understand the pressure being placed on small businesses. Insurance is a huge issue for small businesses and all businesses. Victoria has the highest rate of tax on commercial insurance in the world. Insurance premiums in Victoria include a fire service levy, GST and stamp duty. Stamp duty is charged on top of GST, which is a charged on top of the fire service levy.

I do not need to go into all the detail of that, but you would know, Deputy Speaker, as others in the house who have had representations made to them on this issue would know, that people pay insurance plus a fire service levy which is higher in country Victoria than in metropolitan Melbourne — more than 50 per cent on many occasions. They then get charged the 10 per cent GST on top of that. Then they pay 10 per cent stamp duty on top of that to the state government! That is hypocritical. I believe the state government needs to do something about that immediately to take the burden off business and reduce the difficulties.

Franchising is a big issue. The Small Business Commissioner should look at situations where many longstanding franchise dealers have had their franchise agreements terminated unfairly without proper compensation and without adequate safeguards. The Small Business Commissioner needs to tackle these sorts of issues, which as I indicated are critical to the continuing operation of small businesses.

When I talk to people in small business they tell me that they are extremely concerned about continuing attacks from governments at the state and federal levels and a lack of protection provided by governments. The Small Business Commissioner will have a huge challenge in trying to meet the difficulties that are faced by small business today.

The skills shortage is also an area which is of great concern when one looks at the technical side of the issue. In a practical sense people need to grow up within businesses and be supported with

apprenticeships to enable them to become skilled tradespeople. A lack of skilled tradespeople will be a major issue for Victoria in the future. I quote further from the document:

The lack of suitable apprentices and skilled labour is a serious threat to the long-term survival of sections of ... industry. Government incentive schemes are complex and while apprentices are the lifeblood of the industry, assistance for training an apprentice is inadequate.

That is an area the Small Business Commissioner would need to look at immediately to assist in ensuring that industry and business, and particularly those in small business, are encouraged to take on apprentices and encouraged to train people so that they can extend their businesses and increase the number of trained staff in the state of Victoria. In the motor industry, for example, people often undertake apprenticeships, but when they finish their apprenticeships they go into other areas and those skills are often lost. It is a critically important area.

As a country member of Parliament I must mention regional issues. The Small Business Commissioner will have a huge role in protecting and seeking to assist small businesses that operate in country Victoria. Regional Victoria has an increasing burden and difficulties, and of particular concern is the issue of increased fuel prices, freight and telephone costs. Some telephone costs have been reduced for business generally, and telcos are working on that issue. Telstra has sought to assist country business and small business, but I believe a lot more can be done.

The situation is that when a country business, wherever it may be — and indeed in your area in western Victoria, Acting Speaker — rings anywhere it is usually a long-distance call. We often ring Melbourne and a voice tells us that our call will be attended to and that it is in a queue, or we are told, 'If you want this service, press 1; if you want this service, press 2', and so you go through the instructions. The Small Business Commissioner should take on this critical issue. You cannot just blame Telstra. It is a critical issue that we need to look at for country businesses and industries in seeking to reduce the cost burdens that they bear.

As I indicated earlier, I believe that you need to have been in business to understand business. Secondly, you need to live in country Victoria to understand country Victoria. I am sure the Acting Speaker agrees with me that you need to live in country Victoria to understand the great difficulties we face.

I have mentioned the prohibitive telephone costs, but there is also the issue of freight and the difficulties that

go with that for us in country areas when operating small businesses, and the greater difficulty we have in meeting demands and being profitable.

The National Party strongly supports the legislation and the appointment of a Small Business Commissioner. The position will be of critical importance, and I reiterate my belief that the person who is appointed to this role must be a person who has a deep and abiding interest in and knowledge of small business — not a bureaucrat, not someone who comes out of a department, but someone who can look at these things objectively and say to business and industry operating in the small business area, ‘We will support you. Come forward with issues of concern’.

The challenge is not only for the Small Business Commissioner but for the government. I will watch with a great deal of interest to see how the government operates in this area. If it is successful I will give it due credit — and those of you who have known me during my time in the Victorian Parliament will know that I have always given credit where it is due to whichever party is in government if it has provided support to the people I represent in the Murray Valley region and the whole of Victoria. The challenge is to the government, and I will be watching the issue with a great deal of interest, as will all National Party members. We will give credit where it is due, but we will be critical if the Small Business Commissioner does not deliver as has been indicated in the second-reading speech and in the information provided by the government.

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

Debate adjourned on motion of Mr STENSHOLT (Burwood).

Debate adjourned until later this day.

TERRORISM (COMMUNITY PROTECTION) BILL

Second reading

Debate resumed from 19 March; motion of Mr BRACKS (Premier).

Mr MILDENHALL (Footscray) — There is almost a sense of the macabre about the timing of the debate in the house today because within an hour we expect a military assault to be launched on Iraq, in which Australian troops will participate. On most people’s reading, and I note on an assessment agreed to by senior government ministers in Canberra, the outbreak

of those hostilities will increase the likelihood that Australia will be subjected to a greater incidence of terrorist activities. So it is appropriate that the Parliament and the community consider the issue of terrorism, the likelihood that Australia will be subjected to more terrorist attacks and the ways in which the government and the community can work together to reduce the likelihood and severity of attacks by terrorists.

The government acknowledges the support for the Terrorism (Community Protection) Bill by the leaders of the Liberal and National parties, and some of the queries that were raised in their contributions, which I will address. However, this is a time when the community is thinking about these issues, and even in the Premier’s gallery we have the lasting tribute to the victims of the Bali bombing. This morning when I was listening to an early morning news broadcast I noted that there was a terrorism scare yesterday in Sydney, where the owners and operators of some infrastructure — the water supply facility in Sydney, I believe — were concerned about unidentified intruders in that area.

One of the provisions of the Terrorism (Community Protection) Bill is to require the owners and operators of infrastructure to prepare appropriate plans and to work with the government in the enhanced monitoring of and planning for potential terrorist activities.

One of the key parts of the legislation is the nature and strength of the safeguards, particularly in relation to covert search powers and the ability to detain and decontaminate people who may be affected by chemical, biological or radiological contamination. These are particularly sensitive issues. The principal safeguard adopted for this legislation is to give it a definite time limit of three years, requiring it to sunset at the end of 2006. It signifies the community’s hope that the phase of terrorism that we are going through is a temporary phenomenon and that the need for enhanced powers for intrusions into people’s private lives and civil liberties is something that may not, and hopefully will not, be required beyond three years.

A number of queries were raised by opposition members. I was a bit surprised to hear the National Party advocate the suggestions made by the Fitzroy Legal Service, particularly the suggestion that as a safeguard against the planting of evidence by police the bill should require police to videotape covert searches. The government carefully considered that proposal of including a legislative requirement to videotape covert searches but concluded that it would be a flawed safeguard.

There are many ways in which a videotape could be unreliable or misleading, whether intentionally or not. Unlike a police interview, where it is relatively easy to clearly videotape all of the participants for the whole of the interview, the circumstances of covert entry are likely to make it more difficult for police to comprehensively videotape the entry and search. For example, entry and search may take place in near darkness or in confined spaces and as police move through a premises it is likely that not all the police will be in the scan of the video at all times.

If police want to rely on evidence they claim to have found during a covert search, the onus is on them to prove that the evidence was not planted. If the prosecution cannot exclude the possibility that the evidence was planted, then the defendant is entitled to be acquitted. Those comments clearly outline the case that obviously police may wish to videotape their operations but to require it in all instances would not be appropriate.

A query was raised regarding clause 5 where it refers to the Supreme Court. Other clauses also refer to a judge of the Supreme Court. The government does not consider that there is any doubt that the warrants may be issued only by judges of the Supreme Court and that is consistent with the Surveillance Devices Act 1999.

The member for Gippsland South expressed concern that the annual reporting requirements in relation to covert search warrants refer only to statistical information. Clause 13(1)(h) enables the relevant minister to require the chief commissioner to provide any other information about covert search warrants that the minister considers appropriate, so there is a provision to enable qualitative information to be provided as well. There was a query about the impact on business. The government has worked closely with industry representatives to discuss mutual obligations. It has not encountered any issues of concern in those discussions.

This legislation is part of a national approach. We are advised that the safeguards for Victoria are stronger than those that have been passed by any other state. That is particularly appropriate given the traditions of concern and support for individual rights and civil liberties in this state compared to others. It is with that in mind that the government has put forward this set of safeguards. Members of the government with their range of backgrounds, particularly the Attorney-General, the Parliamentary Secretary for Justice, the Cabinet Secretary and many others, come from a tradition of supporting people's rights, so it is

appropriate that this set of safeguards be contained in the bill, which I urge all members to support.

Mr PERTON (Doncaster) — This is a very important debate in terms of not only the international events that are taking place in and around Iraq but also the feelings that many Melburnians and Victorians will have — a feeling of anxiety and concern that the events that are taking place many thousands of kilometres away can have an impact within our own society through the advent of terrorist acts.

For me, crucially, the central provision of this bill is the definition of a terrorist act contained in clause 4. In essence the terrorist act means an action is done or a threat is made with the intention of advancing a religious or political or ideological cause and the action is done or the threat is made with the intention of coercing or influencing by intimidation the government of the commonwealth or a state, territory or foreign country, or a part of a state, territory or foreign country, or intimidating the public or a section of the public, and each of those matters is important.

I would like to quote two people whom I both know and respect. The first person I quote in the context of this debate is Mr Joseph Nye, Jnr, who is the dean of the Harvard Kennedy School of Government. In an article in the *Financial Times* of 28 December 2002 entitled 'A whole new ball game' he refers to the new national security strategy of the United States of America and speaking for the United States says:

... we are menaced less by fleets and armies than by catastrophic technologies falling into the hands of the embittered few. Instead of strategic rivalry, 'today the world's great powers find ourselves on the same side united by common dangers of terrorist violence and chaos' ...

I think that remains true whether there is agreement or not on intervention in Iraq. He goes on to say this:

Most worrying are the effects of these deep trends on terrorism. Many Europeans properly point out that terrorism is nothing new, and they have successfully coped with it for decades without significant disruption of their democracies. But technology has been increasing the lethality and agility of terrorists over the past decades, and the trend is likely to continue. In the 20th century, a malevolent individual like Hitler or Stalin needed the power of a government to be able to kill millions of people. If 21st century terrorists get hold of weapons of mass destruction, that power of destruction will for the first time be available to deviant groups and individuals.

This 'privatisation of war' is not only a major change in world politics, but the potential impact on our cities could drastically alter the nature of our civilisation. The new terrorism is not like the IRA or ETA.

I think there is agreement across both sides of the house that this is the new threat that we face and that we have to take special measures to combat that threat. I think both the Labor and Liberal parties over the decades would have used great caution with the idea of introducing covert search warrants, yet in this debate the two parties are united on this — and united across the states and across the sphere.

I note that in moving this legislation the Attorney-General has moved forward with caution, and our acceptance of the bill has been subject to questions and the need for explanations such as those provided by the honourable member for Footscray in his contribution just now. That caution needs to be very strong. Petro Georgiou, the federal member for Kooyong, put the issue very well in his contribution to federal Parliament on the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002. I would like to quote it, if I may. He said:

... the measures we employ to combat the new terrorism must not undermine our core values: the rule of law, due process, civil liberties and freedom of speech.

...

... I want to affirm the protections that exist in our legal system. I think it is important to appreciate that these protections did not spring full blown from the mind of some chardonnay-sipping civil libertarian in an ivory tower. They evolved out of the experience of people who lived through turbulent and violent times: through rebellion, revolution, civil war and religious insurrection. The protections of individual rights were a rejection of the arbitrary use of executive power which had been justified by government as essential to the security of the kingdom and its citizens. This power was curbed because it was realised that its exercise was corrosive to the very order that it purported to serve.

The strength of democratic societies has been our evolution beyond the arbitrary exercise of repressive powers. As legislators, we must not shirk our responsibility to do all that is possible to combat threats to the safety and security of our country. Equally, we must not shirk our responsibility to protect the very core values of our society that the terrorist threat we face seeks to destroy.

That is the difficult balance that we face with this legislation. I note that there are protections in that all the issues under this bill are subject to Supreme Court scrutiny and reports to the minister, and ultimately there is a sunset clause with the requirement that there be a report to this house. That is very important. It will be a responsibility for each and every one of us to do this.

Terrorism is not academic. In the light of the Bali incident every Australian now understands that an Australian whether at home or travelling overseas is

subject to this risk. Many Australians have been subject to these risks.

My own family left Europe as refugees having lived both under the Soviet Union and Nazi Germany and lived with the terror of state terror — the state terror of secret police, of rights being violated without any recourse to the courts and the like. The Jewish community that my colleague the honourable member for Caulfield represents very much feels this in terms of both its historic suffering as a result of state terror and its suffering nowadays as a result of the terror, as Mr Nye says, of the embittered few.

So too there are a range of Australians who have come here as refugees from other countries, many of whom have suffered torture and the like — and some, for instance, are in treatment under the excellent care of Paris Aristotle and the Victorian Foundation for the Survivors of Torture.

We Australians have certainly absorbed many people into our community who have suffered as a result of both state-sponsored terrorism and the terrorism of the embittered few, the terrorism of the vindictive minority or the terrorism of the anarchist. Those people today live in greater fear than they did in the past, and we as a state and as a community have to be strong and resolute in providing physical resources to protect our community and repair the damage done to the members of our community who have suffered as a result of terrorism.

We have to give our security forces and our police the necessary new powers to deal with a threat that we have not really had to deal with in the past and at the same time work across the table together as Liberal and Labor. We have to make sure that this protection of our community does not come at a cost to hard-won civil liberties that make our society very different from the idealised societies that those who are terrorists would seek to impose on us or those who impose state terrorism, such as the Taliban and the like, would also impose on us.

This is an important piece of legislation, and I appreciate the opportunity to be able to contribute to this debate. I support this legislation on behalf of my community, which is unique in Victoria in having both a synagogue and a mosque and in having as its members people who have come from a range of countries, both as refugees and as economic migrants, many of whom have suffered as a result of living in places where these terrors were very real and who now today feel a great sense of fear and anxiety as the threat of terror reaches into our various suburbs.

Mr LANGUILLER (Derrimut) — I rise today in support of this important piece of legislation, the Terrorism (Community Protection) Bill. I do so with a mixture of sadness and the strong determination as an individual and a member of the government and this democratic institution, together with members of other political persuasions, to strengthen the measures that are required to improve community safety. We should make no mistake about the threat of terrorism or violence associated in one form or another with certain political or religious beliefs. As a government, as a political institution and as a community committed to democracy and civil liberties we must unequivocally and unashamedly condemn all forms of terrorism. We should not walk away from our responsibility for tackling this issue, which unfortunately is spreading and growing around the world like mushrooms.

The main purpose of the bill is to provide new powers and obligations in relation to the prevention of and the response to terrorist acts. It provides for a covert search warrant regime and for the mandatory reporting of the theft or loss of certain chemicals and substances. It imposes risk management obligations on the operators of certain essential services and protects counter-terrorism methods from disclosure in legal proceedings.

As I was saying earlier, we must condemn unequivocally all forms of terrorism. The ends do not justify the means. Today we have obligations at the state and national levels as well as at the international level as members of the international community, so we must assist ourselves and our neighbours and other countries in dealing with this issue. Consequently there is to be mandatory cooperation between the states and the federal government. Incidentally, arising out of that commitment the states have come into line, including measures in legislation that have been adopted by the federal government.

However, having clearly put on the record our commitment to combat terrorism, there are some other important matters of concern that I believe at this relatively early point in this debate on terrorism and terrorists we also have to put on the record.

For example, I wish to quote from a submission to the Senate Legal and Constitutional Affairs Legislation Committee by Liberty Victoria—Victorian Council for Civil Liberties. I do so to point out that:

... the terms 'terrorist' and 'terrorism' are not value-neutral. Due [to] the linking of refugees with notions of 'illegality', 'criminality' and 'possible terrorists' by the Howard government during the last federal election, and the failure of the opposition to counteract that linkage, the term 'terrorist' is

now inextricably linked with people from Arabic or Middle-Eastern background or with people of the Muslim faith. Political expediency has ensured that the term has heavy undertones of racial and religious stereotypes, with prejudice rather than commonsense often underlying political and public discourse on terrorism.

... Liberty wishes to highlight how prejudice and ill-conceived laws contribute to injustice. We note that the definition of 'terrorism' in the bill is almost word for word of that in the Terrorism Act 2000 (UK), a bill whose precursor was the Prevention of Terrorism Act 1974 (UK).

Part of the reason for my concern relates to an interesting example quoted by the civil liberties council. Under the act put in place in the United Kingdom a man by the name of McGuire was convicted — and subsequently acquitted, by the way — because of his Irishness: due to his being Irish, he was presumed to be a member of the Irish Republican Army (IRA).

Tragically we have to refer to experiences in other parts of the world. In Spain for example — a situation which I have followed over many years in the Spanish press — for a long period of time in the early days when the Spanish government had to deal with terrorism by Euzkadi Ta Askatasuna to be Basque was essentially to be associated with ETA. Incidentally I am also Basque of French heritage, and I remember in the early days when Spain was dealing with terrorism there were these ongoing jokes about how being a Basque meant in some way or other being connected to ETA. It meant nothing of the kind. The truth of the matter is that the majority of the Basque people in Spain condemn ETA and condemn terrorism.

I raise this respectfully in the sense of a warning, in that whilst we must strongly condemn terrorism and introduce legislation to protect our community to the best of our skills and ability, at the same time we must make sure that being a terrorist does not equate to being a person of a particular background or religion, because unless we are careful what we will do is help terrorists.

I remember numerous examples where many young people in the Basque region of Spain, having been the subject of harassment by the authorities and police forces again and again throughout their childhood and every day in their lives, were effectively pushed into supporting ETA because they had nothing left. Simply because they were Basque they were harassed by the authorities, and consequently they were in some way or other culturally and politically pushed into the only organisation which appeared on the surface — I emphasise 'appeared' — to protect their so-called national and cultural interests.

We need at the same time to strongly condemn racism and racial and religious prejudice. We need to

continually indicate that it is not accepted in our community to be part of racist practices or to demonstrate prejudice against a particular religion, and we must separate and isolate those individuals — the very few individuals — who may be connected with terrorist activities from the rest of the community and bring on board those from the great majority of communities that condemn terrorism.

This government is very seriously and strongly committed to community safety. The provisions in the legislation are there to ensure that the whole community takes part in the fight against terrorism, and in a positive sense fundamentally to improve community safety.

The bill also contains provisions affecting the private sector. It is not the responsibility only of the state government to play a role and in that sense the legislation correctly introduces a provision for the mandatory reporting of the theft or loss of certain chemicals and substances. It also requires some companies to develop a risk management obligation as operators of certain essential services.

I think it is crucial that everyone in this community, in their respective positions, assume responsibility in relation to dealing with terrorism. I am confident, however, that this community will continue to persist in its strong commitment to the rule of law, which requires that all people be protected from arbitrary power, that we continue to presume that a person is innocent until proven guilty, that all persons are equal before the law and are entitled without discrimination to equal protection under the law — —

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

Mrs SHARDEY (Caulfield) — I rise to make a contribution to the debate on the Terrorism (Community Protection) Bill 2003. I think it is very important to note that there is bipartisan support for this very important piece of legislation. I suppose that in a sense it is somewhat momentous that we are debating the bill today, a day on which we understand hostilities may well start in Iraq.

I recently spoke to a forum of the National Council of Jewish Women of Australia on the topic of citizen's protection against terrorism. My comment to those assembled was that there was probably not a single woman in that room who had not been touched by the dead hand of terrorism at some time during her life, whether as a survivor of the Holocaust, a child of the Holocaust, a friend or relation of an Israeli family

targeted by a suicide bomber during this intifada that has been going on now for some two years or the relative of a victim of the Bali bombing. On that particular day the mother of a victim of the Bali bombing was amongst us, and she spoke to us about what she and her family had gone through as a result of that terrifying and very tragic incident. I also commented that I thought that whether we were daughters, wives, mothers or grandmothers the fear amongst Australian women in relation to terrorism had become quite palpable.

At the end of 2002, in an article about the year that had been, the *Bulletin* said:

Australians will look back on 2002 as the year in which the country's luck began to turn. Holiday-makers battled bushfires, Australian troops joined the global war against terrorism and, as a showdown loomed with Iraq, drought ravaged rural Australia. But, above all, it was the Bali outrage — and the realisation our country had become a terrorist target — that changed the way we saw our place in the world.

In this special feature the *Bulletin* showed what had happened, and of course there were photos particularly of the Bali bombing and its aftermath.

I also note that in an article in the *Age* of 9 December written by Greg Hunt, the federal member for Flinders, and Brad Haynes it was acknowledged that since 11 September and the Bali bombing the world as we know it has changed. Our homes and all that we regard as sanctuaries are now targets for destruction by an aggressor which is unseen and secret. The article talks about the twin threats of terrorism and weapons of mass destruction, which stand a chance of becoming linked in the hands of a terrorist network and which would be used to produce maximum human casualties as we saw on 11 September and in Bali, only perhaps on a greater scale.

It is almost impossible to rationalise the reasons why or the vision of those who perpetrate such horrors. In the *Age* article it was suggested that al-Qaeda and the Taliban, which is an extremist sliver and incidentally Islamic, would create a world with:

Radios banned, women not only denied education but turned into chattels of the lowest kind. No free press, summary execution. No democracy, no free speech of any kind.

Of course this world would be the creation of domestic terror and instability in targeted Islamic countries, with the infliction of sufficient terror on Western countries causing them to disengage. Here in Australia we strive to maintain multicultural harmony. Our position in support of the fight against terrorism is unequivocal,

and the determination of governments to protect our citizens has bipartisan support.

In my electorate of Caulfield there has been for a long time concern about the level of safety of a large number of citizens, particularly within the Jewish community. At every function I have attended since becoming the member for Caulfield, which goes back to 1996, there have always been security guards. On 11 September, as I was driving to my office, I put in a call to Michael Danby, the federal Labor member for Melbourne Ports. I asked Michael what he was doing on that particular day. He said, 'Helen, I have the door to my office closed, and there is a sign on the door that says, 'If you would like an interview or an appointment, please call this number'. On that day, and that day alone, I closed my door. I guess I wondered a little why I felt the need to do that, but I suppose it was a sense of just not really knowing what might ensue. That is a very sad thing.

The Terrorism (Community Protection) Bill was developed as part of the national agreement between the commonwealth, state and territory governments. In the aftermath of 11 September the federal government acted on a number of fronts, and I would like to mention them briefly. A thorough review of counter-terrorism security arrangements was carried out. This review reorganised security functions within government and provided additional resources to security agencies. A meeting of commonwealth and state leaders was convened to discuss, evaluate and improve national security plans. A business and government task force was established to work out how our critical national infrastructure could best be protected from attack. On the legislative front a range of measures were put in place to strengthen our counter-terrorism capabilities.

The agreements reached at the leaders summit are highly significant in the management of terrorism. The agreements led to state and territory leaders recognising that certain types of terrorist incidents need to be strategically managed at a national level. Of course we have seen separate legislation go to the upper house in relation to that. The agreement reflects the need for a quick and coordinated national response to attacks on the commonwealth. The states agreed to examine their own legislation to ensure there are no gaps in areas over which they continue to have responsibility. The bill before the house is designed to accomplish this requirement.

We have heard about the details of this bill. For instance, covert search warrants can be issued; there are powers to detain and decontaminate people who are affected by chemical, biological and radiological

contamination; and there is a provision for the mandatory reporting of the theft of chemicals and the like.

The one area which is of concern, although I note that the same provision is in the federal bill, relates to amending the Freedom of Information Act to provide exemption from the disclosure of documents affecting national security, defence or international relations. But the bill also provides the minister with the power to overturn a determination by the Victorian Civil and Administrative Tribunal that a document should not be exempted under these grounds. Some concern was expressed about this. At a federal level the minister is required to come into the house and verbally give notice. Under the legislation before us today the state minister is not required to do that but merely has to lay it on the table. We would like to see the minister having to give notice verbally to the house so that all members would be aware. This is important legislation. We strongly support it and wish it a speedy passage.

In closing I mention that the editorial in today's *Herald Sun* sums things up fairly well from what I believe the community's point of view should be — that is, if hostilities start today, we should work together; division in the community should end; and we should get behind our troops and give them the strongest support possible. None of us wants to see a war. None of us wants to see the continuation of terror on any front. We support this bill, but we ask the community to come together and support our troops in their endeavours.

Mr HARDMAN (Seymour) — When I first stood for election in 1996 I did not imagine I would have to speak on such a bill in state Parliament. Never before have measures such as this been more necessary. This bill provides new powers and obligations to assist in preventing or responding to potential terrorist acts. Honourable members are probably all aware of the news that in a few minutes George Bush's ultimatum to Saddam Hussein actually finishes, so now more than ever this bill is necessary as Australia, Melbourne and Victoria come under the threat of attack from terrorism.

The bill is part of the agreement on terrorism and multijurisdictional crime reached between the states, the federal government and the territories. For that purpose it is good to see that everyone is working together across Australia. The thought of terrorism is close to home for me, with Puckapunyal being close by. Since 11 September if I have to go out there, even as the local member, to access an important part of my electorate I have to provide identification and wear tags each time I go in and come out. I imagine even that has changed significantly with the recent ultimatums.

It is important that the bill safeguard the rights of individuals so that in three years people will be able to comment on whether or not the powers in the legislation have been abused by the police or whoever enacts them. I hope it will assist those people who put human rights and the rights of individuals first to see that the government cares about those issues as well. That is good to see.

I welcome the bipartisanship from the opposition on this bill. I think they realise as well as members on this side that the bill seeks to protect all Victorians, no matter what their ethnic or cultural background. I note the member for Derrimut talked about his experiences with racism; we have been reading about ethnic violence occurring even in country Victoria at the moment. We, as a community and a society, need to respect everybody's cultural or ethnic background and make sure that they feel safe living in this community as well. I hope this continues.

The bill provides new powers and obligations in relation to the prevention of and response to terrorist acts. It provides for a covert search warrant regime, which changes powers significantly.

The bill also provides for mandatory reporting of the theft or loss of certain chemicals and substances. In this day and age people are probably a bit blasé about certain things. In the past if such chemicals went missing we probably put it down to theft and let it go. Now people are going to be held responsible, and that is very important.

Another purpose of the bill is to impose risk management obligations on operators of certain essential services — namely, our water, electricity and gas. I live along the Goulburn River, which has Lake Eildon at the top of it. Hopefully it will fill up soon and when that happens obviously the dam wall will be a potential terrorist target. The authorities need to make sure that there is a certain amount of management of risk of terrorist attacks to prevent that.

The bill protects counter-terrorism methods from disclosure in legal proceedings. For instance, the freedom of information provisions that we have in this state for open, accountable and transparent government — in this case for national security — are treated differently.

I commend this very important bill to the house and wish it a speedy passage.

Mrs POWELL (Shepparton) — I am pleased to speak on the Terrorist (Community Protection) Bill and do so with the sad knowledge that Australia may soon

be sending its troops into combat. Our thoughts are with our troops and also with their families and loved ones who are back home. We hope that they return safe and well very soon.

We now understand that there are no borders for terrorists. Australians have been maimed or killed on non-Australian soil. The world watched on 11 September 2001 as terrorists attacked New York, and again in October 2002 when the bombings occurred in Bali. We realise how vulnerable our people are, no matter where they are in the world — on Australian or overseas soil.

Many innocent people were killed and maimed. Many were young people on holiday, having a good time just going out for the night, or they were on business going about their affairs. They were not part of any terrorist campaign or people who would cause trouble. They were all expecting to come home to their loved ones. The people who died are remembered, but the lives of those who were maimed or hurt have been changed forever. As a consequence of those attacks all states and territories have agreed to review their legislation and counter-terrorism arrangements to ensure that if a threat did arise they would be prepared with the appropriate security measures in place.

The bill is designed to complement existing commonwealth counter-terrorism legislation. A separate bill to refer legislative powers to the commonwealth will be introduced to provide constitutional support for commonwealth terrorist offences to apply uniformly throughout the rest of Australia. We understand that we have to be more vigilant and we have to protect our people wherever they are.

The National Party supports the bill, but does so in the hope that the significant powers that the bill provides will be used wisely and will not be abused. To that end I am pleased to see that part 7 requires the government to review this legislation in three years. There is a sunset clause with a termination date of 1 December 2006. If the terrorist threat does recede Parliament can then repeal that sunset clause. It will also be an opportunity to have a look at the legislation and see whether it can be amended in some way to be made better by either lessening or, if needed, increasing some of its provisions.

As I said, the bill gives extra powers particularly to the police. They can apply for a covert search warrant, which has to be issued by a Supreme Court judge, but it does need the approval of the Chief Commissioner of Police or a deputy or assistant commissioner and they

have to meet certain conditions. One of those conditions is that they have to prove that there is a suspicion of terrorist activity before they can search a home or a car. They can do this without warning to or permission from the owner of the home or car, but there is some protection in that. There is a time limit to the search warrant and then, I guess, the police can apply again.

The bill provides for mandatory reporting of theft or loss of prescribed chemicals and other substances. As soon as owners, whether they be farmers who have chemicals on their farms, or businesses that provide rural chemicals to farmers, are aware that there has been a theft or a loss they have to notify police. This part of the bill is important because we need to minimise the risk of loss and theft of chemicals in our community.

Part 3 of the bill gives police new powers to detain and authorise the decontamination of people who may have been exposed to contamination from chemical, biological or radiological agents. Police may direct people away from or into a specific area to submit to decontamination procedures in an effort to limit the spread of contamination risk.

After the events of 11 September there were anthrax threats around the world, including plenty in Victoria and a number in the community that I serve. Our electorate offices received a warning from Parliament that we had to minimise the risks to the community. To protect our staff we authorised them to wear masks and gloves when they were opening the mail. For about four months staff in our office had to wear masks and open any mail with gloves just to protect them. To also minimise risk from the public we had to open all the mail away from public areas. We used to go into a back room to open our mail so that we minimised the risk of contamination to members of the public as well as we could.

This bill also requires essential service operators to put in place risk management measures and risk management plans in case of a terrorist attack. This is going to be a huge and onerous task for many members of our community as they put in place these plans and measures, including the training that will have to be done as well.

The government has said it will work with independent essential service operators. This is a good thing, because there will be an increased cost to businesses. Business people will be taken away from running their businesses, because much time will be spent preparing their plans and training their staff to make sure they are

ready and able to manage any terrorist attack. It is important because, as other members have said, there will be terrorist targets in Victoria, and we need to make sure that our utilities are ready.

We saw the concern in 2000, when all of our computer services were at threat, or we thought they were at threat and would fail because of the supposed millennium bug. The coalition government worked with the community, businesses and other organisations to make sure their computer systems did not fail and there would not be a huge loss of information throughout Victoria.

To give an example of one of the essential services that had to comply with these conditions, the CFA had to audit every fire station in the region and make sure that its computer equipment was up to standard and complied with all of the requirements. It also had to have a reporting-back system, with a number of guidelines.

In the second-reading speech there is talk about increased violence against the Muslim community since 11 September and the Bali bombing. As I have said in this house before, Shepparton has a very large multicultural community. Forty per cent of its population has first and second-generation family members who were born overseas. It is estimated that there are up to 4000 Arabic-speaking people in the Goulburn Valley. That number fluctuates from time to time: if they cannot get work, they move on.

On 12 March there was a demonstration in Shepparton, when 300 Iraqi people walked to Sharman Stone's office to demonstrate. They had a concern about police monitoring, because there was some discussion in the *Shepparton News* that police were monitoring the Iraqi people. They were quite concerned about being under such tight scrutiny when they had done nothing wrong. The women were receiving verbal abuse because they wear the traditional dress, so they were told to stay home. In other areas of the community the children were told to stay home from school.

But our police are working with them on a weekly basis, making sure that the issue does not escalate and that there is no violence in our community on either side, because some of the Iraqi people are saying that they will need to protect themselves. So there is an ongoing discussion with the police, who are working with the Iraqi community, making sure that everything stays calm at this time. We need to be more tolerant and calm at this time. We need to protect our whole community and to dispel any fear among its members, particularly in Victoria.

While I wish this bill a speedy passage, I also say with sincere hope that we never have to use it.

Debate adjourned on motion of Ms GILLETT (Tarneit).

Debate adjourned until later this day.

CONSTITUTION (PARLIAMENTARY REFORM) BILL

Second reading

Debate resumed from 19 March; motion of Mr BRACKS (Premier)

Further government amendments circulated by Mr BATCHELOR (Minister for Transport) pursuant to sessional orders.

Mr BATCHELOR (Minister for Transport) — I move:

That the debate be now adjourned.

Mr PERTON (Doncaster) — This is an unspeakable outrage. This is a bill that will fundamentally reform the constitution of this state by entrenching provisions within it that can be reformed only by amendment. To adjourn this debate to later this day is absolutely absurd. I am sure that the opposition and my friends from the National Party would be quite happy to accommodate a change in the government business program to permit this debate to continue next week, because there is no rush for this debate to be concluded today. But as things stand, this debate will conclude at 4.00 p.m. today, when all of the government amendments will be put. However, the amendments of the opposition, your own amendment, Acting Speaker, and the amendments proposed by the member for Gippsland East will not be put, unless there is a proper committee stage.

Last night at 7.30 we had 35 amendments circulated in this house as a result of mistakes having been found in the drafting of the original bill by public servants and amendments being needed to fix those errors. Now we have another new clause introduced by the government at 12 o'clock with no previous briefing, no offer of a briefing and no time to examine it. Now this government wants to bring the debate on again this afternoon after question time — and it wants to put it to the trigger at 4 o'clock. I put it to you, Acting Speaker, that this is a very sad and sorry day, as the honourable member for Werribee who has now left the chamber said. But it is a sad and sorry day for democracy in Victoria.

As the Leader of the Opposition said in his speech on the second reading, in a democracy there are rights for minorities and there are rights for Independent members of Parliament; but those rights are not being protected by a government that circulates 35 amendments last night and a new clause at 12 o'clock today, with the debate not to resume until 3.00 p.m. but to be concluded by 4.00 p.m. under the sessional orders and under the minister's business program. It is disgusting, Acting Speaker, and I for one cannot vote for this to be adjourned until later this day.

Mr MILDENHALL (Footscray) — Before the opposition works itself into too much of a lather, it should realise that the amendments that have been circulated are the amendments that have been circulated before, with some minor amendments about the dates of implementation that are not particularly significant. We are talking about some minor issues here and not principles or great issues of state, as claimed by members of the opposition.

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster will remain silent.

Mr MILDENHALL — In addition to that, the government intends to have this bill go into committee this afternoon, when there will be ample opportunity for the details of these provisions to be explained and examined.

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! I will not ask the honourable member for Doncaster again to cease interjecting across the table. He will remain silent. He has had his opportunity.

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster will not make reflections on the Chair. If I want to take the matter further, I will ask the Speaker to come in here. If he does not remain silent, I will do that. Does he accept that ruling?

Mr Perton — I have no choice but to accept that ruling.

Mr MILDENHALL — In all sincerity the nature and contents of what has just been distributed do not warrant the reactions of the opposition. We are talking about very minor provisions, and the only substantive

issue in them was in amendments circulated in the debate previously. There has been some significant time for debate on the issue of the title 'honourable', and I am sure it has been discussed in many circles — —

Mr Stensholt interjected.

Mr MILDENHALL — As my honourable friend the member for Burwood has suggested, not only in community and media circles but also around this Parliament, particularly in the last 24 hours.

These amendments do not relate to the major issues at stake, as has been protested by the opposition with some heat. We are talking about very minor issues indeed, and we should get on with it and allow maximum time for the committee stage this afternoon.

Mr MAUGHAN (Rodney) — I rise in support of the comments made by the member for Doncaster and to refute — —

An honourable member interjected.

Mr MAUGHAN — No, not the time.

I reject some of the arguments put forward by the honourable member for Footscray. The member for Footscray argues that they are relatively minor amendments and as such we should not be concerned that we have only a matter of hours to have a look at them and less than 1 hour to debate them.

The government in its second-reading speech said that this legislation was the most important legislation that has come before this house in the last 150 years. That is not my statement, that is the government's statement. How much time have we had to debate this legislation? Not enough for such a far-reaching piece of legislation that will change the constitution forever. I say that advisedly, because this government is saying it knows what is best for Victoria and that it is going to make it extremely difficult to change any of those things after this legislation is passed.

It is absolutely appalling that 35 amendments were proposed yesterday, within 24 hours of the debate concluding, and that today there are further amendments, minor though they may be.

An Honourable Member — Why the rush?

Mr MAUGHAN — Yes, why the rush to get this bill passed?

If this is important legislation — as the government says it is — which changes our constitution forever why do we need to get it passed with such undue haste?

Why can it not be deferred until next week? Why can we not consider it carefully? The government has the numbers, and it can and will do what it wants. For a government that claims to be honest, open and accountable this is the last thing one would expect to happen — that it would be bulldozed through the house and caught by the guillotine at 4.00 p.m. this afternoon without adequate consideration.

I do not oppose the amendments — I agree with the member for Footscray that they are relatively minor — but I am incensed that they have been introduced with such little consideration — with no prior announcement, with no briefing to the opposition parties and without adequate time for us to properly consider them, minor though they appear to be.

An honourable member interjected.

Mr MAUGHAN — Let alone community debate. What about this honest, open and accountable government telling the community what it is doing!

Was this particular item found by the Constitution Commission of Victoria in its widespread consultation? For heaven's sake, there were 18, 19 or 20 people wherever they went! I do not recall ever having heard from the constitution commission that this item was one of the things that people were concerned about. In fact as a local member who has been in office for 14 years now I have not had a single letter or phone call concerning changes to the constitution. That is how important it is to the people in my electorate, yet we now see these far-reaching reforms. I accept it is something the government is passionate about — it has been put forward by the Independents and the government — but I do not think it matters a hoot to the people out there in Victoria.

It is appalling that we are trying to rush these amendments through the house, and the National Party will be opposing them.

Mr BATCHELOR (Minister for Transport) — I will explain to the house what the government is doing and why the mock outrage that has been demonstrated by the member for Doncaster is completely — —

An honourable member interjected.

Mr BATCHELOR — No, it was not genuine. You know he was not genuine at all because you know what he was trying to make happen.

What we did with these amendments was identify the amendments the member for Mildura had moved and clarify their implementation or starting date. That is

simply it. I will give the opposition, the National Party, the Independents and members of the Labor Party all the briefing they may need to be able to understand the import and intent of them. They represent the government taking on board the amendments that were circulated at the commencement of this debate.

We have just seen a demonstration of mock outrage. The member for Doncaster did not believe it; he was trying to bring about some other outcome. What was that? The member for Doncaster was really trying to make sure that the amendments moved by the member for Mildura were never voted on. That was the intent, and we have caught him out. They are nodding in agreement over there.

Worse than that, the Leader of the Opposition was going to move his own amendments to claim the moral high ground knowing that they would not be put and that the opposition would debate out the time allocated for these amendments later this afternoon. On the one hand they say they want to get rid of 'honourable' as a title for everyone but on the other hand they knew they could keep it in their back pocket all the time. We are awake to that. It is fair enough for them to have this contradictory position, but it is not fair enough for the member for Doncaster to come in here claiming to be doing something different.

The amendment enables the member for Mildura to have his amendments considered by the chamber, and that will happen later on today. It does nothing more and nothing less. The opposition has received a briefing from me today. They have had the opportunity to see the amendments since last Tuesday, at the beginning of the debate. We spent the whole of Tuesday debating the bill. It is an important debate, and the amendments have been on the table and in the public domain. They have been talked about in the media for the last 24 hours so people are well aware of them, so much so that the Leader of the Opposition proposes to move amendments of his own in relation to this issue. He intended to do it only one hour before the deadline. That is the height of hypocrisy coming from the opposition, and it sets the tone for what we expect of the debate later on.

We will bring the bill back and allow people to have their say, and we can expect — —

Honourable members interjecting.

Mr BATCHELOR — For another hour, that is right. The whole day is being spent on it. The member for Rodney says on the one hand that no one has rung him about the bill but on the other hand that he wants to

spend hours and hours debating something that he says is not important. The government has already provided time but will provide more. People understand what it is about, and we are simply allowing the Parliament to decide on it.

Mr INGRAM (Gippsland East) — The commitment most members of the chamber are after is for all parties to allow the Constitution (Parliamentary Reform) Bill to be committed so that the amendments proposed by members can be debated and voted upon and not have just those proposed by the government hit the guillotine.

Members interjected during the Minister for Transport's contribution regarding the government giving a commitment that the bill go to committee. That is the real issue. Members want their amendments discussed and voted upon during the committee stage of the bill. All parties should give that commitment. Many people have had an opportunity to speak on the bill so there is no reason that debate should drag on. There should be a commitment from government members that the bill will be committed and that amendments proposed will be discussed and voted on.

Motion agreed to and debate adjourned.

Debate adjourned until later this day.

FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL

Second reading

Debate resumed from 19 March; motion of Mr HAERMEYER (Minister for Police and Emergency Services).

Mr MILDENHALL (Footscray) — Hoddle Street, Queen Street, Port Arthur, Dunblane, Columbine High School, and Monash University on 21 October 2002. I think we have probably become too accustomed to having community life interrupted by a bloody massacre by somebody who goes berserk with a gun, usually in the middle of a peaceful setting, totally unexpected and, until recent times, unprecedented.

We know the shock people feel, the incredulity in the community, about how those who took those actions got hold of their guns. It is almost a community ritual by now — the spontaneous construction of memorials, the floods of flowers, the anguish and misery of the relatives, and the sympathy and outpourings of compassion in the community. The difference with the Monash University incident on 21 October last year

was not only that thankfully there was a smaller number of victims than we have been used to but that the person who was alleged to have perpetuated the crime was a member of two gun clubs and had, I understand, something like seven approved weapons under the appropriate regulations at the time.

Following the outcry in the community about how somebody could go through the appropriate regulatory system at the time, end up with the type of weapons they had and then commit this sort of crime while being part of what one would normally have thought to be a responsible organisation, the Australian Police Ministers Council and the Council of Australian Governments discussed a greater level of handgun control, and that was formalised in the Handgun Control Agreement on 6 December 2002.

The legislation gives effect to the two agreements to which Victoria has become a recent signatory — the Handgun Control Agreement and the Firearms Trafficking Policy Agreement. We are dealing with an increased range of regulations to increase the level of control over handguns and imposing a greater level of control over the trafficking of firearms.

The main provisions are that the range of handgun target shooting matches that sporting shooters can compete in will be restricted and reduced, and that the handguns that can be used for legitimate shooting matches will be limited to those handguns with a maximum calibre of .38 other than for specially accredited handgun matches that will be prescribed in regulations to allow handguns of a maximum calibre of .45, a maximum magazine capacity of 10 shots and a minimum barrel length of 120 millimetres in the case of semiautomatic handguns and 100 millimetres in the case of a revolver or single-shot handgun, other than for specially designed and approved target-shooting pistols.

The bill also provides for a system of graduated access to handguns for target shooting based on training, experience and match participation. A person must be a member of an approved handgun target shooting club for a minimum of six months before he or she may obtain a licence. They may possess only one .177 calibre air pistol and one of either a .22-inch calibre handgun or one centre-fire handgun during the first six months of owning a licence, and must compete in at least 10 approved handgun matches per annum to retain their licence for the reason of target shooting.

The bill also gives shooting clubs greater access to information by requiring a prospective member to produce a police clearance. It allows the Chief Commissioner of Police to revoke the firearms licence

if the loss or theft of a firearm is due to fraud or negligence of the licensee. The bill allows the Chief Commissioner of Police to refuse or revoke firearms licences and applications on the basis of criminal intelligence, and increases penalties and introduces new offences relating to the illegal disposal and acquisition of firearms.

The bill introduces a new penalty for a subsequent finding of guilt for possession of an unregistered firearm, and introduces new interstate trafficking provisions. It introduces a new requirement for dealer licence applicants to disclose their close associates to the chief commissioner. That provision includes a requirement that a full set of fingerprints be provided to the chief commissioner and allows some handguns, which may not be possessed for any use other than for very strictly controlled purposes, to be prescribed in regulations to be category E handguns. They are strong measures by any standard. They are certainly strong in terms of an historical perspective for our state and they are very strong by international standards. They are warranted.

I do not have much contact with or knowledge of handguns but like most people I know I am horrified by the incidents that all too frequently take place in our community. Many in the community cannot understand how these guns came into the possession of the perpetrators, or what sort of regulations would allow the ownership of these types of weapons. Obviously most weapons used in the sorts of crimes that outrage the community are those held illegally by the perpetrators of the crimes, but in recent times the community has been aghast that guns held legally can be used for such purposes.

The government is determined, as are other state governments and the federal government, to implement this far more rigorous, stronger, more robust regime of regulation and control over the possession of and trafficking in handguns and is therefore imposing strong conditions under which they can be used for legitimate purposes. We all hope that the legislation will be successful in preventing any possibility of a repeat of the incident at Monash University. It was unique in one sense but common in another in that it forms part of all too frequently recurring gun massacres. We must do our bit to try to prevent this type of incident from ever occurring again.

Mr COOPER (Mornington) — There is a lot I could say but in the very short time that has been allocated by agreement to me, which is approximately 5 minutes, I want to cover a couple of points.

Principally I want to talk about the inference that was contained very clearly in the speech by the honourable member for Footscray that people who own firearms have a tendency towards committing violent crimes. Statistics and all other evidence show that this is not so, but that in fact the vast majority of crimes committed in our society, both here in Victoria and elsewhere, with firearms, whether they be long arms or handguns, are committed with unregistered firearms by people who are not registered shooters.

So while the bill aims to strengthen previous legislation to restrict the sale and use of concealable handguns, and the government has stated that through legislation it is expecting to remove approximately 9500 handguns from the community, the points that I want to make are as follows. Firstly, if the legislation does remove 9500 guns from the community, that will come as a great surprise to me because, as in the case of previous firearms laws where further or greater restrictions were placed on firearm owners, many of them will simply send their firearms underground — literally! They buried them in plastic pipes because they were not prepared to give up firearms that had been handed down from generation to generation and in many cases had great historic and commercial value. So if this legislation removes 9500 handguns of similar note from the community, I will be very surprised.

The second point I want to make, and it is probably the most important, is that virtually every person who is a registered firearm owner and user is carrying out a legitimate activity and is a law-abiding citizen. They should not, either by inference or direct allegation, be painted as people who either are or are potential homicidal maniacs. They are not. The fact that they possess a registered firearm and are members of legitimate firearms clubs and that they carry out their sporting activities in a law-abiding way should be proof positive of what I have had to say.

The incident at Monash University that has led to this legislation being introduced was a very rare occasion. A person who legitimately owned seven handguns used them illegitimately to commit a crime that was horrendous in its outcomes. As the honourable member for Footscray said, that is a most unusual event. We should all bear in mind the fact that people who are pursuing legitimate activities involving firearms are law-abiding citizens, and their rights and their ability to continue what they have been doing — in many cases for many generations in the same family — should be protected and enhanced by this Parliament.

Those rights should not be diminished with further restrictions applied to the stage where those activities

may go out of the system and people are not allowed to carry out their recreational activities. Such recreational activities are part of both the Commonwealth and Olympic Games and other world events. We should be aware that members of sporting groups believe that these changes could stop Australia hosting world champion shooting events and could stop the international competitiveness of Australian sports shooters. That would be a shame — it would be a disaster. We should do everything we can to prevent that situation arising.

Mr Mildenhall interjected.

Mr COOPER — We are supporting the bill, but I am also supporting legitimate sporting shooters. I had hoped the honourable member for Footscray would take the same view, but clearly by his interjection and the words he used during his speech he does not take the same view. That is very sad, particularly for the many sporting shooters who are constituents of the honourable member for Footscray. I am sure they will be disappointed to hear that he does not represent them and has been prepared to brand them as potential homicidal maniacs. I think that is pretty sad.

The words of the member for Footscray stand on their own and will be judged by his constituents, particularly those who own firearms. But I stand up for the rights of those law-abiding recreational shooters, and I hope that every member of this Parliament will do the same.

Mr HARDMAN (Seymour) — The Firearms (Trafficking and Handgun Control) Bill 2003 is necessary. It arises from events that occurred at Monash University in 2002. A few years ago the Australasian Police Ministers Council brought about the national firearms agreement as a response to events at Port Arthur. Obviously the aim of the bill is to enhance community safety while preserving the rights of firearm owners.

Many people in the Seymour electorate are involved in shooting, whether it be target shooting with handguns or shotguns or field and game activities. It is a legitimate pursuit, although it is not one that I involve myself in. Certainly I was interested in guns for a little while when I was a young fellow and went out rabbit shooting a couple of times; but it is not something that I want to do with my time, although there are many people who do.

The bill tries to protect the rights and safety of the whole community while giving firearm owners privileges and rights to partake in their sport. Some of the provisions in the bill that I strongly agree with

include the one that says a person must have a six-month membership of a club before they can get a licence to own a handgun. That is good, because it means that a person must demonstrate not only that they are keen to participate in the sport but that they have a good knowledge of firearms and the firearm laws before they go and buy a gun so they can safely participate in target shooting matches when they may not be supervised as well as they were before they became a licence-holder.

The bill contains many requirements, including one that says a person must participate in an approved handgun training safety course and a course for the safe storage of guns. As far as the storage of guns is concerned, I have met people who had police turn up at their house to check if their guns had been put away in a safe as they are supposed to be. So it actually happens, and those people were very surprised. There was no warning: it happened in the evening when they were relaxing. It is good to see that the laws are being followed through.

Once the six-month period has expired, the person has the right to obtain a licence. That person can then only purchase up to two weapons, which can be a .177 calibre air pistol, a .22 calibre pistol or a centre-fire pistol. That is a good thing, because it prevents people from amassing a great number of guns in a short time. It also ensures that people are fair dinkum about being part of a sport rather than just accumulating guns. The application for a permit to acquire a handgun after six months must be endorsed by an approved club.

A number of concerns have been raised by people in my electorate about the concealment of weapons. They have asked, 'Why is this weapon chosen and not another one?'. Is it because one is easier to conceal than another, among a number of other things?

People have also raised with me the fact that Country Fire Authority members who go to fight bushfires might not be able to attend the required number of matches. I have spoken to the police minister about the matter, and he has said that there will be exemptions for people in those kinds of cases. That is a good thing. I commend the bill to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to speak on the Firearms (Trafficking and Handgun Control) Bill. Even though I only have 3 minutes, I will allow the honourable member for Mildura to say a few words as well.

The bill has received much interest from people in my electorate, who have telephoned, written and come to

see me about it. I have received a cross-section of opinion and a wide range of views, but the one thing that all of them agreed upon is the need to provide for the safety of all Victorians. All agreed that people in Victoria should be able to go about their daily duties without the fear of being attacked or killed. Firearm assaults increased by 46 per cent last year, although I emphasise they were done with illegal firearms.

The concern of many people is that law-abiding citizens and club shooters could be made to feel like scapegoats and blamed when things go wrong. These are people who in going about their duties abide by the law and do the right thing, but when things go wrong they are blamed. They believe that this bill will ensure that the number of registered shooters will decrease dramatically. There are already clubs that are struggling, and this legislation will make some of them unviable, because there will be more red tape and club numbers will decrease.

In his second-reading speech the Minister for Police and Emergency Services said:

The Firearms (Trafficking and Handgun Control) Bill will allow responsible shooters who are law-abiding owners of handguns to continue to pursue their sport while enhancing community safety ...

The Shooting Sports Council of Victoria disagrees. In a letter it sent to me it says there are two streams of usage operating in parallel — one legal and one illegal — and we seem to be making laws which apply an increasingly higher compliance burden on the legal user yet which leave the illegal user largely unaffected. It is like a dog that is bitten on its tail by a flea and chases its tail round and round trying to get at the flea but never can reach it. The dog uses up a lot of the energy and gets nowhere, and so it seems to be with firearms laws.

I was also advised by a number of residents that the government has not really gone out and explained the bill to the major stakeholders. It is not surprising therefore to read in the *Herald Sun* that:

Victorian Amateur Pistol Association president Sharon Reynolds criticised this change, warning that it would discourage people from taking up the sport. It may prevent a potential Olympic or Commonwealth Games shooter even taking up the sport because it is an impediment to someone trying to see how they feel', Ms Reynolds said

She said existing laws allowed a person to try the sport under strict supervision, but the requirement to obtain a permit was an impediment.

Again, in the *Age* on 3 March:

'There is an enormous amount of confusion', the chairman of the Combined Firearms Council of Victoria ... said. 'In

Victoria there would be between 6000 and 7000 gun owners who have been left in the dark for too long.

‘They don’t know if their particular gun or shooting discipline is in or out. The ... Premier said he would fix it, but he hasn’t and we are very concerned’.

The bill is a response to the Port Arthur massacre in 1996 and also to the Monash shootings in 2002, where a gunman who was registered with two clubs went about shooting and killing a number of people. As a result of this the commonwealth and the states got together and came up with this bill to ensure the safety of residents.

The bill aims to restrict the sale of concealable handguns and curb the illegal trade of arms. But there are a number of concerns, and I will mention two of them. A person must be a member of a club for a minimum of six months. What happens if the person leaves after four months and goes to another club? He serves four months in one club then has to start again from the beginning to serve the six months. I have no problem with it, but the concern raised with me was that the qualifying time would have to start again. I understand the bill’s motives, because if someone was to leave after four months it could have been because the club was going to veto his application, so I agree with the bill.

The second issue I will raise is the temporary permit. If you wish to go and try out a sport, you can go to your local police station and get a permit that will last for seven days, and you can apply for three such permits. According to some, all this red tape will decrease their ability to attract new people to the sport. Secondly, I think Victoria will be disadvantaged, because this is not done in any other state. So while I support the bill it is very important that we do not ostracise and use as scapegoats club shooters who are honest and law abiding. I commend the bill to the house and wish it a speedy passage.

Mr SMITH (Bass) — I support the Firearms (Trafficking and Handguns Control) Bill for all the right reasons — primarily that handguns should be taken out of our society. However, I also understand that this brings up some concerns for the people from the Antique and Historical Arms Collection Guild of Victoria and others in Australia who have collected handguns for a long period of time. Guns that could be a couple of hundred years old will now have to be registered and not just accounted for. These are guns into which you still have to put a small ball with gunpowder, and it all has to be pushed down. As I understand it there is no history of these guns being used for any criminal act in Australia. I have some

letters here from different premiers around Australia who believe that this seems to be going a bit overboard.

I do not have a problem with requiring the registration of modern handguns or guns for which you can get commercially available ammunition, but some of these old-style guns of great historic value, including those in antique collections, do not have any sort of registration on them. It means that those guns, some of them worth \$50 000 to \$100 000 because they are pieces of great historic value, will have to be stamped, and probably in a pretty crude way, which will not only devalue the guns but take them out of contention as antique firearms.

I have concerns that John Howard’s 13-point plan regarding handguns does not include the historic arms and antique handguns that will now be banned or will have to be registered. Most gun collectors would already be in a position to insure their guns and would certainly keep them away in a safe; but these people are going to have to be fingerprinted, and their guns will have to have a registration number stamped on them. It just seems to be going overboard.

The minister is in the house, and I would like him to give some consideration to these antique handguns to see whether there is a better way of registering them. These people are law-abiding citizens and registered as collectors with a legitimate reason for having those guns in their possession. I think the minister should review some of the provisions in this legislation to ensure these guns are not ruined. We have been talking about Ned Kelly and a film that is being made about him. Any guns that might have been of historic value from Kelly’s time will be ruined by having big numbers stamped on them just so that they can be readily identified. There must be a better way. I am sure that if the minister puts his thinking cap on he could get the people in his department to come up with a better way.

I support the legislation, but I point to the issues I have mentioned regarding the antique and historical handguns that are available here in Australia.

The ACTING SPEAKER (Mr Nardella) — Order! As this bill is required to be passed by an absolute majority and there is not an absolute majority of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read second time.

Committed.

Committee

Clauses 1 to 28 agreed to.

Clause 29

Mr SAVAGE (Mildura) — I move:

1. Clause 29, line 11, omit “*and 58B*”.
2. Clause 29, page 36, line 27, omit “(ii).” and insert “(ii).”.
3. Clause 29, page 36, line 28 to 35, page 37, lines 1 to 32, page 38 lines 1 to 8, omit all words and expressions on these lines.

The purpose of these amendments is to give some clarity to the opportunity for people to attend pistol ranges for practice purposes and not have to go to a police station and take out a seven-day permit and have a character check. This is a very reasonable change from the legislation and I congratulate the minister for allowing these amendments, which facilitate a reasonable approach. A person will now fill out a declaration and indicate they are not a prohibited person or have been there twice before.

I would like to have spoken on the bill but I understand that the time constraints are such that that was not possible. I give credit to the government for allowing these amendments.

Mr HAERMEYER (Minister for Police and Emergency Services) — The amendments proposed by the member are within the spirit and the letter of the Council of Australian Governments agreement and achieve the outcomes that were sought by the government while minimising the level of imposition on pistol clubs. For that reason the government is happy to support the amendments proposed by the member for Mildura.

Amendments agreed to; amended clause agreed to; clauses 30 to 72 agreed to.

Clause 73

Mr SAVAGE (Mildura) — I move:

4. Clause 73, lines 12 to 19, page 82, lines 1 to 4, omit all words and expressions on these lines and insert —

“A person who is of or over the age of 18 years, and who is receiving instruction in the use of a general category handgun —

 - (a) by or under the immediate supervision of the holder of a general category handgun licence; and

- (b) for the purposes of obtaining a general category handgun licence for the reason set out in section 15(1)(a) or (c) —

and who has not received any such instruction on more than two previous occasions.”.

5. Clause 73, page 82, lines 7 to 15, omit all words and expressions on these lines and insert —

“(d) for Column 1 of item 5A **substitute** —

“A person who is of or over the age of 12 years and under the age of 18 years —

- (a) who is receiving instruction in the use of a general category handgun by or under the immediate supervision of a person —
 - (i) who is the holder of a general category handgun licence; and
 - (ii) who has written consent to give the instruction from a parent or guardian of the person who is receiving the instruction; and
- (b) who has not received any such instruction on more than two previous occasions; and
- (c) who has the written consent of his or her parent or guardian to receive the instruction.”.

6. Clause 73, page 82, line 16, omit “(f)” and insert “(e)”.

7. Clause 73, page 82, line 18, omit “(g)” and insert “(f)”.

Mr HAERMEYER (Minister for Police and Emergency Services) — The government is happy to support the amendments.

Amendments agreed to; amended clause agreed to; clauses 74 and 75 agreed to.

New clause

Mr SAVAGE (Mildura) — I move:

8. Insert the following new clause to follow clause 27 —

“AA. *Requirement for certain exempt persons to notify the Chief Commissioner*

At the end of section 54 of the **Firearms Act 1996** insert —

- “(2) A person who receives instruction in the use of a general category handgun in accordance with the exemption set out in item 4 or 5A of Schedule 3 must, on each occasion on which that person receives that instruction, so notify the Chief Commissioner on the form approved by the Chief Commissioner.
- (3) A notification under sub-section (2) must —

- (a) contain any information as to the identity of the person that the Chief Commissioner requires; and
 - (b) be signed by the person giving the notice; and
 - (c) must be given to the Chief Commissioner within 7 days of the day on which the person receives the instruction.
- (4) As part of a notification under sub-section (2), the Chief Commissioner may require the person giving the notification to make a declaration —
- (a) as to whether or not the person is a prohibited person; and
 - (b) as to the number of occasions on which the person has received instruction in the use of general category handgun.
- (5) A person must not give false information in a notification under sub-section (2).
- Penalty: 120 penalty units or 2 years imprisonment.”.

Mr HAERMEYER (Minister for Police and Emergency Services) — For the reasons outlined earlier the government is supportive of the amendments moved in the name of the member for Mildura.

New clause agreed to.

Reported to house with amendments.

Report adopted.

Third reading

The SPEAKER — Order! As the required statement of intention has been made pursuant to Section 85(5)(c) of the Constitution Act 1975, I am of the opinion that the third reading of this bill is required to be passed by an absolute majority. As there is not an absolute majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

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

QUESTIONS WITHOUT NOTICE

Freedom of information: government performance

Mr McINTOSH (Kew) — My question is to the Premier. What is the Premier’s response to comments by the Ombudsman this week that the Bracks government’s performance in freedom of information has been terrible and that it is forever ignoring statutory requirements?

Mr BRACKS (Premier) — I thank the honourable member for his question. As I have indicated in the past, and I will reiterate today to the house, there is more information being released under our government on more matters under freedom of information.

The amount of requests has doubled under this opposition from the previous opposition. We have instituted new protocols, which are now in place with the support of the Attorney-General. We are very confident those protocols will work in producing even more timely information in the future.

Terrorism: alert status

Ms BARKER (Oakleigh) — My question is to the Premier. Will the Premier inform the house of the latest advice received by the government concerning Victoria’s security alert status?

Mr BRACKS (Premier) — I thank the member for Oakleigh for her question. The house would obviously be aware that the United States of America’s deadline for Saddam Hussein to leave Iraq has passed and that war is now proceeding.

This morning I was briefed, along with the police minister, by the Acting Chief Commissioner of Police, Bill Kelly, on the current status of the security alert in Victoria. The acting chief commissioner reaffirmed that Victoria remains on medium alert, the highest rating within that medium alert rating and the same status that the state was upgraded to in the aftermath of the 11 September 2001 attacks.

The house would be aware that the security alert levels are determined by the federal government in accord with the protocols and the intergovernmental arrangements that have been agreed between the commonwealth and the states, and confirmed by the commonwealth more recently. I will advise the house should there be any change to that alert status in the future.

Victoria's emergency management and counter-terrorism plans are well developed and are continually tested and modelled to ensure they will react appropriately and properly to any incident that may occur. The Victoria Police counter-terrorism coordination unit is responsible for the overall security advice to the police and other government agencies. The unit is on call 24 hours a day, 7 days a week, and is obviously making sure that that advice is given in a timely way.

In the wake of 11 September the commonwealth consular and state government entities have been regularly briefed and steps have been taken to upgrade protective security arrangements where necessary, particularly on those facilities and sites which have an interest in or some connection with the United States of America and the United Kingdom.

Police and government agencies are also continuing to work with owners and operators of critical infrastructure here in Victoria to ensure that those security arrangements which are part of the Council of Australian Governments agreements are in place for those facilities, whether they are facilities controlled by the state government of Victoria or by a private operator and regulated by the state.

As this house confirmed two days ago, I would also like to once again call on all Victorians to continue to respect the enduring traditions we have in this state of tolerance, of multiculturalism, of respect for each other. This is a difficult and challenging period we are entering into today and over the coming days. It is a challenging period for all parts of the Victorian community, and I urge Victorians to do what they have done: what they did during the Gulf War in 1991, what they did in the aftermath of 11 September, what they did in the aftermath of Bali — that is, ensure that tolerance and respect for others is a feature of what happens in our state.

Our thoughts continue to be with all those who are involved in the conflict in Iraq. We hope for a safe exercise. We hope that the Australian defence forces return safely to our shores.

Rail: gauge standardisation

Mr RYAN (Leader of the National Party) — My question is directed to the Minister for Transport. I refer to statements by Freight Australia chief executive Marinus van Onselen at the Victorian Farmers Federation grains group conference on Tuesday that the Victorian government has 'no more excuses not to act' to upgrade our freight lines. I ask: given that it is now

two years since the government announced its standardisation program, will the minister give a definitive date for the commencement of works?

Mr Cameron — That is not what he said.

The SPEAKER — Order! The Minister for Agriculture! The question was not addressed to the minister.

Mr BATCHELOR (Minister for Transport) — Thank you for that information; that is very helpful. We work as a team on the government side, unlike over there.

Mr Doyle interjected.

Mr BATCHELOR — Of course we did.

The SPEAKER — Order! The minister to answer the question.

Mr BATCHELOR — We actually had someone at this conference, the Minister for Agriculture, and he reported back to me what had gone on. In fact he did not say what the Leader of the National Party has suggested. However, I can advise all members that for our standardisation program to proceed we have to finalise arrangements with the operator, the controller of the infrastructure, Freight Australia.

Mr Bracks — Who privatised that, by the way?

Mr BATCHELOR — The Premier asked who privatised it. I can advise the Premier that it was these privatisers over here.

Mr Hulls — Privateers!

The SPEAKER — Order! The Minister for Transport, without assistance from the government benches!

Mr Doyle interjected.

Mr BATCHELOR — Yes, we do. We are very proud of working as a team. You ought to try it some day. It is hard for a while, but one day you will get there.

Mr Doyle — I feel so much better.

Mr BATCHELOR — You ought to try it. You ought to ask Peter Clark and Helen Kroger to try it; that would be even better!

The SPEAKER — Order! The Minister for Transport to respond to the question without interjection from the Leader of the Opposition.

Mr BATCHELOR — The key issue in progressing standardisation is the fact that the rail network was leased to Freight Australia by the previous Liberal government, and this gives it control over the network and considerable control over the timing of upgrades to the track. It has proved difficult for the government to reach an agreement with Freight Australia on establishing the way forward. This has led to a delay in the project and the timetabling for implementation is being reviewed. However, I can advise the house that the government and Freight Australia are continuing to have constructive discussions about this issue.

Mr Ryan — He did not mention that on Tuesday.

Mr BATCHELOR — You weren't there!

Mr Ryan — I was.

Mr BATCHELOR — You were not listening then, were you?

Mr Ryan — You weren't there.

Mr BATCHELOR — I was not there, no.

A detailed program can only be put in place once the government has reached an alliance agreement with Freight Australia, and that has not happened at this stage. The north-west freight lines were scheduled as the government's first priority for standardisation, and the north-east is the next priority. There is an additional complication with the north-east lines because of the need on the north-east lines for Victoria to also reach an agreement with the Australian Rail Track Corporation, the provider of national access, and the New South Wales government.

It can be seen that there are a range of complex contractual issues that are the direct result of the privatisation process put in place by the previous government. The state government of Victoria does not own or control these assets and therefore to upgrade or to proceed with the standardisation program at this stage is purely a function of achieving that alliance agreement. We will continue to work towards that objective.

Severe acute respiratory syndrome: government action

Mr MERLINO (Monbulk) — My question is to the Minister for Health. I refer to the recent international

health alert about the outbreak of severe acute respiratory syndrome, and I ask the minister to advise the house of what preparations have been taken in Victoria.

Ms PIKE (Minister for Health) — I thank the member for Monbulk for his question. During the past week the World Health Organisation has received reports of 219 suspected cases of a new illness known as severe acute respiratory syndrome (SARS). Four people have now died. This is an atypical type of pneumonia for which a cause has not been determined. The outbreak appears to have originated in the Guangdong Province of southern China and in Hong Kong, with further spread occurring in Vietnam, Singapore, Taiwan and Canada. The exact nature of the outbreak is now under investigation.

In Victoria as of 3.00 p. m. yesterday, four travellers from risk areas have been under investigation. However, I am now advised that none of these people are suspected of suffering from this syndrome. All are recovering and all are expected to be discharged from hospital either today or tomorrow. Advice I have received is that none are severely ill, but all the precautions that needed to be taken have been taken.

As at 1.00 p. m. today two further people are under investigation for this condition as a precautionary measure. In the outbreaks overseas the patients have become severely ill with pneumonia or adult respiratory distress syndrome, an illness characterised by severe shortness of breath and respiratory failure.

Tests have been conducted overseas for many viruses and bacteria, including influenza, viral haemorrhagic fevers and other exotic viruses, and all of those tests have been negative to date. This means this outbreak may be due to a novel, previously unidentified virus or bacteria. As such there is no test that can currently exclude or confirm SARS.

Active surveillance of suspected cases began in Victoria on 14 March, when reports of this unusual outbreak began to appear in international health surveillance bulletins. On Saturday, 15 March, the World Health Organisation (WHO) formally issued an international health alert. Access by our public health group to informal advice via electronic networks ensured that we were able to prepare a response early, and we acted ahead of the formal alert.

Victoria is part of a national response for these kinds of events, which is coordinated by the Communicable Diseases Network of Australia. Last Sunday there was

an emergency phone hook-up with our health system, and Victorian hospitals were alerted on the same day.

Specific actions we have taken in Victoria include surveillance for potential or suspected cases through alerts to hospital emergency departments, infectious diseases specialists and general practitioners. Testing has been coordinated through the Victorian Infectious Diseases Reference Laboratory. Guidelines have also been issued to all GPs, and they are also constantly being updated and redrafted by the national body. The Department of Human Services is working with that national body, which is meeting daily and continuously liaising with the WHO.

Returned travellers from high-risk areas who have fever and respiratory symptoms are advised to avoid unnecessary social contact, see a medical practitioner as soon as possible and advise the doctor that they have been in a high-risk area. Most such cases are likely to be just normal respiratory infections that can be managed in the usual way. More severe cases will be sent to hospital for assessment and testing.

Contingency planning is under way in the event of a large number of cases. Much of this work has already been done before and undertaken in planning for worldwide pandemic influenza. That work was published in 1999 and is constantly updated as information comes to hand.

**Minister for Police and Emergency Services:
conduct**

Mr WELLS (Scoresby) — I refer the Minister for Police and Emergency Services to page 19 of the Ombudsman’s report on the misuse of police information. Will the minister explain to the house why he gave evidence to the Ombudsman which contradicts the information provided by Inspector Bill McKendry and his own ministerial adviser, Deborah Owen?

Mr HAERMEYER (Minister for Police and Emergency Services) — As I indicated to the honourable member for Scoresby yesterday, the Ombudsman has made absolutely no adverse findings in relation to this matter. The Ombudsman also indicated that the information provided to me was already public knowledge.

Honourable members interjecting.

Mr HAERMEYER — The honourable member seems to have some difficulty reading the Ombudsman’s report. The Ombudsman said quite plainly that the information was in the public domain.

The honourable member is an indictment of the educational standards of the Bolte government!

**Bristol-Myers Squibb: research and
development hub**

Ms MUNT (Mordialloc) — Will the Minister for Innovation advise the house of the latest investment announcement that further strengthens Victoria’s reputation as Australia’s most innovative economy?

Mr BRUMBY (Minister for Innovation) — This morning the Premier and I met with Dr Elliott Sigal, senior vice-president, global clinical and pharmaceutical development, Bristol-Myers Squibb. The purpose of our meeting was for Bristol-Myers Squibb to formally advise the Victorian government that this leading international pharmaceutical company has chosen Victoria as the site for its first global research and development (R and D) hub outside the United States of America. This is a great win for Victoria, and it certainly reflects the Bracks government’s commitment to strengthening our world class research and business capabilities.

The new global R and D hub will enable Victoria to attract more clinical trials and R and D programs, many of which would have otherwise taken place in the United States or Europe. The hub is located at Bristol-Myers Squibb’s operation in Noble Park. It is worth noting that the company has invested something like \$17 million there over the last two years to develop this hub. At Noble Park the company employs in total almost 600 people.

The hub is a core part of the company’s global drug development program. It links in to its pharmaceutical research program worldwide, where it spends something like US\$4 billion per annum. It certainly is our view that the R and D centre has the potential to attract more clinical trials and more R and D programs to Australia — and ultimately, of course, that can lead to more advances in medical treatment.

This announcement today is fully consistent with the government’s strategy for biotechnology and pharmaceutical industry development and puts us well on track to meeting our objective of being one of the world’s top five biotechnology locations by 2010.

In conclusion I say to the house that Bristol-Myers Squibb is not the only company to recognise that Victoria is the leading state in which to invest, if you think back over the last week. This morning with the cabinet secretary, the honourable member for Richmond, I opened the new Ikea super store in

Richmond — \$100 million of investment, the first in Australia, employing something like 300 people.

Last week Computershare, announced by the Premier: a huge investment, the biggest single new jobs investment in our state for many, many years — 1200 new jobs — positioning us now as the global capital for this great company.

Earlier this week the Premier, at the old brewery site, with Tribeca: a \$240 million redevelopment there. And of course last week in Wodonga we also saw the opening of the new Visy box plant: \$60 million of new investment, on time and on cost. If you put all of that together, it is a great package for Victoria.

You have to ask why it is that all these companies are investing in Victoria. They are investing because of the quality of the economic environment here in Victoria, the lowest unemployment rate in Australia — 5.2 per cent, and below the national average for 34 consecutive months. They are investing here because we have the best performance nationally in terms of research and development. Our economy has grown faster than the national average now for five consecutive years. They are investing, too, because people, talent, capital and ability are moving to this great state of Victoria.

I want to congratulate Bristol-Myers Squibb. We are delighted with their investment in our state and we are sure that the establishment of this global R and D centre will mean more opportunities for more Victorians in the years to come.

Snowy River: joint government enterprise

Mr INGRAM (Gippsland East) — My question without notice is to the Minister for Environment. Considering the Snowy joint government enterprise was required to be established by December last year and is still not established and the minister's response to a question on 27 February when he said that the commonwealth has indicated that it may tax the joint government enterprise (JGE) which will use the \$375 million of state and federal money to invest in irrigation, infrastructure and water savings, I ask: will the minister explain to the house what will be the financial and environmental implications of the commonwealth taxing the \$375 million contributions to the Snowy JGE?

Mr THWAITES (Minister for Environment) — It is an important question; I thank the honourable member for Gippsland East for his question.

In Victoria we are committed to getting on with the job of restoring flows to the Snowy, and we have

committed already some \$25 million for a package of water savings to generate some 25 gegalitres of water savings to commence environmental flows to the Snowy: the Normanville pipeline project, for example, which is under construction now will be completed at the end of this year, and the domestic and stock metering project will be completed by the end of next year.

Many members will remember that in August last year the Premier and the Premier of New South Wales, Bob Carr, together stood at the Snowy and released from the Mowamba aqueduct the first new flows back into the Snowy to prevent further deterioration.

The New South Wales, Victorian and commonwealth governments had agreed to set up a joint government entity which would be an independent legal entity with a clear mandate to achieve those water savings. It was agreed by all parties that that entity would receive funding each year to act in an independent way and deliver that mandate.

That establishment of the joint government enterprise was due to be completed by 28 December last year. However, that establishment has been delayed because the commonwealth is refusing to rule out taxing the state contributions to the joint government entity; in other words, state government funds that are to go for the environmental flows could be taxed by the federal Treasury and put into federal consolidated revenue. It was never suggested that those contributions would be subject to income tax, and in effect what it means is the commonwealth is putting a tax on this nationally significant environmental project.

Victoria and New South Wales have put forward a sensible suggestion to the commonwealth so that the joint government enterprise could be set up: if the Australian Taxation Office demands that the funds be taxed, then they would be taxed, but the federal Treasurer would rebate that money to the joint government enterprise. That is the proposal that the states have put up. However, the commonwealth has rejected this approach and the commonwealth has now suggested that the joint government enterprise not hold funds in its own right but rather that each of the governments hold funds for individual projects or have one government hold funds on behalf of the other governments.

The effect of this would be to undermine the basic purpose of the creation of an independent entity to be responsible for returning those flows. It would mean, for example, that there is no guarantee that in three or

four years one government would not withdraw funding or frustrate particular projects.

An honourable member interjected.

Mr THWAITES — It could well be. So the security of the return to those flows would be threatened. Victoria and New South Wales will continue to do whatever they can to encourage the commonwealth to honour its commitment and will be having further discussions over the next few weeks, after the New South Wales election, to try to get the commonwealth back to the table and not to tax flows to the Snowy.

Major events: economic impact

Mr HOWARD (Ballarat East) — I ask the Minister for Tourism to outline to the house the economic impact of our major events strategy and how this has benefited regional Victoria.

Mr PANDAZOPOULOS (Minister for Tourism) — This house is very much aware of the great international reputation that Victoria has in being one of the significant leaders in the hosting of major events anywhere around the world. We are very much aware that this government has not only invested more resources than the previous government in major events and has taken a more aggressive approach in major events but it has also included regional Victoria for the first time.

The previous government talked a lot about major events; it contributed about \$20 million a year. This government increased it to \$35 million a year. I am pleased to inform the house that from the next financial year that contribution is increasing to \$40 million a year as one of our election commitments.

Mr Bracks — Subject to the budget.

Mr PANDAZOPOULOS — Subject to the budget, of course.

Of course we commit to major events because the investment that we provide has a much greater economic benefit. I am pleased to be able to advise the house, Speaker, that our contribution of \$35 million last financial year created an economic benefit of \$800 million to Victoria. That is the equivalent of an Olympics for Victoria last year, and that is our objective with our combined major events — to have the equivalent impact of an Olympics every year from a \$35 million investment.

What are some of the additional major events that we have supported? Our key strategy has been to support our key core major events — the Australian Open and the Formula One Grand Prix — but at the same time as building on these events securing either one-off events or events that run for two, three or even four years. We have been highly successful in that. Of course there is the Heineken Golf Classic to be run out — yes, contracts signed by this government to be run out to the year 2005; the International Triathlon Union world cup — a three-year contract in Geelong; the FINA swimming world cup — three years in Melbourne; and of course there are many one-off events. But we do so because of the economic contribution that they provide.

Our key priority is to support existing events, to aggressively pursue new events, to protect the events that we cherish and to keep an eye on and hold costs. If they are too expensive, if they harm existing events, we do not pursue them. But we have got, from a \$35 million impact, \$800 million of economic benefit: 26 new events have been signed up by this government in three years, one-third of those in regional Victoria. We never saw that from the previous government. We are seeing it from this government, and we will see more of it in the future.

Schools: maintenance

Mr PERTON (Doncaster) — My question is to the Minister for Education Services. Will the minister explain why the Bracks government has withheld \$150 million from Victorian schools for maintenance and repairs?

Ms ALLAN (Minister for Education Services) — I thank the honourable member for Doncaster for his question. It is interesting to note the member for Doncaster asking a question on maintenance in government schools, particularly given that he was part of a government that closed 300 schools. When it came to funding capital works in Victorian schools, the Kennett government spent \$300 million in its last three budgets. The Bracks government delivered more than \$600 million worth of capital expenditure in its first three budgets. We are turning things around in the education system.

Mr Perton — On a point of order, Speaker, on the question of relevance, I understand the minister is a new minister and may not be aware of the difference between capital expenditure and maintenance, but the question was specifically on maintenance. I ask you, Speaker, to ask her to address that question rather than capital works.

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

Ms ALLAN — Certainly the Bracks government is getting on with the job of delivering in the area of maintenance too. In the last three years the government has delivered \$81 million — that is, \$27 million per year — to schools through the schools global budgets for their maintenance, minor and urgent works. Schools at the local level determine how this funding is spent. It is really important to note that principals are charged with the responsibility of determining how this maintenance funding is allocated.

The last audit in schools was in 2000. Since that time all eligible priority zero maintenance items have been funded, and schools can begin funding priority 1 items from the funding that has been provided through the schools global budgets.

In addition to this funding through the schools global budgets, an extra \$68.9 million of supplementary funding has gone into schools in the past three years for the most urgent items. All emergency and unplanned maintenance items — for example, broken windows and works caused through vandalism or essential services such as fire service inspections — are funded. If schools are seeking supplementary funds for items they have identified as having significantly deteriorated since the audit, they are encouraged to contact the regional office to access supplementary funding for those items.

In its first term the Bracks government invested \$413 million in school modernisation programs to bring all school facilities up to standard and to ensure that students in Victorian schools are taught in modern, up-to-date classrooms.

It is important to note that the Department of Education and Training estimates that for every \$1 million spent on capital works upgrades in school modernisation programs around \$150 000 of future maintenance needs are addressed. So the department estimates that the \$413 million allocated in our first term has reduced the need for future maintenance costs by an estimated \$62 million.

In the last three years we have invested \$81 million in maintenance as well as the additional \$68 million, so we have put \$149 million into maintenance funding in schools. As I have said, all eligible priority zero items have been funded, and schools can begin to address their priority 1 items through the schools global budgets. Some schools have already done that.

As we know, the member for Doncaster has an interesting legacy in the area of education. In this place in 1994 he said that one of the good features of the then government was the changes it made to the education system — good changes that sacked 9000 teachers and closed 300 schools!

Public transport: National Express services

Mr CARLI (Brunswick) — My question is to the Minister for Transport. Will the minister inform the house of how the government has ensured that Melbourne's public transport system continues to operate smoothly following the withdrawal of the National Express company from Australia?

Mr BATCHELOR (Minister for Transport) — As members would be aware, National Express, the operator of M Train, M Tram and V/Line Passenger Services, withdrew from its rail and tram businesses on 23 December last year. This was due to the failed privatisation process of the previous government. At that time National Express handed back the keys to their three businesses, forecasting losses of hundreds of millions of dollars.

An enormous amount of work was required on the part of the government and National Express employees and managers to ensure that train and tram services continued as normal as the company went into formal receivership. As part of the new arrangements the government transferred the jobs of the employees and protected all their accrued entitlements. We did that because this government cares about working people. We did that to ensure certainty for employees and the stability of the public transport system and the day-to-day running of services.

It was a great period of anxiety. I place on the record our appreciation of the good work the work force and management team carried out to make sure services continued. Separate from the work of the government-appointed receiver, who has been responsible for the day-to-day running of the services during this transitional period, administrators have also been appointed to work with the creditors of National Express to ascertain the level of debt left behind by the company. Today I am informed that all creditors will receive a progress report from the administrator, which will be discussed at a formal meeting of creditors that will take place shortly.

As well as protecting the entitlements of National Express employees, the government is prepared to make a contribution of \$20 million towards the cost of covering outstanding debts left behind by National

Express. Obviously that amount will not guarantee creditors will receive 100 cents in the dollar, but it will ensure that companies and individuals who supplied goods and services to the franchised businesses in their latter days have the opportunity to recover some funds.

The Bracks government will continue to devote its energies to cleaning up the privatisation mess in rail left behind by the previous government. This will include creating two sustainable franchised contracts based on a single metropolitan tram company and a single metropolitan train company.

CONSTITUTION (PARLIAMENTARY REFORM) BILL

Second reading

Debate resumed from earlier this day; motion of Mr BRACKS (Premier).

Mr BATCHELOR (Minister for Transport) — I wish to make a number of comments about the momentous decision this chamber and subsequently the upper house will be making in support of the Constitution (Parliamentary Reform) Bill.

Mr Ryan interjected.

Mr BATCHELOR — I am absolutely supporting it: it is a momentous occasion. These are huge reforms that will be long lasting and beneficial. They are designed to bring about a more democratic chamber and a fairer parliamentary process that will be much more responsive to the needs of the Victorian community as a whole and the needs of individuals.

I am particularly chuffed to be speaking, albeit briefly, in this second-reading debate, because the genesis of this goes back a long time. It has gone through a number of permutations, and there has been a lot of debate and discussion on it over the years. A constitutional commission took submissions, and the views of various people were sought.

Speaker, I take you back to 1984 when the then policy of the Australian Labor Party was to abolish the upper house. A decision was taken then to change that policy and instead bring fundamental and beneficial reforms to that place. I have some particular detail about the journey that started in 1984, because as the then state secretary of the Labor Party I was involved in changing the policy to one of reforming the upper house based on proportional representation and multimember electorates, so the policy foundations stem from then. It is with great pleasure and pride that I am able to see the

foreclosing of this circle as this bill goes through. I commend the bill to the house and wish it a speedy passage through the committee stage.

The SPEAKER — Order! As this bill is required to be passed by an absolute majority of the members of the house and there is not an absolute majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in Chamber:

The SPEAKER — Order! The question is that this bill be now read a second time. As there are some voices for the noes, I ask honourable members supporting the motion to rise in their places.

Required number of members having risen:

Motion agreed to by absolute majority.

Read second time.

Committed.

Committee

Clause 1

Mr RYAN (Leader of the National Party) — I move:

1. Clause 1, page 2, line 26, omit “.” and insert “;”.
2. Clause 1, page 2, after line 26 insert —

“(j) providing for voting at an election to be by postal voting only.”.

These amendments are part of our desire to introduce postal voting at state elections. We do so on the basis that we believe people have reached the point of being sick and tired of being subjected to all sorts of paper warfare at the time they vote.

We think the experience through local government elections dictates that people now are much more accommodating of the system of postal voting, and so it is that we move these amendments.

Mr BRACKS (Premier) — The government does not support the National Party amendment because the system that is in place now, where people are required to attend a ballot box to register their vote, is a system that has worked well. It is part of our democratic traditions and a part we do not see a need to change. There is a provision for postal votes for those who cannot attend because of incapacity or for other

reasons, and rather than enhancing democracy we believe the amendment would have a negative affect on the democratic process. While it is a matter of choice in some local government areas, and it does work effectively in some local government areas, it would be a very radical proposal for a whole state, and the government is not prepared to support it.

Mr DOYLE (Leader of the Opposition) — While I recognise the merit in the case that the Leader of the National Party puts for postal voting, the Liberal Party in this case agrees with the government. We believe that there is a certain gravity and weight in the very act of casting a ballot. I believe because of the level of debate, because of the attention that is given to a state or federal election and the sheer moment of a state or federal election, it is not appropriate to go to postal voting, although of course there are provisions for those who are unable to attend a polling place on the day, which is entirely appropriate. There is a difference between local government elections and state and federal elections, and therefore we would not be inclined to support it. While recognising the quite persuasive arguments of the National Party, we would not be prepared to entertain the amendment.

With reference to the rest of the clause, the Liberal Party views with some concern the way the debate on this bill has been conducted through this place. As I said at the outset in opening the Liberal Party's opposition to it, this is a very serious piece of legislation. It may well be that the numbers of the Labor Party will pass the bill resoundingly through both houses of the Parliament, and that is the nature of an election win, but the very nature of democracy suggests that we should listen to the voice of the minority. That view should be respected and should be fully heard, and that is why, as I said at the time, we are very serious about our opposition to this bill.

One of the things that gave us great concern was that if this bill is so important, if this bill is the cornerstone of what the government wants to do and if it really is very carefully thought through, why was it that last night at 7.30 p.m. some 35 amendments which will make quite momentous changes to the bill were brought into this place? There are real problems with that, Chair, and we will get to that when we get to the clauses — and I certainly hope we have time to get there. I hope that we do not have the guillotine come down at 4 o'clock before discussion has been fully had, because these are critical matters and to come back to them just 1 hour before the guillotine is shameful, to say the least. To bring these issues in at 7.30 last night and then to bring in at midday today — —

Honourable members interjecting.

The CHAIR — Order! The Leader of the Opposition is entitled to be heard.

Mr DOYLE — The important point is that had these amendments not been made this bill, which is an alteration to our fundamental law, to the constitution of the state, would have been seriously flawed. For the government to know only at the last moment that it has to make those changes gives me great concern about what is in the bill that we do not know about with regard to its operation and effect. If you are going to play around with fundamental law, make sure you get it right.

I will flag now, and I hope we do have time to get to it, that there is still a fundamental flaw in what has been proposed. I am sure this is inadvertent, but it is major. It is a major stuff-up, yet the government is messing around with the Victorian constitution and arrogantly thinking that it has got it right. The bringing in of amendments last night and at midday today shows the government has not got it right, yet some parts of the bill, in particular the entrenchment provisions, will make it quite different from any other bill that we have dealt with.

Mr Bracks interjected.

Mr DOYLE — The Premier says, 'How dare we bring in something we were elected to do'. That is not my objection. All I am saying is: get it right! And the government has not.

Mr Wynne interjected.

Mr DOYLE — No, you did not, and you still have not. That is the problem. There is still a fundamental flaw in the bill that the government has not picked up. I will raise it during the course of the debate, but the very fact that the government had to bring in 35 amendments last night at 7.30 p.m. and then again at midday today suggests that it did not get it right. It is doing this on the fly, on the run — and this is to the constitution of Victoria. This is not some other act that we can come in and amend because you have made a mistake — —

Mr Ingram — On a point of order, Chair, on a point of clarification, as I have also moved an amendment to clause 1, are we debating the amendment proposed by the National Party or are we debating clause 1, on which I should have had the opportunity to move my amendment?

The CHAIR — Order! No, we are debating the amendments of the National Party. The amendment in

the name of the honourable member for Gippsland East will be moved subsequently.

Mr DOYLE — Thank you, Chair. I think I have made the point.

Mr COOPER (Mornington) — The Leader of the Opposition has advised the house that the Liberal Party will not be supporting this amendment proposed by the National Party. While I notice that the Leader of the National Party has put forward the view that the experience of postal voting at local government elections should encourage us to extend that out to state government elections, I do not take that view.

I turn to the recent history of postal voting in municipal elections to advise the house of the experience on the Mornington Peninsula. I paid some considerable attention to the postal voting situation there. Of the nine wards, seven were contested, and it was quite interesting to note that in those seven the average voting turnout was in the order of between 74 and 75 per cent, which was considerably lower than personal voting on state election day.

I was interested to talk to some people last weekend about postal voting — just ordinary constituents whom I met around the shopping centre at Mornington on Sunday and again on Monday. I spoke to them about the issue and a number of them had some interesting stories to tell about postal voting. For example, they received the information from the Victorian Electoral Commission and thought that it was just voter information being sent in regard to the elections to be held a few weeks later. They put the information to one side thinking that they might read it at some later stage because it was not in their urgent basket as far as correspondence was concerned.

One person said that they just thought it was junk mail and threw it in the bin. Certainly the ones who had put it to one side did not vote and did not realise until some time on Saturday that they should have, when they made an inquiry about where they should go to vote and were told that they should have voted by postal ballot and should have had it in to the Victorian Electoral Commission by Friday at close of business. That certainly accounted for what I considered to be a low voter turnout in the order of a percentage in the mid-70s. If that experience were repeated at a state election we would see some very different results indeed.

Certainly if you were going to attempt to bring in postal voting across the state you would have to have a massive voter education program going over a number

of years to have an even remote chance of getting voter numbers up to the level that we all now acknowledge to be reasonable at a state or federal election. I assume that is the reason for the government's announcing that it will not support this amendment. It is certainly the reason I will not support the amendment — and neither will other members of the Liberal Party.

We want to encourage greater turnout at elections. We want to do everything we can to get people to the ballot box and my view is that postal voting does not do that. Given the experience on the Mornington Peninsula on council election day — and from what I have seen from a cursory scan of results in other municipalities it was mirrored in other municipalities across the state — it is important that the government, in particular the Minister for Local Government, give some serious thought to whether the continuation of postal voting for municipal elections is desirable in the state.

I encourage the government to have a good look at this. Whether it takes the view that it is worthy of continuing but gets cracking on a massive voter education program, or alternatively returns to personal voting at a polling booth, whichever it is —

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

Mr BAILLIEU (Hawthorn) — I share the views just expressed about the amendments on postal voting. There is ample evidence over a long period to suggest that we should value attendance voting and regard it as something very special to this country. As the Premier said earlier, there are provisions for postal voting for those who cannot attend a polling booth but the system we have of attendance voting has served this state and this country well. It is certainly the tradition and heritage of our constitution.

I want to talk about heritage in relation to clause 1. Recently we have seen the government trash the heritage of this chamber and it has trashed the heritage of the sessional orders that this place has been run by for years. It has done both those things to suit itself. We have seen in debate on the Parliamentary Committees (Amendment) Bill the trashing of the heritage of our parliamentary committees — which again was done to suit government members. That has set a precedent for the actions of the government: here we have a government that is prepared to trash constitutional procedure and play with the Victorian constitution for its own benefit, to entrench its own position in a naked power grab.

The bill contains clauses which the people of Victoria know next to nothing about, and as constitutional reform that is a tragedy. Before the lunch break today the Leader of the House said that, when it comes to amendments, 24 hours and a bit of discussion in the media is sufficient. I challenge anybody in this house to find an institution anywhere in this nation that provides for changes to its constitution on the basis of a 24-hour discussion in the media.

The CHAIR — Order! I have been somewhat lenient here, but I remind the member that we are actually debating the amendments to clause 1, which are about postal voting.

Mr BAILLIEU — Indeed, Chair, we are debating clause 1 — —

The CHAIR — Order! No, we are debating the amendments to clause 1.

Mr BAILLIEU — We are debating the amendments to clause 1 and therefore we are debating clause 1.

The CHAIR — Order! No. I advise the member again, we are debating the National Party amendments to clause 1.

Mr BAILLIEU — I accept your ruling, Chair, but as I said, the postal voting provision is not one that this side of the house supports, and I support the traditions and the heritage that have been developed in regard to attendance voting.

Mr MULDER (Polwarth) — I support other opposition members in opposing the amendments relating to postal voting. It has always been a great tradition in country Victoria for people to turn out on polling day. Whether it be via a pre-poll or throughout the process of election day, there has always been ample opportunity for country Victorians to get to a polling booth.

We have already seen what this legislation is attempting to do to country Victorians in terms of representation and the withdrawal of possibly one of the greatest services that country people have — that is, the availability of the services of members of Parliament, at call, when needed. To further exclude country Victorians from the process of government and access to members of Parliament can only work to the detriment of country Victorians.

The issue about proportional representation, which is covered under the legislation and to which the amendments relate directly, is the withdrawal of

possibly one of the greatest services that people in country Victoria have enjoyed for a long time, which is the availability of their own member of Parliament to see them. For a long time we have heard government members commenting at length about loss of services in rural Victoria under previous governments, and yet today we have in front of us legislation that withdraws one of the greatest basic services to people in country Victoria, who on many occasions do not have a Department of Health office to go to if they have a problem. They do not have a Vicroads office or many of the other government services available to them. They do not have public transport services available to them. Up to this point, they had a member of Parliament in country Victoria whose office served as all of those particular — —

Mr Bracks — On a point of order, Chair, your previous ruling indicated that the debate was around the amendments moved by the Leader of the National Party. The debate which is being pursued by the member for Polwarth is effectively about the cut of services to regional Victoria, which does not bear any relationship to the matter before the house, and I ask you to make a ruling consistent with your previous one.

The CHAIR — Order! I remind the honourable member for Polwarth that we are at the moment debating the National Party's amendments to clause 1, which deal with postal voting. Subsequently we will deal with other amendments, and after those amendments are dealt with we will deal with clause 1 generally.

Mr MULDER — In relation to the amendments from the National Party, I understand its concerns about people who live in remote areas, but as it appears from this piece of legislation, it is only every four years that we will have to turn out to vote in a state election. To in any way take away the importance of that day in country Victoria would be to the detriment of those people. As I have said, they have already suffered some detachment from the electoral process due to the introduction of this very legislation, and amendments would further damage their involvement in a very important and necessary part of our electoral cycle.

When you look at how council elections are carried out, the degree of interest certainly indicates that this would not be successful or well received and that it would in fact cause a drop in the amount of people who are prepared to be involved in the electoral process in Victoria.

Committee divided on omission (members in favour vote no):

Ayes, 71

Allan, Ms	Leighton, Mr
Andrews, Mr	Lim, Mr
Asher, Ms	Lindell, Ms
Baillieu, Mr	Lobato, Ms
Barker, Ms	Lockwood, Mr
Beard, Ms	Lupton, Mr
Beattie, Ms	McIntosh, Mr
Bracks, Mr	McTaggart, Ms
Buchanan, Ms	Marshall, Ms
Cameron, Mr	Maxfield, Mr
Campbell, Ms	Merlino, Mr
Carli, Mr	Mildenhall, Mr
Clark, Mr	Morand, Mr
Cooper, Mr	Mulder, Mr
Crutchfield, Mr	Munt, Ms
Delahunty, Ms	Naphine, Dr
Dixon, Mr (<i>Teller</i>)	Nardella, Mr
Donnellan, Mr	Neville, Ms
Doyle, Mr	Overington, Ms
Duncan, Ms	Pandazopoulos, Mr
Eckstein, Ms	Perera, Mr
Garbutt, Ms	Perton, Mr
Gillett, Ms	Plowman, Mr
Green, Ms	Robinson, Mr
Hardman, Mr	Savage, Mr
Harkness, Mr	Seitz, Mr
Helper, Mr	Shardey, Mrs
Herbert, Mr	Smith, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thompson, Mr
Hudson, Mr (<i>Teller</i>)	Thwaites, Mr
Ingram, Mr	Treize, Mr
Jenkins, Mr	Wells, Mr
Kotsiras, Mr	Wilson, Mr
Langdon, Mr (<i>Teller</i>)	Wynne, Mr
Languiller, Mr	

Noes, 6

Delahunty, Mr (<i>Teller</i>)	Ryan, Mr
Maughan, Mr (<i>Teller</i>)	Sykes, Dr
Powell, Mrs (<i>Teller</i>)	Walsh, Mr

Amendment negatived.

The CHAIR — Order! As a result of the Leader of the National Party's amendment 1 being lost, amendment 2, which was consequential, is also lost.

Mr INGRAM (Gippsland East) — I move:

1. Clause 1, page 2, lines 10 to 13, omit all words and expressions on these lines.

This is an extremely important amendment, and I would like to make sure that all members of Parliament — —

Mr Cooper — On a point of order, I desire to get a ruling from you, Chair, regarding amendment 1 moved by the member for Gippsland East. It would appear to

me that the member's amendment 1 is a consequential amendment and depends upon the passing of his amendment 3. He is seeking by moving amendment 1 to remove all of the words that would prevent him from moving amendment 3.

Would it not be correct for the member for Gippsland East to, at the appropriate time, move his amendment 3, which is an amendment to clause 9, and if that succeeds his amendment 1 would as a consequence then be passed?

What we appear to me to be doing is putting the cart before the horse. I would have thought this would be inappropriate at this stage and that his amendment 3 to clause 9 would be the amendment which would determine the success or failure of his amendment 1.

The CHAIR — Order! The honourable member for Mornington is correct in his proposition that amendment 1 and amendment 3 in the name of the honourable member for Gippsland East depend on each other. However, in putting amendment 1 at this time the honourable member for Gippsland East is effectively testing the will of the chamber in this matter. If it is lost, he will not be able to move amendment 3.

Mr Cooper — Does that mean, Chair, that we can debate the subject matter of amendment 3?

The CHAIR — Order! I rule that amendment 3 can be referred to at this time.

Mr Savage — On a point of order, Chair, the clock is ticking, and it is denying the honourable member for East Gippsland his opportunity.

The CHAIR — Order! I understand what the honourable member for Mildura is saying. However, the forms of the chamber are such that honourable members can take points of order. I ask them to be mindful of that. I also remind honourable members that they have the opportunity in these debates to speak on more than one occasion.

Mr INGRAM — As I was saying, this is an extremely important amendment. The thrust of it is to remove the right of political parties to fill casual vacancies, which is an extremely undemocratic way of filling a position when a member of Parliament passes away or retires. I refer to the Senator John Herron incident at the last federal election, when a member of Parliament came back to Parliament, was sworn in, sat for a week and then was replaced by someone who may not have been the choice of the voters.

The fundamental democratic principle I am standing for is that all members of Parliament should be directly elected by the people. We should be mindful of that. We should not be able to put someone in who has never faced the people of that district or province. We should consider that very seriously, because there are a number of fundamental democratic principles that we hold dear. One is one vote, one value; and another is that democracy means a form of government that allows — —

Mr Perton — You're having trouble with this, aren't you?

Mr INGRAM — The meaning of democracy, which the honourable member for Doncaster is probably not fully aware of, is basically about the power of the people being expressed through their elected members.

The other thing that interests me is that Independent members of Parliament can be appointed by this Parliament. You could have the situation where there is a finely balanced upper house and a conservative or otherwise Independent member — —

An Honourable Member — Socialist.

Mr INGRAM — A socialist Independent member — although still independent — could be replaced by a vote of this house that would change the dynamics of the upper house and could change the way government legislation is addressed.

Mr BRACKS (Premier) — This is a bicameral system, and the government is proposing a value system for the upper house that is effectively different from the upper house. Clearly in the lower house a by-election would be required to fill a casual vacancy. What the government is seeking for the upper house is the replication of the system which operates in the commonwealth Senate, which is effectively that where there is a two-thirds majority of a joint sitting of the house it indicates a preference for the continuation of representation of a similar nature.

The effect of the amendment before us would be that the original choice would not necessarily be represented by a re-count, because a re-count would not necessarily guarantee that another Independent or, in certain circumstances, another Labor or Liberal member would succeed.

This is a fairer system. Putting it in the hands of the Parliament would achieve like-minded representation in the future. That has worked effectively in the Senate, so there is no reason why it cannot work in the upper house. You have to recognise that through these

changes the government is effectively instituting a far more bicameral system, where there is a different voting system in each house — and that is reflected in the different voting arrangements for filling casual vacancies. As I said, this is entirely consistent with what happens in the Senate. For those reasons the government will not be supporting the amendment proposed by the honourable member for Gippsland East.

Mr McINTOSH (Kew) — Through you, Chair, I have a query for the mover of this amendment that relates to omitting all the words relating to clause 1(d) concerning the filling of casual vacancies. As the mover of the amendment would be aware, in the state of Victoria debates in Parliament as recorded in *Hansard* are admissible evidence in a court of law where there is ambiguity in the interpretation of legislation. It would appear that the effect of this amendment would be to remove clause 1(d) but not to substitute any further purpose clause that would reflect his amendment. My query through you, Chair, is whether this is intentional and whether he could state to the house, for the benefit of the interpretation of this legislation, the reason for not substituting another purpose clause in this bill?

Mr INGRAM (Gippsland East) — I am happy to respond to that question. All the amendment does is remove those lines which allow for the filling of casual vacancies. Further amendments down the track outline how vacancies would be filled, and that is by a countback system.

Basically the election system is exactly the same. In the act it is just a countback procedure using the same voting structure that is in this bill. I also pick up the Premier's comment, which acknowledged that this would not necessarily have the same result if it were done in an election. The fundamental point I was making before was that it is the will of the people; how they vote at an election is how they want to do it.

If you are filling a casual vacancy the people at the election may choose to do it differently. They may say, 'We pick the first four or three on the list of the party of the previous member but we don't like the person below that and we prefer to give that vote to a third party or an Independent'. That is what this amendment is about. The fundamental principle of democracy is that all members should be directly elected by the voters of their province, and a countback is the most democratic way of doing that. It is very simple to do; other states have done it.

The interesting thing is that in debates on this bill in the last Parliament the Premier agreed that this could be

done. He agreed that it works properly in other states and accepted this amendment.

I would like to encourage the government and opposition members to consider this amendment. They are voting for the ability for political parties to appoint members of Parliament without them ever having faced the people; or maybe if they were put up at election they would not be elected. That is what honourable members are doing here. They are saying, 'It is okay for us to choose who should represent a particular electorate in this state whether they have the support of the community or not'.

Mr MILDENHALL (Footscray) — I welcome the chance to make a couple of comments on this issue because, as the member for Gippsland East has indicated, this is an issue that has been the subject of some debate — of very active consideration the last time the bill was before the house in a different form and obviously part of the extensive debate that occurred on Tuesday. There is no simple answer to this question and to this issue.

The proposition contained in the bill, which is consistent with the federal Senate, is one that is supported by the government partly because the intent behind the amendment of the member for Gippsland East will not necessarily be realised. The philosophy behind what he is trying to do is to suggest, particularly in the case of an Independent, that another Independent who has faced an election would take the vacancy in the event of that person being the next preferred candidate in a recount. But there is no guarantee that the will of the people, as expressed originally, would be manifested by that recount process. Given the variety of candidates you would expect to contest an upper house seat with five positions being available in an electorate, the chances of that occurring would be very slim indeed, whereas the proposal with all the checks and balances in clause 9 proposed by the government does provide a much greater chance that the original intention of the electors will be more closely met and realised by an appointment to a casual vacancy.

It is a test of the integrity of a Parliament, of the institution. Some governments have failed that in the past — a spectacular failure during the Senator Field appointment in Queensland — but this government is not scared of facing that test. I am sure that with the two-thirds majority protection and the joint sitting protection there would be consensus across the board of elected members to ensure that original intention of the electors would be fairly closely replicated.

Mr COOPER (Mornington) — What the member for Gippsland East is essentially proposing is a variation on the Tasmanian system. It is interesting that the Constitution Commission of Victoria looked at this issue quite deeply. At page 43 of its report *A House for Our Future* it says:

One problem with the method used under the Tasmanian system is that it makes the assumption that voters would have elected the next candidate on a recount if the vacating candidate had not stood at the original election. The result may be arithmetically correct but it does not necessarily reflect the voters' wishes had that in fact been the case at the original election. This result is underlined by the option available to parties in Tasmania to hold a by-election following the departure of a sitting member when there is no member available for the recount.

We are seeing an attempt to make a silk purse out of a sow's ear, because it does establish one of the major flaws in this system. As the member for Footscray has said, you have to depend upon goodwill for the system of appointment by two-thirds majority — basically you have to depend upon goodwill — and in the case of the proposal by the honourable member for Gippsland East you have to depend on the fact that what may be arithmetically correct is the voters' wishes.

So both ways of dealing with casual vacancies under proportional representation (PR) have a significant flaw. But what we can do is look at the system as it has applied to casual vacancies in the Senate over a great many years, and with the exception of Senator Field — and I think there might have been one other somewhere along the line — that system has generally worked well.

How you deal with it in the case of an Independent is another matter altogether, and if an Independent is elected under PR to the Legislative Council and leaves before their term is up, it will certainly be a test for this Parliament to select somebody who meets the criteria of independence of the former incumbent. It may well be that this Parliament never has to confront this issue, but we certainly have to take into account the fact that if it does it will be tested. It will also test the major parties in this Parliament, because the likelihood is that the agreement of a two-thirds majority will be required. That will test their credibility and their honesty in dealing with the problems that have been correctly raised by the honourable member for Gippsland East, but in a form which certainly I could not support.

Mr WYNNE (Richmond) — I rise to oppose the amendment of the honourable member for Gippsland East. A significant set of checks and balances were included in the process for filling casual vacancies, which is detailed on page 96 of the bill. As my

colleague the honourable member for Footscray indicated in his contribution on the basic scenario that has been proposed in this amendment, essentially a countback would not necessarily achieve the result that the honourable member for Gippsland East is suggesting. In that context there is a fundamental flaw in the proposition that underpins the proposal, which there are two elements to. There is the casual vacancy element, but that is inextricably intertwined with what I understand is the honourable member's other objection, and that is to above-the-line voting, because it effects a particular discipline, if a voter chooses to take that option, upon the way that preferences ultimately flow.

The proposal being suggested in the bill is a sound and ultimately balanced response by the government to a relatively unlikely event. Although historically we have the precedent of a casual vacancy occurring, obviously the person who is coming in to fill that vacancy must pass quite a fundamental test — that is, the test of bipartisanship. The person who is coming into this place must, under the casual vacancy rules that are clearly articulated in this bill, have the respect of both sides of the house so there can be no suggestion of somebody being rammed into the Parliament on some sort of partisan basis by people of one particular political colour or flavour.

I think a fair-minded view of the checks and balances that are indicated in clause 27A of the bill, to do with the filling of casual vacancies in the Council, would suggest that this is a reasonable proposal. I also think that what the honourable member for Gippsland East is proposing — and I think he would concede it — would not necessarily be achieved under the amendment before us. With the checks and balances that are in place, the requirement for a three-fifths majority of the Parliament is a reasonable test and one that I think would receive, in the unlikely event of having to fill a casual vacancy, the support of both sides of the chamber.

Committee divided on omission (members in favour vote no):

Ayes, 82

Allan, Ms	Languiller, Mr
Andrews, Mr	Leighton, Mr
Asher, Ms	Lim, Mr
Baillieu, Mr	Lindell, Ms
Barker, Ms	Lobato, Ms
Batchelor, Mr	Lockwood, Mr
Beard, Ms	Lupton, Mr
Beattie, Ms	McIntosh, Mr
Bracks, Mr	McTaggart, Ms
Brumby, Mr	Marshall, Ms
Buchanan, Ms	Maughan, Mr
Cameron, Mr	Maxfield, Mr

Campbell, Ms	Merlino, Mr
Carli, Mr	Mildenhall, Mr
Clark, Mr	Morand, Ms
Cooper, Mr	Mulder, Mr
Crutchfield, Mr	Munt, Ms
Delahunty, Mr	Naphine, Dr
Delahunty, Ms	Nardella, Mr
Dixon, Mr (<i>Teller</i>)	Neville, Ms
Donnellan, Mr	Overington, Ms
Doyle, Mr	Pandazopoulos, Mr
Duncan, Ms	Perera, Mr
Eckstein, Ms	Perton, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Plowman, Mr
Green, Ms	Powell, Mrs
Haermeyer, Mr	Robinson, Mr
Hardman, Mr	Ryan, Mr
Harkness, Mr	Seitz, Mr
Helper, Mr	Shardey, Mrs
Herbert, Mr	Smith, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Sykes, Dr
Hudson, Mr	Thompson, Mr
Hulls, Mr	Thwaites, Mr
Jasper, Mr	Treize, Mr
Jenkins, Mr	Walsh, Mr
Kosky, Ms	Wells, Mr
Kotsiras, Mr	Wilson, Mr
Langdon, Mr (<i>Teller</i>)	Wynne, Mr

Noes, 2

Ingram, Mr (*Teller*) Savage, Mr (*Teller*)

Amendment negated.

Mr DOYLE (Leader of the Opposition) — We only have 6 minutes left before the guillotine comes down. In the normal course I would raise this matter when we got to one of the proposed amendments of the Premier, but I feel I need to point it out now. It shows the complete amateurishness of this government, because what it is going to do — if not for our pointing it out — is put into a bill an error that will entrench provisions. This is the very thing we said would happen about bringing in amendments last night at 7.30 p.m. The government is doing it on the run and rushing it. It brought the amendments in again today at midday because it is rushing it, but government members said, 'No, this is all carefully considered'. That argument is given the lie when one looks at amendment 13 standing in the Premier's name, which makes an amendment to clause 16.

Mr Bracks interjected.

Mr DOYLE — If you do not get the constitution right, Premier, it will be very embarrassing for you, to be honest. Just think of it this way, had it not been pointed out and it had gone through both houses, something would have been put into our constitution that could only be altered by a referendum.

The Premier could not even get this right; he could not even get his own amendments right. He is messing around with fundamental law. The other question that must be asked is what else is in there that he does not know about. What else has he stuffed up, because he has done it with this one!

If you are happy about it, Premier and if you think this is how a professional government operates — —

Mr Bracks interjected.

Mr DOYLE — Talking about performance, when you want to change the constitution, or not just change it but entrench provisions in it which can only be altered by referendum, and you make a mistake because of your incompetence, I would say the joke is on you — and worse still, it is on the Victorian public.

No doubt this will be changed in the upper house and come back to this house again for our agreement. If there was ever a measure of amateurishness, this is it. We are told this is the cornerstone of the Labor Party's new mandate, and we are told this is critical for the future of Victoria. We are told that the government has carefully thought through the whole lot, yet it has made a mistake in the amendments which are here to fix up a mistake that was made in the first place. Not only did the government not get it right in the first place, but it did not get it right in the second place. Who knows what else is in there. Just get it right! We do not agree with the bill or the principles in it; but for goodness sake, the government should at least get the legislation correct, because it has not done so in this instance.

Obviously, where it says 'insert (1B)' it should say 'insert (1BA)'. If this went through it would negate the very amendment the government is introducing to fix up what was wrong in the first place. It is unbelievably circular, and it is unbelievably amateurish. Instead of being able to properly consider these matters, we were brought into committee only an hour before we have to finish.

We are told that this is something the government has carefully considered and carefully crafted, yet what we have here is a mistake on a mistake. The worst part is that this is not just a piece of legislation, this is our constitution. This is something that will be entrenched in a way that can only be changed by referendum. Can you imagine the scene if we brought back the entirety of Victoria for a referendum to fix up one of the government's typographical errors? That would be a joke! Imagine the entirety of Victoria turning out to fix up a typographical error because the government could not do the job in the first place. Yet the government

asks us to believe that although it cannot get these little things right it has somehow got all the big things right. The government is telling us that it has thought this through carefully and that it has been carefully crafted and will be okay for the state of Victoria, but the Premier cannot even get his own amendments right.

He rushed them in at 7.30 p.m. the night before this, 24 hours before the bill was to go through the house. No wonder it is wrong. It is embarrassing, it is humiliating and it is a demonstration of the government's amateurishness. If it cannot get this part right, what else is in there that it has not picked up? What other mistakes are there? What else is in there that will have unintended consequences because the government has not done the work.

The Premier is great on the rhetoric, great on the high-flying speeches and great on the high-moral-ground stuff, but when it comes to doing the work and thinking it through he falls apart. This is a good example of it. Yes it is a small thing, a typographical error, but the very fact that it got this far and was not picked up is an indication that he is just not very good at what he does. The big thing is what else might be in there that he does not even know is there. He could not get this right — —

An honourable member interjected.

Mr DOYLE — The honourable member asks, 'What else is in there?'. If we had been shown these amendments a little earlier than 24 hours ago perhaps we could have fixed the other mistakes.

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

Mr RYAN (Leader of the National Party) — To take up the point made by the Leader of the Opposition, that, in itself, is correct. But the greater problem is that the government's attitude is that the constitution is something for it to play with. That was highlighted by the member for Footscray in his response to the proposals advanced by the member for Gippsland East earlier in this committee debate. The tenor of his commentary was that this government could handle whatever problem arose, that if there were complications it would be able to deal with them. The whole point is that the issues now before the Parliament will be entrenched in our constitution for time ever after. One of the basic reasons why the National Party so trenchantly opposes this legislation is that what is being sought here has a permanence about it that the government simply does not understand.

Business interrupted pursuant to sessional orders.

The CHAIR — Order! Pursuant to the resolution of the house on Tuesday, 18 March, the time has come for me to interrupt the business of the house. The question is that clause 1 stand part of the bill.

Committee divided on clause.

**Ayes, 60*

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr (<i>Teller</i>)
Batchelor, Mr	Languiller, Mr
Beard, Ms	Leighton, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms
Brumby, Mr	Lobato, Ms
Buchanan, Ms	Lockwood, Mr
Cameron, Mr	Lupton, Mr
Campbell, Ms	McTaggart, Ms (<i>Teller</i>)
Carli, Mr	Maxfield, Mr
Crutchfield, Mr	Merlino, Mr
Delahunty, Ms	Mildenhall, Mr
Donnellan, Mr	Morand, Ms
Duncan, Ms	Munt, Ms
Eckstein, Ms	Nardella, Mr
Garbutt, Ms	Neville, Ms
Gillett, Ms	Overington, Ms
Green, Ms	Pandazopoulos, Mr
Haermeyer, Mr	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Mr (<i>Teller</i>)	Robinson, Mr
Helper, Mr	Savage, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thwaites, Mr
Hudson, Mr	Treaise, Mr
Hulls, Mr	Wilson, Mr
Ingram, Mr	Wynne, Mr

Noes, 23

Asher, Ms	Naphine, Dr
Baillieu, Mr	Perton, Mr
Clark, Mr	Plowman, Mr
Cooper, Mr	Powell, Mrs
Delahunty, Mr	Ryan, Mr
Dixon, Mr (<i>Teller</i>)	Shardey, Mrs
Doyle, Mr	Smith, Mr
Jasper, Mr	Sykes, Dr (<i>Teller</i>)
Kotsiras, Mr	Thompson, Mr
McIntosh, Mr	Walsh, Mr
Maughan, Mr (<i>Teller</i>)	Wells, Mr
Mulder, Mr	

[*Division list subsequently corrected].

Clause agreed to.

Clauses 2 to 50 and circulated government amendments 1 to 35 as follows agreed to:

1. Clause 13, page 13, lines 14 to 18, omit all words and expressions on these lines.
2. Clause 13, page 13, line 19, omit “(5) Sub-section (6)” and insert “(4) Sub-section (5)”.

3. Clause 13, page 13, line 28, omit “(6)” and insert “(5)”.
4. Clause 13, page 14, line 1, omit “(7)” and insert “(6)”.
5. Clause 13, page 14, line 4, omit “(6)” and insert “(5)”.
6. Clause 13, page 14, line 6, omit “65(6)” and insert “65(5)”.
7. Clause 13, page 14, line 8, omit “(8)” and insert “(7)”.
8. Clause 13, page 14, line 11, omit “(6)” and insert “(5)”.
9. Clause 13, page 14, line 13, omit “65(6)” and insert “65(5)”.
10. Clause 13, page 14, line 16, omit “(9)” and insert “(8)”.
11. Clause 13, page 14, line 20, omit “(10)” and insert “(9)”.
12. Clause 13, page 14, line 21, omit “(7)” and insert “(6)”.
13. Clause 16, page 23, line 14, after “(1A),” insert “(1B),”.
14. Clause 16, page 24, after line 9 insert —
 “(1BA) For the purposes of sub-section (1B), a provision of a Bill is not to be taken to repeal, alter or vary Part IIA unless the Bill expressly refers to that Part in, or in relation to, that provision and expressly, and not merely by implication, states an intention to repeal, alter or vary Part IIA.”.
15. Clause 27, page 47, line 7, omit “at least 5” and insert “all”.
16. Clause 27, page 47, line 14, omit “at least 5” and insert “all”.
17. Clause 27, page 47, line 15, after “orders,” insert “or any one of 3 specified orders,”.
18. Clause 27, page 47, line 29, omit “at least 5” and insert “all”.
19. Clause 27, page 48, line 3, omit “at least 5” and insert “all”.
20. Clause 27, page 48, line 5, after “orders,” insert “or any one of 3 specified orders,”.
21. Clause 27, page 48, line 20, omit “at least 5” and insert “all”.
22. Clause 27, page 48, line 28, omit “at least 5” and insert “all”.
23. Clause 27, page 48, line 30, after “orders,” insert “or any one of 3 specified orders,”.
24. Clause 27, page 49, lines 8 and 9, omit “at least 5” and insert “all”.
25. Clause 27, page 49, line 20, after “2” insert “or 3”.
26. Clause 27, page 49, line 25, after “2” insert “or 3”.

- 27. Clause 30, page 52, line 1, after “2” insert “or 3”.
lot in a manner determined by the election manager, either manually or by computer; and
- 28. Clause 33, page 53, line 32, omit “at least 5” and insert “all”.
(ii) one of the ballot-papers is to be taken to have been marked in accordance with whichever of the other 2 tickets is drawn by lot in a manner determined by the election manager, either manually or by computer; and
- 29. Clause 33, page 54, line 34, omit “at least 5” and insert “all”.
- 30. Clause 37, page 58, line 12, omit “deemed” and insert “taken”.
(iii) one-third of the remainder of the ballot-papers (if any) is to be taken to have been marked in accordance with one of the tickets, one-third of that remainder is to be taken to have been marked in accordance with another one of the tickets and the other one-third of that remainder is to be taken to have been marked in accordance with the other ticket.”
- 31. Clause 37, page 58, lines 32 and 33, omit “to be deemed” and insert “taken”.
- 32. Clause 37, page 59, after line 10 insert —

“(3) For the purposes of section 114A, if —

- (a) a ballot-paper has, or ballot-papers have, been marked in accordance with section 93A(2)(a) by a mark having been placed in a square in relation to a group; and
- (b) the candidates in that group have 3 group voting tickets registered for the purposes of that election —

then —

- (c) if the number of ballot-papers is a number divisible by 3 without any remainder, one-third of the ballot-papers is to be taken to have been marked in accordance with one of the tickets, one-third of the ballot-papers is to be taken to have been marked in accordance with another one of the tickets and the other one-third in accordance with the other ticket; or
- (d) if there is only one ballot-paper or the number of ballot-papers is a number divisible by 3 with a remainder of 1 —
 - (i) the ballot-paper or one of the ballot-papers is to be taken to have been marked in accordance with whichever of the 3 tickets is drawn by lot in a manner determined by the election manager, either manually or by computer; and
 - (ii) one-third of the remainder of the ballot-papers (if any) is to be taken to have been marked in accordance with one of the tickets, one-third of that remainder is to be taken to have been marked in accordance with another one of the tickets and the other one-third of that remainder is to be taken to have been marked in accordance with the other ticket; or
- (e) if there are 2 ballot-papers or the number of ballot-papers is a number divisible by 3 with a remainder of 2 —
 - (i) one of the ballot-papers is to be taken to have been marked in accordance with whichever of the 3 tickets is drawn by

- 33. Clause 37, page 59, line 11, omit “(3)” and insert “(4)”.
- 34. Clause 37, page 59, line 22, omit “(4)” and insert “(5)”.
- 35. Clause 37, page 60, line 1, omit “(5)” and insert “(6)”.

Circulated further government amendments 1 to 6 as follows agreed to:

- 1. Clause 18, line 34, omit “18” and insert “19”.
- 2. Clause 18, page 28, line 35, omit “18” and insert “19”.
- 3. Clause 18, page 29, line 12, omit “18” and insert “19”.
- 4. Clause 18, page 29, line 21, omit “44” and insert “45”.
- 5. Clause 18, page 29, line 31, omit “44” and insert “45”.

NEW CLAUSE

- 6. Insert the following New Clause to follow clause 9 —

“A. *New section 29A inserted*

After section 29 of the **Constitution Act 1975** insert —

‘29A. **Title of members**

- (1) A member of the Council who is not the President or a member of the Executive Council is not entitled to be styled “The Honourable”.
- (2) Nothing in sub-section (1) affects any privilege or right of a person who ceased to be a member of the Council before the commencement of section 10 of the **Constitution (Parliamentary Reform) Act 2003** to be styled “The Honourable”.”

Reported to house with amendments.

Report adopted.

Third reading

The SPEAKER — Order! I am of the opinion that the third reading of the bill is required to be passed by an absolute majority. The question is that this bill be now read a third time.

House divided on question:*Ayes, 62*

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr (<i>Teller</i>)
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Bracks, Mr	Lobato, Ms
Brumby, Mr	Lockwood, Mr
Buchanan, Ms	Loney, Mr
Cameron, Mr	Lupton, Mr
Campbell, Ms	McTaggart, Ms
Carli, Mr	Marshall, Ms
Crutchfield, Mr	Maxfield, Mr
Delahunty, Ms	Merlino, Mr (<i>Teller</i>)
Donnellan, Mr	Mildenhall, Mr
Duncan, Ms	Morand, Ms
Eckstein, Ms	Munt, Ms (<i>Teller</i>)
Garbutt, Ms	Nardella, Mr
Gillett, Ms	Neville, Ms
Green, Ms	Overington, Ms
Haermeyer, Mr	Pandazopoulos, Mr
Hardman, Mr	Perera, Mr
Harkness, Mr	Pike, Ms
Helper, Mr	Robinson, Mr
Herbert, Mr	Savage, Mr
Holding, Mr	Seitz, Mr
Howard, Mr	Stensholt, Mr
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Trezise, Mr
Ingram, Mr	Wilson, Mr
Jenkins, Mr	Wynne, Mr

Noes, 21

Asher, Ms	Naphthine, Dr
Baillieu, Mr	Perton, Mr
Clark, Mr	Plowman, Mr
Cooper, Mr	Powell, Mrs
Delahunty, Mr	Ryan, Mr
Dixon, Mr (<i>Teller</i>)	Shardey, Mrs
Doyle, Mr	Smith, Mr (<i>Teller</i>)
Jasper, Mr	Sykes, Dr
Kotsiras, Mr	Walsh, Mr
McIntosh, Mr	Wells, Mr
Maughan, Mr (<i>Teller</i>)	

Question agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

SMALL BUSINESS COMMISSIONER BILL*Second reading*

Debate resumed from earlier this day; motion of Mr BRUMBY (Treasurer).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

TERRORISM (COMMUNITY PROTECTION) BILL*Second reading*

Debate resumed from earlier this day; motion of Mr BRACKS (Premier).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

RETAIL LEASES BILL*Second reading*

Debate resumed from 19 March; motion of Mr BRUMBY (Treasurer).

The SPEAKER — Order! As the required statement of intention has been made pursuant to Section 85(5)(c) of the Constitution Act 1975, I am of the opinion that the second and third readings of this bill are required to be passed by an absolute majority.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read second time.

Third reading

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

**PARLIAMENTARY COMMITTEES
(AMENDMENT) BILL**

Second reading

Debate resumed from 19 March; motion of Mr BRACKS (Premier).

Motion agreed to.

Read second time.

Circulated amendments

Circulated government amendments as follows agreed to:

1. Clause 1, line 2, omit "The" insert "(1) The main".
2. Clause 1, page 2, after line 3 insert —
“(2) This Act also amends the **Parliamentary Salaries and Superannuation Act 1968** so as to clarify the entitlement of members of Parliament to allowances under that Act in respect of the period between 30 November 2002 and 1 February 2003.”.

NEW CLAUSE

4. Insert the following New Clause to follow clause 9 —
“**AA. Amendment of Parliamentary Salaries and Superannuation Act 1968**
(1) After section 8(2) of the **Parliamentary Salaries and Superannuation Act 1968** insert —
(3) The Parliamentary Allowances Regulations 1992 must be taken to have had effect from the beginning of 30 November 2002 until their revocation as if for the Schedules to those Regulations there had been substituted the Schedules to the Parliamentary Allowances Regulations 2003.
(4) The Parliamentary Allowances Regulations 2003 must be taken to have effect, and to have always had effect, as if Schedule 2 to those Regulations contained in the following paragraph —
(c) The following Electoral Province as notified in the Government Gazette of 24 April 1991 as required under the **Electoral Boundaries Commission Act 1982** —
South Eastern”.

- (2) After section 9(2) of the **Parliamentary Salaries and Superannuation Act 1968** insert —

- (3) Sub-section (2) must be taken to have effect, and to have always had effect, in relation to moneys payable under this Part in respect of the period between the beginning of 30 November 2002 and the end of 31 January 2003 as if for the reference to three months there were substituted a reference to six months.”.

5. Long title, after “1968” insert “and the **Parliamentary Salaries and Superannuation Act 1968**”.

AMENDMENT OF TITLE

6. Title, after “Committees” insert “and **Parliamentary Salaries and Superannuation Acts**”.

Remaining stages

Passed remaining stages.

SEAFOOD SAFETY BILL

Second reading

Mr CAMERON (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Bracks government is committed to maintaining Victoria’s reputation as a producer of clean, safe and fresh food. The seafood industry in Victoria is a significant contributor to Victoria’s domestic and export food industry, with an estimated value of \$140 million for landed state catch and aquaculture. In addition, approximately \$250 million worth of seafood is imported into Victoria each year. Seafood exports are expected to grow with increases in high-value aquaculture products.

A food safety incident affects the whole industry as well as the business concerned; it can destroy consumer confidence in the product as well as causing pain and suffering to those individuals directly affected. Recent food safety incidents interstate involving seafood have highlighted the need for effective management of food safety at all points in the chain. Industry is also keen to be able to demonstrate to consumers that it is taking responsibility for delivering safe food to its customers.

After consultation with industry, the government resolved that a new system for managing food safety in the seafood industry was necessary and should incorporate the whole chain, including the wild-catch and aquaculture sectors.

A working group of government and industry representatives has provided advice on the details of a system that would best meet the needs of industry and provide a robust system to manage food safety. This working group (the Seafood Safety Management Working Group) incorporated representatives from all sectors of the seafood industry, including the wild-catch, aquaculture, processing and retail sectors.

The government has accepted the recommendations of the working group and this bill enables the implementation of these recommendations. In broad terms, this bill establishes a new seafood safety system to be delivered by the Victorian Meat Authority which is a statutory authority established under the Meat Industry Act 1993 and accountable to the minister. Initial discussions with seafood industry representatives indicated that the Victorian Meat Authority would provide the most cost-effective delivery system and would allow for the development of specific requirements tailored to the needs of industry. To reflect its broader responsibilities, the bill changes the name of the authority to Primesafe, as recommended by representatives from the red meat, chicken and seafood industries.

The bill provides for inclusion of seafood expertise on the Primesafe board. The bill also allows for the inclusion of a person on the selection committee for the Primesafe board nominated by the organisation that the minister believes best represents the seafood industry in Victoria. In the first instance, the minister intends to ask Seafood Industry Victoria to nominate a person for the selection committee. In addition to the nominees from the seafood, red meat, chicken and livestock producer organisations, the bill provides for the chairperson of the authority to be a member of the selection committee. These arrangements will potentially improve the efficiency with which the board should operate and are in line with common practice in the private sector. In the first instance, the current chair of the Victorian Meat Authority, Mr John Watson, will be a member of the selection committee for the board of Primesafe. The government has every confidence in Mr John Watson, who has provided excellent guidance and leadership for the authority.

The bill requires that certain seafood businesses be licensed by Primesafe. These will include businesses engaged in fishing and fish farming, except for those that are maintaining finfish live or handling seafood for the purposes of growing on. Businesses that are supplying cooked seafood for retail trade, such as fish and chip shops and restaurants, will remain registered with local government under the provisions of the Food Act 1984.

It is intended that, under Primesafe, the seafood industry will be managed in the same manner as meat (red meat and chicken) which is covered under the Meat Industry Act 1993. The framework in the bill for regulating seafood safety is also consistent with the Food Act 1984 and with national food regulatory arrangements now in place. This includes a requirement for classes of seafood businesses declared by the minister to have in place a food safety program for managing the food safety hazards within their business and audit arrangements that are to be determined by Primesafe.

To provide consistency for all of the industries and products managed for food safety, the proposed seafood safety legislation will be included in a wider review of offences and penalties in food safety legislation concerning red meat, chicken and dairy food. The review will achieve, as far as is practicable, harmonisation with the Food Act 1984 and national model food provisions.

The seafood industry has expressed concern that supermarkets would remain subject to the supervision of local government and the registration requirements of the Food Act 1984 instead of the licensing requirements of the proposed Seafood Safety Act. When food safety responsibility for retail butchers was transferred to the Victorian Meat Authority, similar concerns were expressed about supermarkets. The government at the time agreed that dual licensing of a business for food safety purposes should not occur under Victorian legislation. While the supervision of supermarkets for food safety purposes remains the responsibility of local government, as with the arrangements for meat, supermarkets handling seafood will be expected to meet the same standards as other retail seafood businesses licensed under the Seafood Safety Bill.

This outcome will be achieved through a memorandum of understanding between Primesafe, the Department of Human Services and local government organisations. Under this arrangement, Primesafe is responsible for establishing and interpreting standards for seafood, as it is now for meat. Under the provisions of the Seafood Safety Bill, Primesafe will make codes of practice, which will adopt national seafood standards, for the approval of the minister.

The arrangements agreed under the memorandum of understanding have been successful in ensuring appropriate standards are maintained in meat preparation areas in supermarkets. However, to assure the seafood industry that the government is committed to seeing that seafood safety standards are consistently

applied across jurisdictions, the government has agreed to a recommendation from the seafood safety management working group to review these arrangements after two years.

The costs to Primesafe of implementing the seafood safety system will be met by the seafood industry through licence fees, as provided for in the bill. This is consistent with meat and dairy food safety arrangements. The government has given a commitment to the red meat and chicken meat industries that the management system for seafood will be self-funded by the seafood industry, and impose no cost burden on the industries currently licensed by the Victorian Meat Authority. The bill requires that Primesafe set licence fees in consultation with the seafood industry. While it remains the responsibility of Primesafe to set licence fees, the government has acknowledged industry's concern that costs of providing the system should be shared equitably across all sectors of the seafood industry. The government has, therefore, initiated a process with industry to develop recommendations on licence fees for consideration by the Primesafe board. The government has indicated that it expects small wild-catch businesses with landed catch value of less than \$40 000 per year would pay no more than in the order of \$200 as a licence fee.

In order to minimise disruption to industry and local government, the government intends that seafood businesses that are currently supervised by local government under the Food Act 1984 will transfer to the supervision of Primesafe on 1 January 2004. For most businesses, this will coincide with the renewal for registrations with local government. It is intended that wild-catch and aquaculture businesses will not be licensed until 1 July 2004 to allow additional time for these sectors of the seafood industry to prepare for the changes.

The bill clarifies responsibility for food safety for seafood by removing the ability to close fisheries for public health reasons under the Fisheries Act 1995. This should rightly remain the responsibility of the Secretary of the Department of Human Services under the Food Act 1984. This separates the management of fisheries as a sustainable resource and the management of seafood for food safety purposes.

Both consumers and industry benefit when there are robust systems in place to manage food safety. The changes outlined in this bill will enable consumers to have confidence in the safety of Victorian seafood and will enhance the industry's reputation for safe, high-quality product.

I commend the bill to the house.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast).

Mr CAMERON (Minister for Agriculture) — I move:

That debate be adjourned for two weeks.

Dr NAPTHINE (South-West Coast) — On the question of time, I seek support from the minister for additional time if it is required for adequate consultation on this legislation.

This is fairly wide-ranging legislation, and given that in principle the importance of public health is recognised, there is a need to consult widely with the seafood industry. The industry extends from Mallacoota in the east to Portland in the west. Given the number of people involved in the industry who run individual businesses, plus the people who are involved in the second and third stages of handling the wild catch, as well as those involved in the emerging aquaculture industry, and given also the impact of this legislation — from what I hear in the second-reading speech — on both the red meat industry and the chicken meat industry, there would need to be widespread consultation.

I seek advice from the minister that if more time is required to have proper and adequate consultation that time will be made available.

Mr CAMERON (Minister for Agriculture) (*By leave*) — Two weeks is appropriate, as is the normal case.

Motion agreed to and debate adjourned until Thursday, 3 April.

MAJOR EVENTS (CROWD MANAGEMENT) BILL

Second reading

Mr THWAITES (Minister for Victorian Communities) — I move:

That this bill be now read a second time.

It is with pleasure that I introduce this bill to promote the safety and enjoyment of participants and spectators at major sporting events.

The government has previously stated that it would introduce measures to curb crowd misbehaviour at

major events that spoils the enjoyment of others and places Victoria's sporting reputation in jeopardy.

There is increased concern in the community regarding the adequacy of crowd control at major events.

Spectators often pay a considerable premium to view these major events and expect that they will be able to enjoy the event without undue disruption.

There is also increasing concern by athletes to ensure that their safety is guaranteed prior to agreeing to participate in events. This is highlighted by the International Cricket Council's stance on security for players and spectators at venues.

There is also an increasing incidence of inappropriate items being brought into sporting venues which presents authorities with significant concerns regarding the safety of patrons.

This bill contributes to the government's commitment to Growing Victoria Together by:

providing a safe and healthy environment for both participants and spectators;

improving the general amenity and enjoyment for spectators at major events while reducing the incidence of misbehaviour;

strengthening Victoria's sport, recreation, major event and tourism base and encouraging and supporting its contribution to economic and social development; and

providing powers and processes to ensure the safety of participants and spectators that are transparent, fair and equitable.

The proposed bill also fulfils this government's election commitment to legislate to give police and ground administrators greater powers to curb crowd violence.

The purpose of this bill is to:

ensure the safety of both participants and spectators;

provide a deterrent against potential offenders;

provide powers and processes to control activities which are transparent, fair and equitable;

ensure a duty of care by venue operators; and

increase public awareness.

The bill provides for major sporting venues such as the Melbourne Cricket Ground and Telstra Dome to be

declared venues for the purposes of the legislation along with adjacent land where necessary.

In addition, the bill provides for some major events to be immediately declared under the legislation with other major events declared through a system of ministerial orders.

The bill authorises officers to undertake the functions required under the legislation to detect contraband items and manage behaviour.

Part 3 of the bill provides uniform conditions of entry at declared venues including the inspection of bags, baskets and receptacles to ensure that prohibited items are not brought into the venue.

These searches are undertaken by properly authorised venue staff or security agents on behalf of management and the legislation proposes to formalise this process. Similarly, patrons may be asked to submit to security screening at events.

The bill uniformly prohibits the possession of certain items while providing flexibility to prohibit additional items. These include:

laser pointers

whistles/loud hailers

fireworks/flares/pyrotechnics/firearms/weapons

animals other than guide dogs

skateboards/bicycles/rollerblades.

These are either dangerous or unacceptable at events with large crowds.

In the case of alcohol it will be at the discretion of the venue manager as to whether it is permitted to be brought into the venue.

The bill provides uniform forfeiture provisions in relation to the prohibited items including disposal procedures, which address public concerns regarding the security of their goods while ensuring that management is provided with a clear mechanism for the disposal of items.

The government will not tolerate troublemakers at sporting events and the bill provides increases in penalties to deter potential offenders. These include requiring individual patrons that disrupt or interrupt an event to leave the venue and not re-enter.

The bill also deals with unapproved entry onto a playing field. As this practice of disrupting events is both dangerous to the contestants and the offender the offence will carry a significant penalty of up to \$6000.

It is also proposed that the ground invasion offence may be subject to an infringement notice served by a police officer.

Following a first offence or in the case of a serial pest the bill proposes to enable the banning of repeat offenders from entering venues for the period of an event at a magistrate's discretion. This will ensure the event can be staged without these offenders interrupting proceedings and placing at risk Victoria's reputation for holding major events in safety.

The collective provisions of this bill will result in the community being protected from offenders that ruin the enjoyment of others at major events and provide certainty to management and event organisers that spectators and participants will be afforded a suitable level of protection from inappropriate behaviour.

The government is pleased to present this bill as a substantial contribution to improving the standards and management arrangements for our premier sporting events.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 3 April.

MELBOURNE CRICKET GROUND (AMENDMENT) BILL

Second reading

Mr THWAITES (Minister for Environment) — I move:

That this bill be now read a second time.

It is with pleasure that I introduce this bill which will further facilitate the northern stand redevelopment of the Melbourne Cricket Ground in time for the Commonwealth Games.

The Melbourne Cricket Ground holds a special place in the hearts of all Victorians and not since the Olympic Games of 1956 has Victoria been host to such an important sporting event as the 2006 Commonwealth Games. Accordingly, this bill further facilitates the government's determination that 'Victoria maintains its mantle as Australia's sports capital by maintaining and

upgrading our major events and sports training infrastructure'.

The bill contributes to the government's commitment to growing Victoria together by:

providing a safe and healthy environment for both participants and spectators;

redeveloping the MCG as the people's ground and providing greater seating capacity for major events; and

strengthening Victoria's sport, recreation, major event and tourism base and encouraging and supporting its contribution to economic and social development.

The proposed bill also fulfils this government's election commitments to:

complete the MCG northern stand development;

maximise the economic and social benefits of the Commonwealth Games; and

reinforce the enriching role that sport and recreation plays in people's lives.

The purpose of this bill is to provide amendments to the Melbourne Cricket Ground Act 1933 that facilitate the redevelopment of the MCG and ensure that the management of the northern stand project and MCG meet agreed outcomes.

The bill also provides for an increase in trust membership from seven (including the chairman) to a maximum of nine. This will enable a greater mix of experience in sports, sports administration, business and financial affairs to be available to the trust. This delivers on the government's promise to redress concerns that there is insufficient flexibility and diversity in the skills available to the trust following the substantial reduction in membership by the then government in 1989.

The proposed bill permits the trustees, with the approval of the minister, to delegate any part of the functions or powers of the trustees, other than the power of delegation, to the Melbourne Cricket Club and enables the MCC to subdelegate these functions and powers.

The reinstatement of these powers is supported by the MCG Trust and MCC and will provide the MCC with certainty regarding its management relationship with the trust given its substantial investment in the facility.

This will in effect overturn the amendments made by the previous Liberal government, which have made it difficult to distinguish the trust from the MCC in some circumstances.

A business plan is to be prepared by the MCC as ground manager, for approval by the trust. The bill proposes to reinforce the role of the MCC in the reporting process to government and clearly articulate the trust's power to delegate its management responsibility to the MCC.

The bill proposes to permit the MCC to receive and retain all gate receipts and other revenue arising in the course of its management of the MCG while the MCC continues to be the lessee and the manager of the MCG in accordance with the agreement between the club and the trust.

The bill also proposes to amend the description of the land in the schedule to the Melbourne Cricket Ground Act 1933 to provide for the identification of an additional part of Yarra Park as being part of the MCG with subsequent trade-off as follows:

land relinquished at the corner of Jolimont Street and Jolimont Terrace totalling 750 square metres;

additional land required for the practice wicket area of 107 square metres; and

additional land required in Yarra Park near Jolimont Street of 502 square metres.

This trade-off is achieved with no net loss of public open space.

The bill also provides 'relevant stratum' for the northern stand development for those parts of the new stand, which project beyond the current boundary line above ground level.

The bill will ensure that the MCG continues to be Australia's premier sporting venue for major events.

Victoria as a whole stands to benefit from the redevelopment of the MCG, not only for its world-class capacity to host major events but importantly for its accessibility as the people's ground.

The government is delighted to present this bill as a substantial contribution to improved standards and management arrangements for our premier sporting facility.

I commend the bill to the house.

Debate adjourned on motion of Mr BAILLIEU (Hawthorn).

Debate adjourned until Thursday, 3 April.

COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL

Second reading

Mr THWAITES (Minister for Environment) — I move:

That this bill be now read a second time.

It is with pleasure that I introduce this bill, which will further assist the state in preparing for the 2006 Commonwealth Games in Melbourne.

The purpose of this bill is to further develop the legislative framework to facilitate the state's preparation for the 2006 Commonwealth Games in Melbourne.

The Commonwealth Games Arrangements Act was introduced in October 2001. During the passage of the act the government foreshadowed its intention to progress the diverse range of games-related infrastructure developments and other matters under one act, rather than through separate acts or planning processes.

It was also indicated to make a number of amendments to the act specifically covering operational arrangements, administrative processes and general powers to enable the staging of the games.

This is the first legislative amendment to the principal act required for the Commonwealth Games and there will be further amendments to the act as we move into the pre-games and games-time phases of planning and delivery.

I will commence with the infrastructure-related amendments. These amendments are essential to ensure the timely provision of games infrastructure including the Melbourne Sports and Aquatic Centre and the games village.

It is important that these facilities are developed in such a way as to enhance Melbourne's sporting and urban infrastructure and deliver long-term benefits to the Victorian community.

To ensure that the complex nature of the Melbourne Sports and Aquatic Centre and games village infrastructure developments can be administered under

the one act as intended, part 2 of this bill amends section 1 of the principal act to broaden its purpose and widen the definition of games facilities. This is necessary to ensure the act can facilitate Commonwealth Games infrastructure projects, the detail and complexity of which were not known at the time of introducing the principal act.

Part 2 also amends the principal act to determine the games village land which was not known at the time the principal act was introduced. It also defines the games village project.

A new part — part 4A — is being inserted into the principal act to provide the Minister for Commonwealth Games with the relevant planning powers to ensure that the games village will be developed in a way which meets the immediate needs of the games and the longer term needs of the community.

The games village development will be the most significant games infrastructure development undertaken in the lead-up to the games. As required under the act the Minister for Commonwealth Games will consider the report of the Commonwealth Games village advisory committee before making a determination on the planning scheme to apply to the land.

The particular provisions for the games village project reflect the longer term nature of that development and the need to integrate that development within the statewide planning system in the post-games phase.

The bill also introduces a range of machinery amendments, which ensure the act can be used to administer infrastructure developments for the whole of Commonwealth Games and beyond.

Moving now to the body corporate provisions, parts 3 and 5 of the amendment bill amend the principal act and the Project Development and Construction Management Act 1994 to constitute the Secretary to the Department for Victorian Communities as a body corporate with appropriate powers and functions.

Clause 13 provides part 3 of the principal act is amended to create the Secretary to the Department for Victorian Communities as a body corporate with powers to enter into contracts or arrangements concerning the management and development of the Commonwealth Games. Such powers can be delegated with the approval of the minister and the exercise of these powers is subject to the direction and control of the minister.

We are including in this amendment the provisions of the Project Development and Construction Management Act (Further Amendment) Bill 2002 which was introduced last session and lapsed due to the proroguing of Parliament.

The amendments are required to complete the implementation of the government's machinery-of-government changes and to create under the Project Development and Construction Management Act 1994 the Secretary to the Department for Victorian Communities as a body corporate to take responsibility for Commonwealth Games projects.

The bill introduces a new provision to enable nomination orders and application orders to be amended or revoked. This will enable changes to be made to the management of a major project including transfer of projects from one facilitating agency to another, where required.

The government is delighted to present this bill which will ensure the appropriate legislative framework is in place to enable preparation for and staging of the games including providing a lasting legacy for Victorians through the development of significant sporting infrastructure.

I commend the bill to the house.

Debate adjourned on motion of Mr BAILLIEU (Hawthorn).

Debate adjourned until Thursday, 3 April.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 27 February; motion of Ms LOBATO (Gembrook) for adoption of address-in-rely.

The ACTING SPEAKER (Mr Nardella) — Order! I remind honourable members that this is the inaugural speech of the honourable member for South Barwon and that they should give all the courtesy of the house in this regard.

Mr CRUTCHFIELD (South Barwon) — Acting Speaker, thank you for this opportunity to reply. Please pass on my congratulations to the Speaker on being appointed as the first female Speaker of the house. It reflects positively on this house and augers well for the future participation of women in the Parliament. I congratulate also my colleague the member for Lara on his elevation.

I am privileged to represent the electorate of South Barwon. South Barwon is situated south of Geelong and encompasses the beach areas of Torquay, Bellbrae, Breamlea, Barwon Heads and Jan Juc; the rural areas of Mount Duneed, Moriac, Freshwater Creek, Connewarre and Ceres; and the more urbanised areas of Geelong, Belmont, Highton, Wandana Heights and Grovedale. It is a stunningly beautiful electorate with an eclectic mix of active communities, diverse and engaged interest groups, many challenging needs, and an exciting future with an unlimited potential. One could say it is a microcosm of Victoria itself.

At this point I would like to acknowledge the other candidates who stood in the South Barwon election. As all in this place will attest, standing for public office is a difficult and sometimes thankless pursuit, and I respect their contribution to public life and their willingness to serve their community. Specifically I acknowledge the previous member, Alistair Paterson, who I thank for his contribution to the South Barwon electorate.

I would like to make a few short comments about the Bracks government. It is my honour to be the first Labor Party member to represent the South Barwon electorate in this place. In no small part this has been achieved due to the determination of the Bracks government to fulfil its commitments to deliver quality core state government services to all Victorians. For example, the Bracks Labor government has improved education by increasing infrastructure funding, boosting teacher numbers and reducing class sizes. It has increased the number of police and improved community safety. It has improved access to the health system for all Victorians, regardless of wealth, by increasing the number of nurses and injecting much-needed resources into the battered public health system it inherited from the previous government.

There is no secret to my being elected as the first Labor member for the South Barwon electorate. It stems from extensive community support and a Bracks government absolutely determined to honour its commitments to Victoria. By that I mean all of Victoria, inclusive of rural and regional Victoria which was treated so abysmally by the previous government.

The backbone of the Bracks government is the thousands of party faithful. In the context of South Barwon I particularly refer to the faithful party members of the Ocean Grove, Torquay and Belmont branches, and in particular my campaign team: Ron Arthur, Michael Bjork-Billings, Liz Bubb, Leigh Wright, Damian Gorman, Roger Lowrey, and indirectly, Kerry Mullen. They have seen defeat after defeat in the South Barwon electorate but have

remained steadfast and loyal to the party. My congratulations and hearty thanks to all those members and supporters who have stood by the party.

I would also like to take this opportunity to thank my family: my mother, father and my two brothers, and express my heartfelt sadness that my brother David is not here to join me in what should be a joyful occasion. To my fiancée, Julie, for her loyalty and endless patience over some seven years of political life, I say thank you.

At this juncture I repeat my election night acknowledgment that election victory bestows many responsibilities. Victory brings the responsibility to honour the trust placed in me by some 55 per cent of South Barwon electors who voted for me, but it also means I must earn the respect of some 45 per cent of the electorate who did not vote for me. I shall be resolutely committed to achieving both of these objectives over the next four years.

Today I would like to touch upon six local themes of particular note to myself and my South Barwon electorate — namely, the City of Greater Geelong, the importance of sport, the Country Fire Authority, schools and education, environmental issues, and business and industry.

I was a councillor for almost eight years, including one term as the mayor of the City of Greater Geelong, as the member for Richmond would know. Despite the best efforts of the Kennett Liberal government we have survived and indeed thrived. I acknowledge the assistance and support of the City of Greater Geelong personnel and fellow councillors throughout my time on council, and in particular thank the four mayors, Gerry Smith, Ken Jarvis, Cr Stretch Kontelj and Cr Barbara Abley.

We have come a long way since amalgamation, since the time in a building some 200 metres from this space when the former Premier threatened to sack the council unless we obeyed his rather impolite demands. Thankfully we had a strong elected council led by a strong chief executive officer, Michael Malouf, and we managed to survive and prosper during those heady days. I also acknowledge Mike Hill and the Victorian Local Governance Association — I see many nodding heads — for their support during those interesting occasions with the former Premier. It is my hope that all in this place respect the legitimate place local government has in our democracy.

I still have a strong affiliation with South Barwon Football Club, having played for and coached them in

the 1990s. It is a healthy football club in a healthy football league. Football in Geelong is very strong, from the Australian Football League side down to three local leagues and numerous under-age competitions that I continue to umpire in. I have also played basketball for Deakin University and have competed as a Warrnambool surf lifesaver against Torquay, Jan Juc, Thirteenth Beach and Bancoora surf lifesaving clubs. All these clubs survive on volunteerism, as do elements of my previous occupation as a firefighter.

I would like to acknowledge the Country Fire Authority volunteers and staff with whom I have served. Certainly I could not find a more opportune time, given current affairs, to thank all of them for their dedication, courage and selfless contributions to their communities. They are truly remarkable individuals! I was once a volunteer firefighter before becoming a career firefighter and, now, the first career firefighter to be elected to the Victorian Parliament. A number of members in this place are volunteer firefighters. I believe there is, and will always be, a role for volunteers in protecting our communities.

I also acknowledge and thank the United Firefighters Union and in particular its secretary, Peter Marshall, for his steadfast endeavours to improve workplace safety for volunteers and staff. I have served at a number of career stations in the Geelong region and enjoy close working relationships with volunteer brigades in my electorate from Barwon Heads to Torquay and all places in between. I also served at the Fiskville Training College as an instructor and believe that in a high-quality fire service continuous education and training is essential.

I have visited all the schools in South Barwon and I can advise this place that there is a rich diversity of educational opportunities in the electorate. The quality and commitment of all local teachers is unquestioned and as an ex-teacher myself from a Geelong school, Chanel College, I have considerable empathy with the challenges they face and the pressures they work under.

Environmental issues have a strong connection with the Geelong region. I have always had a strong commitment to environment protection initiatives. For example, I was a strong voice in the successful opposition to the relocation of Coode Island to Point Lillias, something the previous government was keen to foist on the Geelong community.

I am an amateur ornithologist — a member of Birds Australia — and have spent many an hour birdwatching along the Barwon River, in the Otways and, indeed, down in Balmoral! I am passionate about the Otways

and in particular the cessation of clear-fell logging in the district — a vital and defining election issue and one which I have been pursuing since 1999. I acknowledge publicly the Otway Ranges Environment Network, especially Roger Hardley and Simon Birrell, for their friendship, support and enthusiasm in pursuing an issue that is complex and at times very emotional. They did it sensibly and they did it very well.

But along with environmental sustainability, the South Barwon electorate in particular and the Geelong region in general boast a large and diverse range of industries that provide vital economic assistance to the local economy and a wide range of employment opportunities to the local work force.

Industry in the Geelong region is vibrant, multidimensional and innovative. Whether it is large companies such as Shell, Ford or Alcoa — which each employ hundreds of people from South Barwon and thousands from across the Geelong region — or the many hundreds of small businesses which are so vital to a healthy and prosperous economy, Geelong business and industry are world competitive.

Mr Acting Speaker, I seek your indulgence to name a number of business people with whom I have had productive relationships, which I trust will continue: Laurie Miller, Peter Landers, Cathy Roth, Helene Bender and Norm Lyons, all from the Chamber of Commerce; Graeme Esler of the Victorian Employers Chamber of Commerce and Industry; David Peart of the Chamber of Manufactures; David Morgan of the Geelong Development Board; Graham Goldsworthy of Geelong Otway Tourism; Wayne Street of Geelong Business Network; Doug Hille of Belmont Traders Association; and Bernard Napthine of Barwon Heads Traders.

One other local organisation which contributes enormously to a healthy and prosperous local economy is the Geelong Football Club. It is a key economic and social driver and the \$13.5 million commitment of this government to the redevelopment of Kardinia Park is one for which all the community can be thankful.

Deakin University is also a landmark regional player. With its main campus at Waurn Ponds, Deakin University has another major campus on the Geelong waterfront. Indeed its decision to locate its campus on the waterfront was one of the key catalysts for the improvement of the waterfront and the subsequent significant private investment in the precinct. For those who have not seen the Geelong waterfront in recent times, do yourself a favour indeed. It is a credit to the

Geelong City Council and to state governments past and present.

Looking to the future, I believe a Guggenheim museum or some other arts-related icon is worthy of pursuit. Another exciting proposal is the one suggested recently by Frank Costa in respect of a Werribee to Ballan water diversion project and associated market garden development, with obvious potential for Avalon airport.

This is all about pushing boundaries and thinking laterally. It is all about selling the Geelong region as a location and a Geelong community that is contemporary, forward looking, broad-minded and open to opportunities to sell itself.

One organisation which typifies this forward outlook is Geelong Otway Tourism, which is headed up so well by Roger Grant. Whether it be the Rip Curl Pro at Torquay, the Great Ocean Road — which is the backdrop of the South Barwon electorate — selling the Geelong waterfront or selling Geelong as a venue for a future arts icon, it is about selling us as a community.

Geelong has much to look forward to. It has prospered under a Bracks Labor government, and I intend to see that it continues to prosper. My local election priorities are the Geelong ring-road, Grovedale railway station, Torquay police station, Barwon Heads natural gas, and improved facilities for Barwon Heads Football and Netball Club.

As I have stated, it is an honour for me to serve my South Barwon electorate — my community — as its member of Parliament and part of the Bracks government. I am dedicated to achieving the commitments made by the government and me in the lead-up to the recent election. Only through achieving these commitments will we ensure that our rich natural environment is protected, our commerce and industry prosper, health and education services continue to improve, cultural diversity, sports and arts flourish, core government services are made available to all Victorians, and finally, the Geelong Football Club wins the premiership!

Mr COOPER (Mornington) — I want to compliment the honourable member for South Barwon on his inaugural speech and to say that I certainly enjoyed what he had to say, except for that last bit which I put in the category of just being part of a wish list! Nevertheless I am informed by the Clerks that Geelong won its last premiership in 1963, and as my club won its last premiership in 1964, we are both in the same category of hoping against hope that some success will come our various ways.

The redistribution that took place prior to the last election saw a significant change in the boundaries of my electorate. It now encompasses the principal areas of Mornington, Mount Martha, Mount Eliza and part of Moorooduc. It is almost a replica of the old Shire of Mornington where I served as a councillor for 13 years before I was elected to this place. It certainly is a very interesting part of the Mornington Peninsula to represent and a very beautiful part of the most beautiful part of the Victoria to represent. I know the sensitivities of other members on how proud they are of their electorates, but certainly when someone described the Mornington Peninsula many years ago as the playground of Melbourne, they got it right. In fact it is the playground of Victoria and beyond, as attested to by the many thousands of people who come to the Mornington Peninsula virtually every day of the week, particularly during the summer months.

In my electorate, the Liberal Party has five very active and involved branches and in the not-too-distant future that number will certainly increase because we are seeing a significant growth in Liberal Party membership in my electorate. I want to compliment two people in particular who play a very large part in the success of the Liberal Party in the Mornington electorate. They are David Morris, who is my electorate council chairman, and John Howard, who is my campaign director and has been for all but one of the elections that I have fought since 1985.

There are still some matters that are unresolved in the areas of my old electorate that I no longer represent, which have gone into the electorate of Hastings — areas like Hastings itself and Somerville and Tyabb. I want to advise the house and certainly the communities in those particular areas that I will be maintaining a very significant involvement in those areas and in those matters and will continue to do so for as long as my services are needed — and they certainly will be needed for quite some time.

A number of matters that relate to my electorate are of major concern to my constituents. I have tried to put them down in some order of priority; but as all members would understand, when you are trying to look at issues it is very hard to establish priorities, because to sections of your constituents each of these issues is a priority. However, I put down safety as no. 1, including people being safe from crime, particularly street crime, which certainly plays a part in my electorate as it does throughout the state. The number of street crimes such as bag snatching, assaults on the elderly and assaults on young people is growing, and it is a matter of great concern not only to my community but also to the police who service my community.

I discussed these matters with the superintendent in charge of the region at a meeting I had with him recently. I know he is taking steps to increase the police presence at the times when these events occur; but it is very difficult, as we would all understand, for the police to be everywhere at the same time, particularly on a Saturday night in Mornington. As the late-closing hotels empty their crowds, or as people leave the hotels because they have been evicted, things are occurring that none of us would like to see. Only two Sundays ago I was confronted by the effects of an incident at the Coles supermarket in Mornington. A young lady had been bashed by someone we will call her boyfriend, because that is how she described him — but I would not describe him in that way. The incident was horrific and traumatised the staff at the Coles supermarket who had to deal with the results. It was a needless and violent assault on a young woman in the early hours of a Sunday morning.

Road safety is also a very important matter, and members who have served in this place over the last three years would know that I have on many occasions raised the issue of dangerous intersections and the lack of attention that has been paid to them. In particular I draw the attention of the house to three dangerous intersections in my electorate, the first being at the corner of Moorooduc Highway and Bentons Road in Moorooduc, the second being on the corner of Nepean Highway and Bentons Road in Mornington, and the third being at the corner of Nepean Highway and Wooralla Drive in Mount Eliza. They are three significant examples of dangerous intersections which have been ignored by this government and where there will certainly be deaths if nothing is done to correct the deficiencies.

I find it puzzling — in fact I get quite angry — when I see the removal of money from black spot funding to pay for fixed-speed cameras in the inner areas of Melbourne. I get very angry, as does my community, when I see nothing being done to correct the deficiencies in these dangerous intersections while I read in the papers about the installation of more fixed-speed cameras and the massive amounts of money being raised in fines as a result.

As a number of constituents have said to me in recent times, because they are constantly in contact with me about the dangers of various intersections in my electorate, the fines might be good for government revenue, but there is not enough money in the world to pay for the damage done to human beings who are either severely injured or in some cases killed at intersections like the three that I have just named.

As I said, I have asked the Minister for Transport on many previous occasions to do something about various dangerous intersections throughout my electorate, and I again ask him to stop concentrating on revenue raising and to get going on matters of safety to prevent the accidents that have a devastating effect on individuals and their families in particular and the entire community in general, not just in my electorate but also, I acknowledge, throughout the state. I know the honourable member for South-West Coast just the other day raised the issue of a very dangerous intersection in his electorate and pleaded with the government to do something about that.

There are other issues that touch upon not only my electorate but others around Port Phillip Bay. Being in a coastal electorate that is a very popular part of Port Phillip Bay I know my concerns are shared by my colleague the member for Nepean. I also know that a number of members who do not have coastal electorates are concerned about the Port Phillip channel deepening project, which will deepen the channels in and the entrance into Port Phillip Bay to accommodate the new-generation container ships which will be coming on stream in the not-too-distant future.

If they cannot be accommodated in a Victorian port, the probability is that these container ships will go to a deep-water port where they can be handled. They can go to Hastings, where no deepening of the channel is needed, but this government has ruled out establishing a facility to cater for new-generation container ships there. It has decided — it is hiding the fact that it has made a decision — to go ahead with the Port Phillip channel deepening, but the time line on all of that is slipping continuously. The ports that we are in competition with are the ports of Adelaide, Brisbane and Sydney. In particular the port of Adelaide is the one we should worry about the most.

If we lose the new-generation container ships from Victorian ports the industry that depends upon those containers will go where the containers go. The double handling of containers adds costs, which businesses and industry will not be prepared to accept and will not be able to accept. That would put them out of business, because it would certainly make them uncompetitive.

The government does not seem to understand that by ruling out Hastings it is creating two problems for itself. One is that it is a short-term solution to deepening the channels into Port Phillip Bay — it will only be until 2015 and then the government of the day will have to make a decision about Hastings or some other port, and it will most likely only be Hastings that will be acceptable. At the same time, in going ahead with the

deepening of the channels into Port Phillip Bay it is biting off a huge environmental problem because the turbidity of the water that will be created by the dredging alone will be enormous.

Just recently, in January of this year, we saw some minimal maintenance dredging being carried out at a cost of \$12 million to \$14 million down in the southern area of the bay which created such enormous turbidity that it virtually put the dive industry — a huge tourism industry on the southern peninsula — out of business for some weeks. When we start to deepen the channels to get the ships in, the amount of material that will be dragged out and dumped somewhere — still unnamed — will be enormous. I am told it will be an amount sufficient to fill the Melbourne Cricket Ground twice over. Where will it be put?

When I went to a briefing by the Victorian Channels Authority in Frankston last year that question was put to its representatives. They said, 'We've got a perfect spot. We can't tell you but trust us, we are from the government'. I have to tell you that the people at that meeting said, 'Well, we are not going to trust you; we want to know where it will go'. Then it was winkled out of one of them later on that it will be dumped somewhere in Port Phillip Bay — some sort of an island or mountain will be created somewhere in Port Phillip Bay with all of the spoil that will be dug out.

If this government does not believe me it should go and talk to some of the environmental groups. I am telling the government right now that it is buying a huge problem, a huge fight, with the environmental groups — a fight that I am sure will permeate into their own ranks. Members of this government who have electorates that are close to or abut Port Phillip Bay will decide that their political future will not be a very long one if they support such a move.

The other issue of great moment in an area like mine is the question of stamp duty. Stamp duty has become an enormous problem for a large number of people. We have seen house prices rocketing upwards, but the Victorian government has done nothing to reduce the stamp duty impost on house buyers in this state. As a result we have the highest stamp duty taxes on property in the commonwealth.

I was interested in a recent article in the *Age* which had a little table on it which showed, for example, what a property with a purchase price of \$500 000 — which would be about average in the Mornington electorate, and certainly in Mount Martha and Mount Eliza — would cost in stamp duty. While the stamp duty on a property with a purchase price of \$500 000 is \$17 990

in New South Wales, in Victoria the stamp duty is \$25 660. That is unconscionable action by this government. It is sitting there taking the windfall gains from stamp duty on property and from gaming taxes and saying that it refuses to do anything about it because it is now wedded to the income that that is giving to it. It is simply not good enough for the government to be depending on this revenue at the expense of people who are trying to buy a house; they are being belted around the ears financially because they want to buy a house. Stamp duty in this state needs to be reduced. This government should be doing something about it, and doing something about it right now.

I am delighted to be representing the people of my electorate for the sixth time in this Parliament. I look forward to the next four years and to delivering the services to them that they deserve.

The ACTING SPEAKER (Mr Nardella) — Order! May I remind members that this is the inaugural speech of the honourable member and the custom of the house should be observed.

Ms ECKSTEIN (Ferntree Gully) — It is my great honour and pleasure to address this house today as the first member for Ferntree Gully. I am indeed proud that the first member for Ferntree Gully is a Labor member, as indeed was the first member for Knox, the former seat on which Ferntree Gully is based.

Acting Speaker, I ask you to pass on my congratulations to the Speaker on her election to this high office. I would also like to congratulate the Premier on his re-election and that of the government in what was an extraordinary show of support and confidence in the government by the Victorian people. It is indeed an historic occasion that, for the first time, this house has a woman as its Speaker, as well as so many other women members of Parliament. In fact 40 per cent of this Bracks government is comprised of women. To the new women members for Bellarine, Evelyn, Forest Hill, Gembrook, Hastings, Kilsyth, Mill Park, Mordialloc, Mount Waverley and Yan Yean, I particularly congratulate you on your election to this house. It is indeed a great privilege to serve alongside so many extremely capable and talented women parliamentarians. It augurs well for this 55th Parliament being a truly representative place.

I would now like to thank the many people who supported my election to Parliament. Firstly, I thank the voters of Ferntree Gully, who have entrusted me to represent them. It is a great privilege to serve the people of Ferntree Gully, and I shall always endeavour to

represent the needs and aspirations of all the people of my electorate. I am deeply honoured to be given the opportunity to serve the people of Ferntree Gully in the Bracks government.

I would also like to thank my campaign team, all the local Labor Party members and supporters, and the many personal friends and work colleagues who worked tirelessly on my election campaign. In particular, I would like to thank my campaign director, Don Barker, for keeping both me and the campaign on track, and also my very good friend and colleague Carolyn Hirsh, who is now a member for Silvan Province, for her ongoing advice, encouragement and support. I also thank Daniel Andrews, the member for Mulgrave; Lee Tarlamis; and Alan Griffin, the federal member for Bruce, for their support and encouragement.

I also need to acknowledge the extraordinary support of Emily's List for the advice, training and resources provided, which were absolutely invaluable. The encouragement and support given to me by Joan Kirner, the first and only woman to become Premier of this state, deserves particular mention.

I would now like to pay tribute to an extraordinary woman: my aunt, Ida Katerina Messner, who is now 88 years young. She essentially raised me during the many years of my mother's debilitating mental illness.

I would also like to pay tribute to the role of my father, Johann Konrad Eckstein, who, although he passed away many years ago, shaped many of my values and political views. He always encouraged me to think for myself about important issues and to question the actions of the conservative state and federal governments of the day, regardless of whether they conflicted with his own views or whether he thought them, or me, particularly wise or prudent at the time. I remember many lively discussions during my teens on issues such as conservation of the environment and Australia's involvement in the Vietnam War. Fortunately we did agree on most issues, including the need for better health, education and welfare services.

Having come to Australia in 1953 with my mother and older brother, after having survived the war years in Germany and the devastation, both physical and psychological, of postwar Germany, my father valued the freedoms and opportunities that Australia offered to people from all over the world. He had strong political views even though he was understandably diffident about any overt participation in the political process after the tyranny of Nazi Germany.

There his small act of defiance — that of not attending military training at his workplace because he was supposedly attending training at precisely the same time in his local township and failing to go to training in his local township because he was required at training at his workplace, and actually going to neither — could have had dire consequences for both himself and the family, had he ever been found out.

He also valued education very highly and encouraged me to always strive for high academic standards and to continue my education, even when our family's economic circumstances made that quite difficult.

In that regard, I must also acknowledge the extraordinary role of the Whitlam Labor government in abolishing fees for tertiary education. Without 'Gough's gift', I and many other young people from ordinary working-class families would never have had the opportunity to undertake a university education.

My outrage at the Liberal-controlled Senate refusing to pass supply and the subsequent sacking of the Whitlam government in 1975 prompted me to join the Boronia branch of the Australian Labor Party, of which I am still a member. I am therefore delighted to serve in this Bracks Labor government, whose reforms to the Legislative Council will ensure that supply can never be denied to a Victorian government with a mandate from the people.

As a former primary teacher and manager in the Department of Education and Training I have a strong interest in and personal commitment to ensuring the best possible educational opportunities and outcomes from our public schools and educational institutions. Therefore, I am delighted that education — along with health, community safety and the environment — is one of the highest priorities of this Bracks government. I look forward to contributing to improvements in schools and in public education more generally, both for the people of Ferntree Gully and for Victoria as a whole.

My father also encouraged me to value my German heritage and to maintain my first language and culture. This was not an easy thing to do in the 1950s and 1960s when assimilation was the policy of the day and if you spoke another language in public, people told you to stop. Schools and teachers actively discouraged parents from speaking languages other than English to their children in the false belief that it would hinder their acquisition of English. Fortunately, my father ignored these short-sighted and xenophobic views, and as a result I have maintained both the German language and culture.

In that regard I also need to pay tribute to the role of Professor Michael Clyne, now at the University of Melbourne, who not only greatly improved my German language skills but saw me through a Bachelor of Arts (Honours) degree and a Masters degree in German at Monash University.

These days we are all a bit more enlightened and we value the rich cultural and linguistic diversity of our multicultural community. However, there is still more work to be done in ensuring that in the future all young Victorians achieve both high levels of literacy in English and proficiency in at least one other language. Respect for diversity of values, beliefs and cultural and religious practices within the overall framework of our culturally and linguistically diverse community is one of the guiding principles that I will endeavour to bring to my work as a member of Parliament.

However, as a community we still have much to repair in terms of reconciliation with indigenous Australians. I would therefore like to say 'sorry' to indigenous Australians for the past wrongs that have been committed. I would also like to acknowledge the Kulin nation, the traditional owners of the land on which this Parliament sits as well as the electorate of Ferntree Gully, and to pay my respects to their elders.

Ferntree Gully is a new electorate which includes long-established areas in Boronia, Ferntree Gully and Mountain Gate as well as the more recently developed suburbs of Lysterfield and Rowville. Having lived in the electorate all my life I have seen the area change from small, almost rural townships to cosmopolitan suburbs. While this has brought with it many improved facilities and services, the challenge remains to preserve the leafy character and environment of this area at the foot of the Dandenong Ranges.

While Ferntree Gully is a new electorate, I would like to acknowledge the contribution made to the area by the former member for Knox, Hurtle Lupton, who served as the local member for 10 years. I wish him and his family well in the future and thank him on behalf of the constituents of Ferntree Gully for the work he did during his term in office.

I would also like to acknowledge Steve Crabb who was the first member for Knox. He held the seat for a period of 16 years from 1976 to 1992. Steve made a significant contribution to the community during his time as the local member. He also provided me personally with lots of support and encouragement to become more active in politics. At the time I was a new and enthusiastic young member of the Labor Party who did not know much about politics but who was passionate about

reform and social change. Steve showed me that it was possible to make a difference to ordinary people through participation in the political process.

The issues which concern the people of Ferntree Gully are those which concern all Victorians — that is, health, education, community safety and the environment.

The upgrading of facilities at the Angliss Hospital in Upper Ferntree Gully, provided by the Bracks government, is therefore most welcome. Also, the 28 extra teachers who are now in schools in the Ferntree Gully electorate as a result of first-term Bracks government initiatives and the improved facilities of schools such as Heany Park, Wattleview and Ferntree Gully North primary schools are also very much appreciated by the community. The building of a new police station in Rowville is about to commence and will provide enhanced community safety for the people of Rowville and Lysterfield. I look forward to working as a member of the Bracks government on policies and initiatives in these important community services. However, there is still more work to be done to undo the damage of the former Kennett government to our essential community services.

Protecting our environment is also an important local priority, given the location of the electorate in the foothills of the Dandenongs. The Dandenong Ranges on the eastern boundary of my electorate and the Lysterfield Lake Park in its south-eastern corner are important 'green wedges' which will be protected for future generations as a result of Bracks government policies.

As with other outer suburban areas, there are ongoing challenges in improving roads and public transport in Ferntree Gully as the population and housing development increases. While the older established areas of my electorate in Boronia and Ferntree Gully have access to train and bus services, the newer areas of Rowville and Lysterfield are heavily reliant on cars. This is putting considerable pressure on the existing road network, much of which needs upgrading to cope effectively with the increased population now living in these areas. Public transport in the newer areas is quite limited, with bus services generally not operating after hours or at weekends. It is therefore pleasing that the Bracks government has implemented new bus routes in Rowville and committed \$100 million to an outer metropolitan roads program.

This and the many other initiatives that the Bracks government will deliver during its second term will undoubtedly benefit not only the people of the electorate of Ferntree Gully but Victorians as a whole. I

am proud to represent the people of Ferntree Gully. I look forward to working constructively with many of you over the life of this Parliament on the many important social issues that will come before us.

Mr DIXON (Nepean) — I wish to congratulate the member for Ferntree Gully on her first speech. I did not go over to congratulate her because there was such a hard Acting Speaker in the chair that I thought I might miss the call if I did, so I congratulate her from afar.

It is a great pleasure for me to be here as the first member for Nepean and to be elected to this place for the third time. The Mornington Peninsula which I represent is the best place in Victoria, with its beautiful bay and ocean beaches.

Ms Beattie interjected.

Mr DIXON — I will get to that in a minute. I have 18 golf courses in my electorate and 200 wineries, but the best thing about my electorate is the wonderful community. There are a large number of retired people in my community, and they are a strength because they have the time to put in and they are prepared to put in a lot of time to make our community a better place. That is the best part of living on the Mornington Peninsula.

I have a few thank-yous. I would especially like to thank my electorate officers, Barbara Walker and Meredith Cassidy, and in particular Barbara who has been with me since I was first elected in 1996; my campaign team lead by Ken Bickley and ably supported by Michael Moore; the numerous branch members and volunteers who have helped out and supported me over the last seven years, especially during the election campaign; and the many volunteers who were not branch members and who are not members of the Liberal Party but who wanted to support me. I certainly do appreciate their time and support.

Most of all I would like to thank my family. Those of us in here know how valuable and precious our families are to us. They do not see much of us, but they are a great support to us. I especially thank my wife, Chris, who looks after our family home and our family in my absence. She is a wonderful support to me personally, and she supports me in everything I do, especially in this field of politics which I love so much. I thank my daughter, Julia, who is at La Trobe University. She is majoring in politics and she is a member of the Liberal Party. We are not establishing a dynasty or anything like that, but I am thrilled and very pleased with her interest in politics. And I thank my son, Martin, who is a great son to have, and he too has a great interest in politics. I thank my parents — I can probably say this

now — who are both elderly and who are a tremendous support to me.

Dad is further to the right than I am — if you can believe that. In fact I have an interesting family: my brother is a member of the socialist left of the Australian Labor Party and battles — —

Mr Carli interjected.

Mr DIXON — He looks a lot like you actually, Carlo! He is a good, close friend of the member for Ivanhoe, who has just walked into the chamber.

My sister Ann works on the steps of Flinders Street station on a Wednesday and Friday with a youth group helping with the homeless of Melbourne. In fact she and a group of helpers came in last night for a debrief, but I think it was the free beer that I offered that actually got them here! But she really keeps me in touch with the reality of what is happening out there with those far less fortunate than us.

I grew up in West Heidelberg in a housing commission area. In fact I am the fourth member from that area. We have had the Honourable Ron Best, the member for Ivanhoe, the late Vin Heffernan and me. It is interesting that three out of the four have gone to the conservative side of politics, and that might be an interesting study for someone at some stage. I am very proud of my working-class background and very proud of the part I play in the Liberal Party. I also thank my many friends who have supported me in so many ways.

Now to the serious business of politics. Acting Speaker, I would like you to pass on to the Speaker my congratulations on her elevation. It is a wonderful honour that has been bestowed on her, especially being the first woman Speaker. I pay my respects to the former Speaker, the Honourable Alex Andrianopoulos. Alex was a great leader in this place. He was fair, open and very accessible, and I wish him well in his retirement.

It has been an honour for me to be elected by my colleagues as an the Opposition Whip. It has been an exciting time; I am learning a lot, and it keeps me very busy in this place, but it has added another dimension to my political life, and I hope I will fulfil all the honours that have been bestowed upon me by being whip.

There have been a number of changes in this place. For a start, the jury is out on this chamber. The seats are more comfortable, and I like the shape of it. Although it looks a bit like a kit has been lowered into the place, it is fairly functional and I think we will grow to like it. I am not sure about the lighting: it was all a bit much for

the system yesterday — or it may have been the Acting Speaker's speech that caused the lights to go out!

Some of the traditions of this place are starting to die out. I am not a great traditionalist. I do not like wigs on Speakers and clerks, but some of the pomp and ceremony of the opening of Parliament has been lost or is being diluted. I am certainly no Anglophile, in fact I am an avowed republican — that is my Irish background. I am half Irish and half English. Some of the great traditions of the Westminster Parliament should not be watered down. They have stood the test of time on many continents and in many countries, and they have stood the test of time in this country and this state for over 150 years. We should be mindful of our roots and the great traditions we have inherited and not water them down. If we water down some of the ceremonial and everyday aspects of our Parliament, we might start to water down some of the parliamentary traditions, which I think would be dangerous.

I congratulate the government on its win. It certainly had a clear win, but with the honour of that win comes some responsibilities. There should be no more blaming being a first-term government. It cannot blame former governments or being a minority government. It cannot blame the upper house, the Independents, the goods and services tax or the federal government, much as it might try. I am sure this government will face up to its responsibilities, and I urge it to do so. It is disappointing to hear other people still being blamed.

I would like to talk about some of the major issues in my electorate. The Gunnamatta sewage outfall is the first issue. It has been around for a couple of years and was the major issue in the election campaign, because 42 per cent of Melbourne's sewage is treated to a secondary state and 400 million litres of half-treated sewage is poured out at the Gunnamatta ocean beach each day. That is a lot of sewage. Melbourne Water has made two proposals: one is to upgrade the treatment plant at Carrum, which is wonderful. That is about a \$170 million project.

The other proposal is to extend the pipe, which now discharges at the ocean edge, 2 kilometres out to sea. That is a total waste of money. It is going to cost \$60 million and all it will do is spread the sewage over a larger area towards Cape Schanck, in through the Heads, into the bay and around the marine park. The environmental cost of constructing a pipeline 2 kilometres out to sea would involve the flattening of hectares of pristine coastal sands, just purely because of the engineering works that are required to construct that pipeline, let alone putting out some sort of temporary pier to hold the pipeline in place. It is a massive

engineering project which will do a lot of environmental damage and will do no more than put the sewage out of sight and out of mind. It is not going to solve the problem.

I agree with the upgrade of the treatment plant to the tertiary stage, but the \$60 million could be better spent on other, more important works to improve our water supply and reuse of water on the Mornington Peninsula and throughout Victoria. I commend the work of the Clean Ocean Foundation in keeping this issue in the public eye. Its members apply a tremendous amount of research and dedication to the job, and I will certainly continue to support them in this vital work of stopping the pipeline being extended out into Bass Strait.

Port Nepean has been mentioned on a number of occasions, and I have already spoken about it in this place this week. I will not talk a lot about it tonight because I have other issues to cover, but again I ask the government to honour its election promise to look at the precedents that have been set. The state government sold the land to the federal government in the first place back in 1931, and in 1998 part of the national park was purchased by the Labor state government from the federal government. So the precedents are there.

I also remind the government that it is not taking on an onerous task in purchasing the remaining 80 hectares. It will receive a return on its investment, because there are more than enough community groups who are prepared to spend the money to lease the land for the community uses that have been set out in the master plan.

Everybody on the peninsula is very happy that, no matter what happens, there will be absolutely no residential development on Point Nepean. It has been locked up for too many generations, and it will now be open to a whole range of people for a variety of activities. That is great for the Mornington Peninsula, but it is also great for Victoria and Australia as well.

The honourable member for Mornington spoke at length about the proposal to deepen the shipping channel. The jury is out on that matter, but I was very disturbed over Christmas, when the maintenance dredging was being done, to see the amount of damage done to the local dive industry. I also observed and took a number of photos from an elevated height of the suspended sand which hung around for about seven days while the dredging was going on. This was only a miniscule amount compared with the 30 million cubic metres that need to be removed from the shipping channel over the next few years.

I do not think there will be an appreciable change in water levels of the bay — that is one of the problems some people have with it — but we are still awaiting the environment effects statement, which is already running behind time and which will not be available until early next year. I am worried about those time lines stretching out. It will be a major issue, which I will be watching very closely.

I am the spokesperson for our party on tertiary education and training. I have a background in education, having been a school principal and school administrator in the years before I came into this place, as well as parliamentary secretary for education. I therefore place a great value on education. It is the best investment a government can make into the future of the state or the country.

In more specific terms we have a lack of teachers in some subject areas, as well as a lack of nursing places. Even though tertiary education is a federal responsibility, because the state runs our hospitals and schools it has some responsibility in helping to fund extra places — but not forever — to fill in the vacancies and meet the shortages we have in those areas until they are cleared up. After the need has been filled certainly one can take the funding out of that area.

We also have too great an emphasis on university education. The honourable member for Ferntree Gully talked about her free education at university. That is wonderful, and it is great to have well-qualified people in our society, but I have a great deal of admiration for our TAFE colleges and other avenues of further education which provide employment and training opportunities — and which are the alternatives to university.

The more we build up this thing about there not being enough university places, the more we devalue our TAFE colleges and our further education and training opportunities, because we are implying that they are second-class — and they are not. They are of equal value to our universities, and we ought to be very careful of painting a different picture.

The Royal Melbourne Institute of Technology has been in the news, and I welcome the minister's decision to have the Auditor-General go through the books of RMIT and have a close look at its financial situation. Just the sheer weight of the problems at RMIT deserves attention, but I ask the Auditor-General to hand down those findings before this place gets up for the winter recess, and I urge the minister to publish them. This is an important issue. RMIT is a great institution in this state, and it needs to be run as such.

Finally, in terms of public transport I have worked closely with the honourable member for Brunswick on including the Mornington Peninsula in the Met and increasing the local bus service. We have the second part, and I thank him for the work he did on that. The next step is to have the Mornington Peninsula included in the Met system. The public transport costs we face are unfair when you look at the geographical position of the Mornington Peninsula compared with other areas on the Met. We are a poor community, with not a lot of readily disposal income, and the people deserve a better go in public transport. Pedestrian safety, especially along Point Nepean Road, is a major issue, as is aged care, and I intend to look after those areas.

The SPEAKER — Order! The honourable member's time has expired. I call the honourable member for Prahran, and I advise the house that it is his inaugural speech.

Mr LUPTON (Prahran) — I congratulate you, Speaker, on making history as the first female Speaker of the house.

In the state election of 2002 the people of Victoria gave an unprecedented mandate to the Bracks Labor government to continue improving services in education, health and community safety, to protect our environment for a sustainable future, and to provide the sound economic management that alone can deliver these benefits. I am proud to serve in this government, and I am honoured that the people of Prahran have elected me to represent them in this Parliament.

I went to school in the electorate I now represent, at Christian Brothers College in East St Kilda. In those days the pass rate was more important than the retention rate, and at the end of fifth form I received a letter from the principal wishing me every success in my future career. I knew how to take a hint, although I was not completely sure what that future career might be or that I was quite ready for it. The fact that I had been told I could not finish my education did not outrage me until later.

As it happened, I packed my bags and moved to Albury, where many of my close relatives lived and where I obtained an apprenticeship. My dream as a 16-year-old was to drive racing cars, and I imagined that the best way to do this was to become a motor mechanic. Unfortunately the reality proved to be different from the dream, which had never included cleaning out grease pits in 40 degree heat. But my life changed, just as enormous changes were taking place in Australia. It was the 1970s and Gough Whitlam was inspiring a generation of Australians. I was inspired by

what the Whitlam government was attempting to achieve in social policy, health, education, the arts, Aboriginal rights and — probably most compelling for me at the time — our own Australian identity.

Even in a small country centre like Albury you could sense the buzz. I vividly recall Gough Whitlam visiting the town and announcing that Albury-Wodonga would be a major focus of the government's decentralisation policy to promote jobs and growth in regional Australia. These events convinced me that government could and should promote equal opportunity and fair access to those services which the community alone can provide.

As a student of history I was attracted to the idea of government set out by Abraham Lincoln in the 1840s after he had served in the Illinois state legislature. He wrote, 'The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves in their separate and individual capacities'.

Lincoln did not believe in small government or in big government but in better government and in what were called then 'internal improvements' — government action to build roads, railways, canals, schools and establish state banks to provide economic stability. Developed for a more complex society, Lincoln's notion seemed to strike the right balance and described for me the modern social democrat's view of government, not as inherently good nor inherently evil, but with a vital role to ensure equal opportunity and economic prosperity. Belief in these ideals inspired me to join the Labor Party.

Seeing this potential for social improvement made me angry that my own education had been cut short. I was a boy who loved reading and learning, yet I had been told not to finish school. I was determined to prove that I could succeed as a student. That was when I decided to try to enter law school, which, as the son of a postal worker and the grandson of a blacksmith, would be a first in my family.

Around that time a solicitor and Labor candidate, the late Joe Murphy, encouraged my ambition to study law. My new dream was to become a barrister, so I returned to Melbourne and went back to finish school. I enrolled in the higher school certificate at Caulfield Institute of Technology the following year and qualified for an arts-law course.

I eventually practised as a self-employed barrister for some 15 years, but I recognised then — and I still recognise now — that it was not just hard work that got

me through. It was hard work and the removal of barriers to opportunity, in particular the abolition of university fees and the introduction of student allowances by the Whitlam Labor government that enabled someone of my limited means to make that life change and have the opportunity to achieve my dream.

Much has changed since those days. Programs and policies have evolved to meet changing times, but what never changed for me was the faith in progressive Labor policies that could enable people regardless of their background or means to achieve their full potential. So it is with great pride that I have the honour to stand here today as the newly elected representative for Prahran.

The electorate of Prahran is the smallest in Victoria, some 12 square kilometres, running from the Yarra River to Carlisle Street, East St Kilda, but its fascinating mix of neighbourhoods and communities makes it the essence of cosmopolitan Melbourne. There are many families who have lived in the area for generations, nearly 3000 public housing residents in East St Kilda, Windsor, Prahran and South Yarra, professionals, students and artists who gravitate to the inner city lifestyle, and in Toorak some of the wealthiest people in Victoria.

With over a third of local residents having been born overseas, Prahran is at the multicultural heart of Melbourne. There are large communities with Greek, Chinese, Italian and Eastern European backgrounds and a significant Jewish community. A wonderful feature of East St Kilda is the beautiful aroma of fresh bagels around Carlisle Street. Prahran is also a centre for Melbourne's vibrant gay and lesbian community with many community service and health organisations based in the area and is home to the annual Midsumma Festival.

This diverse constituency, by its nature, understands the importance of education and equality of opportunity. I understand this too because of how I came to qualify in law and what my education means to me. I regularly visit the schools in the electorate and am filled with hope when I do so. I recently spoke to a class which included a Koori student, along with children from Russia, China, Africa, Japan, Turkey, Serbia, Croatia, Italy and Greece, who were eager to fulfil the aspirations that brought their families to Australia, together with others who had never been outside Melbourne, but who instinctively accept their friends from other cultures. There I see the limitless possibilities of the coming generation. We owe them the very best education possible. Our aim must be for

public schools so good that they are the schools of choice.

A distinctive feature of the Prahran electorate is its housing. There is a high proportion of flats and apartments — over 18 000 — compared with just over 10 000 houses. Nearly 15 000 homes are being rented. That is 58 per cent compared with the Victorian average of 25 per cent. These bare statistics have profound implications; they mean that housing is a major social issue, both its supply and its affordability. Our aim must be to increase the supply of quality, affordable housing by encouraging partnerships between state and local government, community agencies and the private sector. I will be working to implement the government's affordable housing strategy which will expand options across all forms of housing, including public, social and community housing and the private rental and affordable home ownership markets.

Our urban planning must provide for homes close to transport, employment and training opportunities, health care, schools and other services.

In public housing I will be pushing ahead with neighbourhood renewal and estate improvement programs to lift the quality of life and sense of security of residents. More secure access to buildings, linking housing improvements to community job initiatives and involving local communities in decision making will lead to more cohesive communities and more opportunities for residents to gain skills and employment.

In Prahran the challenge is to manage population growth and protect neighbourhood character and amenity. You do not do this by ad hoc development, but by creating a long-term vision. In one, two and three decades we want our neighbourhoods to be clean, safe and lively with enhanced streetscapes, accessible services and local roads no longer clogged with through traffic.

Quality health care is something we are all entitled to expect and I am proud of the support shown by the Bracks government to the Alfred hospital. I am extremely pleased that the government will build a new 100-bed dedicated elective surgery centre at the Alfred, which will boost its capacity to treat surgical patients and reduce the chance of operations being postponed due to emergency admissions. As our major trauma hospital the Alfred has the potential to become a world leader in trauma research.

An issue of major importance to me and to the people of Prahran is a sustainable environment. I am also a member of the Australian Conservation Foundation. Many people I speak to want to play a more personal role in protecting the environment, and water conservation is one of the ways in which we can all contribute. The government's rebates on water tanks and recycling grey water are practical initiatives where we can all make a difference.

Other environmental issues require governments to take responsibility and act. On such issues the Bracks government is to be commended for establishing marine national parks and for its commitment to saving the Otways by creating a new national park stretching from Anglesea to Cape Otway, and to restoring the health of our rivers.

Putting our society on a clear path to a sustainable future can and should be the great nation-building task for the new century. I believe we must reduce our reliance on non-renewable sources of energy in the long term by actively developing wind and solar power now. We must also revitalise public transport. It must be so frequent, affordable, accessible and safe that it and not the car increasingly becomes the transport of choice.

The institutions of democratic government and the rule of law are also close to my heart. We must ensure our justice system continues to hold the trust of the public. The independence of the judiciary and the separation of powers are basic to this trust and must always be safeguarded. The actions of the Kennett government showed how fragile our democratic institutions can be, and I am proud to be a member of a government that respects the rule of law and independent democratic safeguards. I also look forward to making a contribution in this Parliament to the process of law reform and access to justice, subjects in which I have long been interested.

On a personal level I am fortunate to be the father of three wonderful children, Patrick, Claire and Greta. They have enriched my life immeasurably. As a member of Parliament I know that the work I do now will affect the future I leave them, and more than anything they are why I chose to do it. I also want to pay tribute to my partner, Julie, who is here in the gallery tonight. We are a great team whose love, support and encouragement for each other is truly exceptional.

I would also like to acknowledge my predecessor as the member for Prahran, Leonie Burke. While we did disagree about policy, we never disagreed personally. I wish her well.

Differences in policy often stem from the view people take of their own relative success. Some believe success is achieved simply through hard work. While this is no doubt necessary, it is generally not sufficient. I believe in reward for hard work and fair competition, but I recognise that many work hard for little reward and that the economic playing field is not level. I believe that a just and fair society should not be a matter of chance but a matter of choice, and this is a choice we should make.

There is a difference in outlook between social democrats like me in the Labor Party and our conservative opponents. We are not satisfied with things as they are. We believe things can be made better. It is for that reason and in that spirit that we face the future with confidence.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until later this day.

BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The bill amends the Associations Incorporation Act 1981, the Business Names Act 1962, the Estate Agents Act 1980, the Motor Car Traders Act 1986 and the Travel Agents Act 1986 to enable transactions under each act to be delivered online via the Internet. The bill also proposes a number of further amendments necessary for the efficient operation of each act.

The ability to transact business with government online will deliver improved services to business, to associations and their members and to consumers. It will result in increased convenience and improved efficiency, particularly for rural and regional businesses and consumers. Over time, most licence applications and renewals, applications for the registration of a business name or applications to form an incorporated association will be able to be made online. Changes to registered details, lodgment of an association's annual statement and lodgment of an auditors report will also be able to be conducted online. Consumers will be able to identify the proprietors of a business they are dealing with, or to satisfy themselves that a person holds the appropriate licence, by conducting an online search of a public register. Online transactions will be quick and convenient.

Although the Electronic Transactions (Victoria) Act 2000 enables documents lodged electronically via the Internet to be authenticated by use of an electronic signature or other agreed method, specific amendments to each act are required to remove other impediments to conducting business under the legislation online.

The bill will remove existing requirements that a document lodged with Consumer Affairs Victoria or the Business Licensing Authority be signed by more than one person and existing requirements that a document be accompanied by a statutory declaration.

Steps will be taken to ensure that business risks are not increased by these changes. For example, online transactions will be verified by use of a pass code issued to the person authorised to conduct the transaction on behalf of a business. Where changes are made to the ownership of a business operating under a business name, Consumer Affairs Victoria will confirm the changes with the previous business owners by letter.

The bill also makes significant changes in relation to the public registers established by each act. The public registers play a vital role in consumer protection by enabling a consumer to access information about a person with whom they are doing, or proposing to do, business.

The bill will insert a purpose for each register and will clarify the contents of each register. These changes will enable both consumers and business to know what information is publicly accessible via the register and will assist with meeting privacy obligations in relation to personal information.

The bill also inserts provisions that will enable a person to apply to have public access to their personal information held on a register restricted where there are exceptional circumstances. These provisions will, for example, allow a person to apply to have public access to their residential address restricted in circumstances where the release of this information may jeopardise a person's safety.

The bill will also make a number of other amendments necessary for the efficient administration of each act.

For example, the bill will make a number of amendments to the Associations Incorporation Act 1981. Significantly, the bill will:

enable small associations to appoint an unregistered liquidator to oversee a voluntary winding up; and

allow an association to apply to the registrar for approval to adopt an alternative process for alteration of the association's rules.

The Business Licensing Authority Act 1998 is amended to enable the authority to delegate many of the routine decisions it makes on a day-to-day basis.

Consultation with consumer and industry groups indicates widespread support for the online services that will be facilitated by this bill.

I commend the bill to the house.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 3 April.

SENTENCING (AMENDMENT) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The Sentencing (Amendment) Bill 2003 reflects this government's commitment to deliver improved justice services to the Victorian community, with the introduction of guideline judgments and the establishment of a Sentencing Advisory Council.

These two major reforms will modernise the criminal justice system and ensure that it is more responsive and better informed about community views on sentencing issues.

Sentencing is one of the most visible and public aspects of the criminal justice system and is at times the subject of community disquiet. In response to community concern about sentencing, in October 2000 this government commissioned Professor Arie Freiberg of the University of Melbourne to conduct a review of Victoria's sentencing laws and to consider ways in which informed community input could be incorporated into the sentencing process.

Professor Freiberg prepared a sentencing review discussion paper, which was released for the purpose of public comment on 13 August 2001. Following a period of extensive public consultation, Professor Freiberg prepared a final report, *Pathways to Justice — Sentencing Review 2002*.

Sentencing is a highly complex task. The Sentencing Act 1991 sets out the five basic purposes for which a court may impose a sentence, namely, punishment,

deterrence, rehabilitation, denunciation and protection of the community. In sentencing an offender, a court must also have regard to a range of matters, such as the seriousness of the offence, the personal circumstances of the victim and the offender's culpability. A sentencing court must consider all of these matters and balance the interests of the community in denouncing criminal conduct with the interests of the community in seeking to ensure that, as far as possible, offenders can be rehabilitated and reintegrated into society. In each case the court must formulate a just sentence having regard to all of the relevant evidence.

Sentencing can not be reduced to a simplistic formula. To do so would lead to error and injustice.

The courts are uniquely placed to deliver justice by applying the law fairly and consistently to the individual circumstances of each case. It is vital that the courts are supported in this difficult and important role.

Sentencing Advisory Council

The establishment of a Sentencing Advisory Council will allow properly ascertained and informed public opinion to be taken into account in the criminal justice system on a permanent and formal basis.

Functions of the council

The bill sets out the functions of the council. The council's functions will include providing written views to the Court of Appeal in relation to guideline judgments, providing statistical information on sentencing to members of the judiciary and others, and conducting research and disseminating information on sentencing. The council will also gauge public opinion on sentencing, consult on sentencing matters with members of the general public and advise the Attorney-General on sentencing issues.

The council will promote greater transparency and accountability in the criminal justice system and stimulate balanced public debate on sentencing issues.

Structure of council

The bill outlines the structure of the council. One of the key features of the council's structure is its broad membership. The governing body of the council will be a board consisting of 9 to 12 directors appointed by the Governor in Council on the nomination of the Attorney-General. The directors of the board will include persons who have broad experience in community issues affecting the courts, persons with experience in both the defence and prosecution of criminal offences and a person who is a member of a

victims of crime support or advocacy group. At least one director of the board will also have an academic background.

This balanced membership will facilitate broad community input into the activities of the council. Importantly, the composition of the board will ensure that the justice system is informed by the views and experience of the community.

The council will have a chief executive officer and staff to support the work of the council on a day to day basis.

Accountability

Whilst it is critical that the council is independent, like all modern statutory corporations it must also be subject to appropriate levels of accountability. Accordingly, the bill contains a number of mechanisms to ensure the accountability of the council in relation to its operations and expenditure. For instance, the bill provides that the council must comply with a lawful requirement made by Parliament for information concerning the performance of its functions, the exercise of its powers or its expenditure.

Guideline judgments

The bill empowers the Court of Appeal to give guideline judgments. The bill defines a guideline judgment to mean a judgment that is expressed to contain guidelines to be considered by courts in sentencing offenders. In essence, guideline judgments are judgments which go beyond the facts of an individual case before the court to deal with variations of the offence and suggest relevant sentencing considerations.

Power of the Court of Appeal to give a guideline judgment

The bill provides that, on hearing an appeal against sentence, the Court of Appeal may consider whether to give or review a guideline judgment. This may be done on the court's own initiative or on the application of a party to the appeal. The Court of Appeal may give a guideline judgment even if it is not necessary for the purpose of determining any appeal in which the judgment is given. This gives the Court of Appeal the flexibility to deliver a guideline judgment outside the context of an individual case.

Content of a guideline judgment

The bill sets out a range of matters that may be included in a guideline judgment, such as the criteria to be applied by sentencing courts in selecting among the

various sentencing alternatives, the criteria by which the sentencing court is to determine the seriousness of an offence and the weighting to be given to relevant criteria.

Procedural requirements

The bill provides that where the Court of Appeal intends to give or review a guideline judgment it must notify the Sentencing Advisory Council and give the council an opportunity to provide written views to the court within a specified time period. The court must also give the Director of Public Prosecutions and a legal practitioner representing Victoria Legal Aid an opportunity to appear before the court and make submissions.

Matters to which Court of Appeal must have regard

The bill respects and promotes the principles of judicial discretion and judicial independence. Accordingly, the content of a guideline judgment is a matter to be determined by the Court of Appeal in accordance with the principles contained in the Sentencing Act 1991. However, in giving or reviewing a guideline judgment, the bill provides that the Court of Appeal must have regard to —

the need to promote consistency of approach in sentencing offenders;

the need to promote public confidence in the criminal justice system; and

any views of the Sentencing Advisory Council or a legal practitioner who makes a submission.

These requirements recognise the need for the criminal justice system to be responsive, representative, transparent and accountable. Significantly, the Court of Appeal will be assisted in its difficult task by the views of the Sentencing Advisory Council.

Consistency

Guideline judgments provide a mechanism to promote greater consistency of approach in sentencing. Guideline judgments can also provide an opportunity for appeal judges to share their collective experience with primary judges and articulate unifying principles to guide the exercise of judicial discretion.

The introduction of guideline judgments in Victoria will allow an appropriate balance to be struck between the broad discretion of the judiciary to take the individual circumstances of each case into account and the desirability of consistency in sentencing.

Importantly, guideline judgments are consistent with the nature of the existing appellate process, whereby decisions of the Court of Appeal guide the decisions of lower courts.

The principle that like cases be treated alike is fundamental to the fair operation of our justice system. Consistent with this principle is the ability of judges to exercise their discretion to fix a just sentence according to the individual circumstances of the case before him or her. The introduction of guideline judgments conforms with these fundamental principles.

The government is committed to providing improved justice services to the Victorian community and enhancing public confidence in the justice system. The establishment of a Sentencing Advisory Council and the introduction of guideline judgments are major steps towards delivering this commitment.

I commend this bill to the house.

Debated adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 3 April.

TERRORISM (COMMONWEALTH POWERS) BILL

Introduction and first reading

Received from Council.

Read first time on motion of Mr THWAITES (Minister for Environment).

CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL

Introduction and first reading

Received from Council.

Read first time on motion of Mr THWAITES (Minister for Environment).

CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL

Introduction and first reading

Received from Council.

Read first time on motion of Mr BRUMBY (Treasurer).

BUSINESS OF THE HOUSE

Division list

The ACTING SPEAKER (Mr Thompson) — Order! I have to inform the house that in the division that took place in the committee of the whole on the Constitution (Parliamentary Reform) Bill on the question that clause 1 stand part of the bill, the honourable member for Glen Waverley was present but not recorded by the tellers for the ayes. The total of the ayes is therefore 60 instead of 59. The Clerk will make the necessary correction in the division list.

Sitting suspended 6.28 p.m. until 8.03 p.m.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from earlier this day; motion of Ms LOBATO (Gembrook) for adoption of address-in-rely.

Mr McINTOSH (Kew) — I begin my address-in-reply by mentioning the situation we are currently in. I am sure that everybody in this house is aware that the war has now started in Iraq. Irrespective of what political side of the equation you may choose to be on in relation to the justification or otherwise of it, I certainly want to express my views, and I am sure I speak on behalf of everybody, that our men and women who are currently serving on behalf of this nation on our behalf in Iraq deserve all of the support and all of the gratitude of this nation, and certainly they have my gratitude. I am sure that I speak on behalf of everybody in this place.

It was also an honour to be re-elected as the honourable member for Kew. It was a great privilege to be elected to this place for the first time in 1999. I came in as a backbencher and am very grateful for the support, and indeed the camaraderie that I received from both sides of the house.

I certainly mention two people in particular. I shared an office on the third floor, which was then known as the penthouse, with two men who became strong friends of mine but who are no longer with us as members. I speak of the former honourable members for Knox and Bennettswood, Hurtle Lupton and Ron Wilson respectively, both of whom unfortunately lost their seats at the last election. Hurtle was the quintessential local member. Quite often you could not get a quiet moment in that office because Hurtle was always on the phone talking to local constituents. Ron Wilson, who

came into this place in 1999, was the shadow Minister for Health at the time. He was a great friend and a great political asset in that office. So far as I am concerned, he will be sorely missed.

As I said, it is a great honour to have been elected as the member for Kew again. It has been a privilege for me to deal with the constituency in which I was born, bred, grew up and now live. It is without doubt an affluent, educated and diverse electorate. There are two important industries in that electorate — churches and schools. Once you get through that you come to retail shops, and that is about the extent of it.

The most important thing about the electorate of Kew is that, notwithstanding the fact I was born, bred and now live there, it is amazing what you can learn when you start scratching the surface. You learn things about your own electorate that you were never aware of. For example, I often drove past what was then the St Paul's campus of Villa Maria, which for many years was a school for blind children and an icon. That has all changed, and I was not aware until shortly before my election that it is now a place that looks after profoundly intellectually disabled and challenged children. They do a great job. I see the honourable member for Burwood agrees: obviously he too has had close links with the people at Villa Maria and can attest to the great job they have done.

I speak not just about Villa Maria but about the voluntary teachers and support staff at organisations such as the neighbourhood house and Neighbourhood Watch. Those are the sorts of activities that are conducted in my electorate.

The kindergartens, primary schools and secondary schools in my electorate are all great schools. I shall give the house a couple of examples. In the space of about 3 hours I had the opportunity of going to a concert at one of Melbourne's leading large private girls schools, followed by my attending a concert at one of the two government-run high schools in my electorate. The standard at both those institutions was profound.

I am grateful to be able to represent those two schools and many others in this place. I am certainly grateful for the accommodating way that the schools have encouraged and allowed me to be part of their community from time to time. I would hazard a guess that many people from both sides of politics would be able to say they send their children to some of the schools in my electorate. I understand that the spouse of one member of this place teaches at one of those

schools — and it is not a government-run school but a private school.

Most importantly one of the things I also found in the three years after I was first elected was just how important but also how gratifying is the constituency work associated with my representation in this place. I was surprised by just how much I actually enjoyed the constituency work — and I see the member for Burwood nodding. He has visited one of my local schools from time to time to deal with certain issues, and a joint outcome turns out to be profoundly wonderful in those instances. As I said, I am surprised by how gratifying the constituency work I have become involved in has been — be it visiting schools, churches and retail stores or meeting the various traders associations in what are classic strip shopping centres in my electorate, anywhere from Kew Junction through to the North Balwyn shops or, indeed, the Balwyn shops.

It is an immense pleasure to represent this place. I can honestly say I have not yet had one adverse or detrimental experience doing constituency work. However, this wonderful electorate that I have the honour of representing faces many challenges. One of the principal challenges is the issue of traffic. Probably the single greatest number of complaints I get concern traffic: the amount of traffic that goes through local streets, freeway noise, crossings and things like that.

One would hope this government will address a number of the matters I have raised in this place from time to time — for example, the crossing between Our Lady of Good Counsel School and Deepdene Primary School. Some 900 families are represented at those two schools, which have in excess of 1500 students between them. The most important thing about this is that not only is there a need for a school crossing, but the area is very close to the local shops. It is close to the Anniversary Trail, which is used by many pedestrians and bike traffic from time to time. The real problem is it is the only place on the Anniversary Trail between Glen Iris and the Kew bike path down near Studley Park where there are no traffic controls to assist people crossing a major road such as Whitehorse Road.

Most importantly, I have asked the Minister for Transport to deal with this matter and I hope there can be a positive outcome. I have also asked the Minister for Transport to address the possibility of assisting the City of Boroondara on transport issues. There is always a circular argument when you deal with Vicroads or the local council: the local council always says it is the responsibility of Vicroads; and Vicroads will then turn around and say, 'No, it is not ours, it is the local council's responsibility'. Perhaps the government may

like to show a tad of leadership and provide an overall traffic plan — as part of the 2030 scheme if it so chooses — to deal with the traffic issues in my electorate.

Another matter I would like to touch on is the one I raised last evening relating to the Kew Residential Services. I warmly welcome what the Premier said about the sale of public land, and I remind the house what the Premier said. He said the sale of public land at commercial rates is utterly and totally irresponsible. I welcome that announcement. It would appear the government has made a change in relation to its policy on publicly owned land. It would appear now that the 22 hectares belonging to Kew Residential Services will no longer be sold for private purposes such as housing blocks, but that it can be a very welcome and great addition to Studley Park, the border of which I share with a number of members, particularly the member for Richmond, with whom I have had a great deal of contact on a couple of issues that have arisen over the Yarra Bend Park. Those 22 hectares would be a welcome addition. I welcome the fact that the Premier is in the chamber. I am grateful to the Premier for acknowledging that the sale of public land for commercial rates would be totally and utterly irresponsible. I look forward to the preservation of those 22 hectares in my electorate.

I will briefly mention a couple of matters. I formally acknowledge the work that a number of volunteers undertook on behalf of the Liberal Party in my electorate, certainly to support me. I will not name the entire list, but I acknowledge my electorate chair and campaign manager, David Smart, who spent hours and hours preparing the campaign in my electorate. I would like to acknowledge all the volunteers who participated in my electorate and in many other electorates around this state.

I would also like to acknowledge formally my staff who have worked so diligently not just over the election period and currently but who were doing so a long time before that. I would like to acknowledge John Milburn-Clark and Amanda Dinsdale in my office. I acknowledge also a couple of people who provided volunteer work for me over the time, Roly Richardson and Helen Verlander, whose amount of volunteer work was profound. I certainly welcomed all of that, and I thank them formally for their assistance.

In conclusion I would like to say that one of the things that amazes me about this place is that the amount of work that is conducted here is profound. We address a number of critical and important issues in this place in our time but one of the most important things about it is

that the work of this place could not be conducted if it was not done by way of agreement.

Although this is a very combative and adversarial place — and I come from an adversarial environment so I am used to it — one of the things that surprised me was the work of parliamentary committees. My times on those parliamentary committees — and I served only on the Law Reform Committee — have been some of the more enjoyable times I have had, particularly meeting with, dealing with and closely interacting with members of the government.

I would like to acknowledge the local members in my area, such as Petro Georgiou, Ted Baillieu, Robert Clark, David Davis and Richard Dalla-Riva, but I also have to put into that melting pot Bob Stensholt. Bob is someone I have served on the Law Reform Committee with and have become very friendly with, and despite the adversarial nature of politics I think it is an indication that this place requires that amount of work.

I also acknowledge Telmo Languiller, the member for whatever his place is now — Derrimut. The most important thing is that Telmo was on the Law Reform Committee as well, and that was a great friendship.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member will use the proper form of address when referring to members in the house.

Mr McINTOSH — Acting Speaker, I do apologise. I could not remember his seat, that is all.

An honourable member interjected.

Mr McINTOSH — That is right; it takes a long time to adjust.

With those concluding remarks, I again thank the people of Kew. I would like to acknowledge that it is a great honour. I would like to acknowledge the support and trust they have placed in me. I would also like to acknowledge the support I have received from both sides of the house in the last three years and say just how much I have enjoyed them over that period of time.

The ACTING SPEAKER (Mr Seitz) — Order! Before I call the next speaker, I ask the house to reduce the level of audible conversation, and I remind honourable members that this is the inaugural speech of the member for Narren Warren South.

Mr WILSON (Narre Warren South) — Thank you, Acting Speaker. I congratulate you on your appointment and request that you extend my

congratulations to the Speaker and Deputy Speaker on their appointment to their respective high offices. I would also like you to pass on my thanks to the parliamentary attendants of this chamber who so effectively assist members in providing effective representation for Victorians for their services so far.

I am humbled and honoured by the residents of the Narre Warren South electorate for giving me the opportunity to represent them, a feeling I am sure that is shared by many other new members in this chamber, and I assure my constituents that I will play a constructive role in governing Victoria for them and all Victorians.

I acknowledge the traditional owners of the land on which we stand today, the Kulin nation, and pay my respects to their elders.

First of all my thanks must go out to the many people who assisted me in my election campaign — to my campaign coordinator and director, Graeme Watson, and to the team he assembled of over 150 people who worked on the campaign for 18 months. I wish to convey to them my sincere gratitude.

Further, I would like to thank the many other memorable people who have assisted me and the community over the last 20 years of my community activity, especially my wife, Sri Mati, who deserves my sincere thanks for her wise counsel and support over the years.

In 1983 I was elected to the council of the City of Springvale and later to the council of the City of Greater Dandenong. My experience as a local councillor serving local residents for more than 14 years has demonstrated to me the strength of local communities and the potential to achieve results when we work together.

Simple community activities such as the recent Clean Up Australia Day can produce great results because of wide-ranging community support, and I call on other MPs to assist in other such community activities and such worthy causes in the future.

Living in the rural town of Sale in the 1960s, when I must say it was a boom town because Esso-BHP was there, my father taught me about the importance of community service, community activities and community organisations. He taught me what it means to be active. He was active in many organisations including the local branch of the Australian Labor Party, the Anglican Church, Sale Football Club, the Victorian Railways Institute and of course the Australian Railways Union.

My father was a very strong believer in families and the value of education, and he devoted much effort to encouraging his children's education. My mother was also very community orientated with active roles in our local church, local sporting organisations, library and women's groups. My parents taught me the need for all to participate in local communities and, where necessary, to lead.

Much of my early political education occurred during the 1970s in the Noble Park area. I must note one of the strong, resilient leaders of the ALP in Noble Park at the time, Tony van Vliet. Those who have been around for a few years will remember Tony because while he lost two Legislative Assembly elections he actually won the Legislative Council seat in 1982 but fell ill and was unable to take his place.

I have worked for two members of Parliament — Terry Norris, the former member for Noble Park and Chairman of Committees, and John Pandazopoulos, the current member for Dandenong, who is now also the Minister for Tourism as well as the Minister for Gaming, the Minister for Racing and the Minister assisting the Premier on Multicultural Affairs. I must thank them and the other community leaders I have been involved with for continuing my community education. Without the skills learnt and applied on a daily basis in the electorate office I am sure my continued activities as a member of Parliament would be less certain.

There is much to do, especially in the growth corridors like the City of Casey, where my electorate is based, and the Shire of Cardinia in the next electorate along. I would like to extend my congratulations to the newly elected and newly re-elected councillors of the City of Casey, who are now councillors: Angela Dunleavy, Wayne Smith, Roland Abrahams, Mick Morland, Rob Wilson, Kevin Bradford, Ben Clissold, Steve Beardon, Neil Lucas and Colin Butler. And of course I extend special congratulations to the newly elected mayor of the City of Casey, Cr Brian Oates. I wish them well in their endeavours to represent the people of the City of Casey and commit myself as a former councillor to work with them to achieve our common objectives.

The electorate of Narre Warren South is a new one, carved out primarily from the old electorate of Dandenong, which John Pandazopoulos represents, with smaller sections from the former seat of Berwick and the seat of Cranbourne. Narre Warren South, like the adjoining electorates of Cranbourne, Narre Warren North and Gembrook, is part of the south-eastern growth corridor. I can say that I have seen first-hand many of the problems raised by this rapid growth.

The Narre Warren South electorate is composed of the communities of Narre Warren, Narre Warren South, Hallam, Hampton Park, Berwick, Beaconsfield and Cranbourne North. I hope I did not leave anyone out there. As part of the south-eastern growth corridor there has been massive growth in the electorate, with more than 80 families a week moving into the area. These additional residents require the introduction or expansion of many government services to meet their needs.

I am pleased to note that the first Bracks government was able to provide the leadership required to commence the additional infrastructure required by the community. The number of youth and children in the Narre Warren South electorate is one of the highest in the state, which is demonstrated by the growth in our schools both public and private. In the years since the 1999 election two new primary schools and two new secondary schools were commenced and have opened — Hillsmeade Primary School and Narre Warren South Prep-12, and Narre Warren South secondary and Berwick South secondary.

I must praise the quality of the education delivered by public schools in my electorate. Such is the growth in local population that another two schools are required to be built in this term of Parliament, Kings Park primary and the Cheese Factory primary — an interesting name, and perhaps a 90-second statement will be made relating to the cheese factory in Berwick.

The numbers of teachers in government schools in my local community has grown by 50 per cent in the last three years. That is reflective of the growth.

Additionally the Monash University Berwick campus and Chisholm TAFE (Berwick) provide excellent higher education services in the electorate, but as with many services, the growth requires those services to be expanded.

Education is vital to fulfilling people's life objectives, and I am pleased to be a member of the Bracks government, a government that is providing these services and recognising the vital importance of education to growth as a community. Narre Warren South has benefited from the many organisations which bring its people together, truly making it a community that I am proud to be part of.

Serving the electorate are seven worthwhile neighbourhood houses: the Narre Warren Learning Centre, Merinda Park Community Centre, Berwick Neighbourhood Centre, Beaconsfield Community Centre, Hampton Park Community House, Hallam

Community Centre and Oakgrove Community Centre. They are part of a network that provides life-long learning and are very well utilised by the residents of my electorate.

My electorate has also benefited substantially from additional expenditure in health, another vitally important issue in my electorate, with works to the Dandenong Hospital creating and enhancing facilities for the public. More important, though, for many of our residents is the building of the new public hospital in Berwick. I recently attended, along with other members of Parliament in the area, the first concrete pour for this 229-bed facility. Berwick's new community hospital will be a major asset for the local area and is expected to treat its first patients in 2004. It will greatly add to the health resources available to all members of our community and the commencement of construction has been very well received.

I have spoken about and will continue to speak about the enormous levels of growth in the electorate I represent. Such is the growth that each day residents note the increased traffic on our roads. To alleviate this the Bracks government has allocated funds for the duplication of Narre Warren-Cranbourne Road and the installation of two sets of lights. I note I announced last week that one of those two sets of lights had been tendered out. I understand that works for the duplication will commence in the next few months.

Furthermore, this term of Parliament will see the duplication of Clyde Road extended in front of St Catherine's and St Francis's schools, as well as the widening of the very narrow Thompsons Road carriageway.

Like many electorates, Narre Warren South has significantly diverse communities. There are the more established communities, such as Hampton Park, Hallam and Narre Warren, alongside the rapidly growing communities of Berwick, Beaconsfield and Narre Warren South. While at the moment the electorate has slightly lower than the state average number of people from non-English-speaking backgrounds, they are expected to grow rapidly in the growth areas, and I am pleased to work with those community leaders to ensure that they get the services they need.

Green and less-populated rural areas in the electorate allow for an openness that is not always available in built-up areas and, along with the several creeks which cross the electorate, they are valuable environments and natural green spaces that need to be protected.

We are part of the largest growth corridor in Melbourne and the number of jobs is increasing, thankfully. In the Dandenong South, Lyndhurst and Hallam suburbs manufacturing industry is rapidly expanding. In the suburb of Fountain Gate the number of jobs in retail and administration is also growing. I look forward to this growth continuing to provide strong opportunities for people in the south-eastern suburbs. I am greatly excited to be a member of the Bracks Labor government, given the recent announcement of the tremendous employment growth and the low unemployment figures.

In recent months all Victorians observed and appreciated the tremendous work of our firefighters and support workers in fighting the largest fires to blaze across the state since 1939. Their good work helped to lessen the possible loss of homes and injuries. They deserve the thanks of this house as well as the gratitude of all Victorians. Many members of the local Narre Warren South Country Fire Authority brigades have taken part in very arduous firefighting duties, and they receive our community's thanks. It is also important to thank those who stayed behind to look after their local areas while their fellow crews toiled in parts of Victoria — and of course interstate when they were in more need.

I note with sorrow that this is the first day of the war in Iraq. I sincerely believe that the United Nations inspectors, combined with world pressure on Saddam Hussein, had much more to deliver. I would have preferred that the inspectors, led by Dr Hans Blix, had been given more time to further inspect suspect sites. Like many Victorians, I believe that a specific United Nations Security Council resolution would have been infinitely preferable to an invasion of Iraq at the behest of the leader of another country. War should be the last resort, the final resort, after all other options have been exhausted. Given that, I pray that the loss of life is kept to an absolute minimum and that all the Australian troops return safely. Further, I pray that the returning service personnel are given the counselling and assistance they require to relieve the pressures of war.

Across the south-eastern region we have many people from Middle Eastern and Islamic backgrounds. This Parliament needs to encourage our community leaders, especially in this week when we have celebrated the diversity of our community, to ensure that these people face no persecution as a result of the war in Iraq.

On a happier note, this is an historic day in Victoria — the Legislative Assembly has passed the Constitution (Parliamentary Reform) Bill. This historic bill will ensure that future parliaments are more democratic,

with proportional representation in the Legislative Council. Further, the bill ensures that the blocking of supply in the Council will no longer be possible, ensuring that governments in this state will be more stable.

Along with other municipalities, the major challenge in our community is providing for young people. I note that the member for Frankston has raised the Freeza program in recent speeches. Young people and their families require much work to motivate them. After all, they are our most valuable asset and need nurturing to maximise their potential. With the introduction of the new children services centre — a promise the Bracks government made at the last election — local communities will have a real chance to make much more accessible the range of children's services that are available.

In the last six months I have received many comments regarding Victoria's water shortage. Like many of my constituents I applaud the government's decision to legislate to establish the Victorian Water Trust. As we all know, water is a source of life, and to reduce its waste in our state will be a major benefit to our generation and those who follow.

I am constantly reminded that such is the growth in the south-east, the City of Casey and the Shire of Cardinia that soon we will have the population of Canberra — and currently the City of Casey has the population of the Northern Territory. It is a challenge that we must all rise to, not just in the area I represent but across Victoria, to provide the required services.

I humbly thank the people of Narre Warren South for the trust they have placed in me and the opportunity they have given me to serve them.

The ACTING SPEAKER (Mr Seitz) — Order! I remind honourable members that this is the inaugural speech of the honourable member for Bellarine.

Ms NEVILLE (Bellarine) — It is my honour to speak for the first time in this chamber as the new member for Bellarine. I speak today with a sense of sadness as the world begins a period of great instability, hostility and division having failed to find a peaceful resolution to the current conflict. I offer my support and best wishes to our servicemen and servicewomen who will be at the forefront of this conflict, but I hope for a speedy end to the war.

Even though it is now a few months since my successfully winning the seat, standing here in the chamber brings home to me the privilege and the responsibility that has been conferred on me by the

people of Bellarine. I thank them for electing me as their state representative. They have placed great trust in me, and I am determined to honour that trust.

Over the last 12 months I have had the opportunity to meet and listen to many thousands of local residents. It is often easy to believe that we know what is important to people and what the issues are that impact on their lives, but in seeking election to the state Parliament I made a commitment to listen to the people of Bellarine and to work with them to advance their interests and to be a strong voice for them within the government. This reflects a central theme of the philosophy and values of the Bracks government — a commitment and willingness to listen to and work in partnership with local communities to find solutions together to current problems and to develop together a vision for the future. One of the great challenges for us as members of Parliament and as a government is to work to build stronger, more cohesive and more resilient communities where people have greater control over their destiny.

Today I want to share with the house a little about the community of Bellarine and to explore how the government and I as their representative can make a real contribution to realising their hopes and their aspirations. Bellarine is a seat of great diversity. There are, of course, overriding issues that impact on all residents, but there are also specific issues and challenges impacting on different towns across the electorate.

The Bellarine electorate boundary begins with the towns of Newcomb, Whittington and St Albans Park, which are inner suburbs of Geelong; it runs through the growing community of Leopold and the rural areas of Wallington and Curlewis; and it includes some of the most spectacular coastal areas of the state, including Ocean Grove, Clifton Springs, Portarlington, St Leonards, Indented Head, Queenscliff and Point Lonsdale — *Seachange* country!

Bellarine covers two local government areas — the largest in the state in the City of Greater Geelong and the smallest in the Borough of Queenscliffe. It is a mix of rural and residential, with a large tourist population at certain times of the year. It includes both affluent groups, as well as some of the most disadvantaged communities in Geelong. It has some areas which have an above-average growth in people over 65 years of age, while other towns have seen an enormous increase in families with young children and numbers of young people.

Bellarine's economy includes a vibrant tourist industry, some of the best wineries in the state, a growing seafood industry and a strong and diverse farming base. We have many established corporations such as Alcoa and Cheetham Salts, with new and developing industries such as Balhan Industrial that contribute not only to employment within Bellarine but to the overall economic health of Geelong.

Bellarine has seen an enormous increase in population — an increase that is far greater than was ever predicted. Some of the immediate issues facing these areas include ensuring appropriate development and the adequate provision of services and infrastructure. Residents continue to strive to maintain the integrity and beauty of their towns.

Given the diversity of population, a key question is how to get the service mix right. In some parts of the electorate we must plan and develop services to meet the needs of an ageing population; in other areas the needs of young people, families and children must be the focus. In some instances we must also meet the challenges posed by low levels of income, unemployment and declining social capital.

Perhaps the major issue is how we manage this massive population growth and diversity of needs and still maintain a strong and cohesive community. This poses both challenges and opportunities in terms of policy development and priority setting. Part of my role as a state member for Bellarine will be to work with residents to ensure we can meet these challenges as well as take advantage of the opportunities.

This task is more difficult because Bellarine was neglected for many years, and while the Bracks government has made significant inroads there are many issues that still require attention. In its first term the government invested heavily in rebuilding and refurbishing schools. It invested in community building projects and in improving public transport and roads, but there is more to be done.

I am excited about a number of the key promises made during the election that will begin the process of meeting the needs of this growing and changing population. These initiatives include a community centre in North Bellarine, money to develop a vision for a recreation and sporting centre in Ocean Grove, a new primary school and community facility in Leopold, significant upgrades in educational facilities including one of the largest secondary schools Newcomb Secondary College, and a continued commitment to community building strategies.

It is important to acknowledge the commitment of the people of Bellarine to work together to find solutions to local problems. This happens throughout the electorate in our schools, service clubs, local and regional businesses, our two local councils and in the broader community.

I had the opportunity of spending a number of years working in Bellarine as the manager of Springdale neighbourhood centre and was privileged to chair the Bellarine human services forum, an organisation with a wide membership of community groups, agencies, community members, service clubs and schools. One of its key priorities was to work with young people in developing a long-term strategy to meet the current and future needs of the growing youth population. This project involved working with services and the council and consulting over 2000 young people, asking them to indicate what they saw as the key issues impacting on them and their communities.

It will come as no surprise that the issues they identified included drugs and alcohol, education and employment opportunities, boredom and lack of recreational activities. What was perhaps more surprising and disturbing were the number who felt disconnected from their local community. This poses a major challenge to us all. If we are to successfully build a stronger and more cohesive society, we must find ways to engage young people and value their contribution. Young people have things to say; they often bring fresh eyes to issues and through this project they made it clear that they want to be part of their local communities.

A number of key themes underpinned the Bracks government in its last term, which will continue to be central in the coming four years. They are to focus on improving basic services that impact on the health and wellbeing of our communities; promoting growth and development for the whole state and not just select areas; building partnerships between the people and the government; building strong communities through capacity building, consultation and participation and, of course, ensuring financial responsibility. These themes have been overwhelmingly embraced by Victorians.

To appreciate why they have been so enthusiastically supported by the Victorian people, including residents of Bellarine, I reflect on the impact of some of the Kennett government policies. During those years I had the opportunity and privilege of working with a number of eminent Victorians, people like Jean McCaughey and Ben Bodna who came together to challenge the savage attacks on our basic rights and services. They established the People Together project which sought to assist residents in responding to massive changes that

by their very nature attacked the fundamental core of our communities.

Through the project I worked in nine rural and metropolitan communities across Victoria. This work gave me an understanding and insight into the impact that cuts to our public health system, public education system and community services can have. In addition, policies including forced amalgamation, the closure of advocacy services and the selling-off of public assets effectively undermined the community voice. The heart was ripped out of many communities and they were left reeling with no hope for the future. But Victorians fought back and used the 1999 election to send a clear message that what mattered was good quality basic services and their ability to have a say in their future. What they wanted was an opportunity to recover and rebuild the communities.

That message was confirmed at the recent election and governments should never again underestimate the resilience and strength of the Victorian electorate. The importance of our public health system to all Victorians has been one of the key issues articulated through our community. During my work with the People Together project, the vast majority of residents in rural and metropolitan areas rated health as their no. 1 issue.

In many smaller towns the closing of a local public hospital sent shock waves through the local community. The extent to which the public health system was allowed to deteriorate concerned and frightened residents, who believed the provision of high-quality health care to all Victorians regardless of income or geographical location was essential to maintaining a healthy and strong society.

Obviously for me health has become a passion. In my view a good public health system is a litmus test of a caring and compassionate society. I have been involved in all aspects of the health system, not only as a consumer but in recent years as a board member of Barwon Health, and more recently as its president.

Barwon Health is one of the largest and oldest public health services in the state, and during the time I served on the board I witnessed significant progress in rebuilding our public health system. The Bracks government not only put back substantial resources but also showed a genuine commitment to and support for rebuilding a public health system that we can have confidence in and be proud of.

At Barwon Health many significant improvements flowed from this genuine commitment — the treatment of thousands more patients and reductions in waiting

lists. Increases in staff have seen improvements in quality of care and patient and staff morale. Significant investments in capital infrastructure have also been made.

Clearly there are still many challenges ahead. It is much easier to dismantle systems than to rebuild them. Over this term we will be putting substantial resources into continuing to rebuild and improve the health care services in the region including providing new facilities and improved patient services and continuing to invest in and support the efforts of the community health sector and to look at new and innovative ways to better deliver health care services. Geelong and Bellarine residents can be confident that the services they have access to will continue to be developed and improved.

One of the wonderful things about the recent election outcome has been the commitment in the Bracks government agenda to strengthening the economic, environmental and social development of the Geelong region. The people of the region overwhelmingly supported this agenda, providing incredible opportunities to realise this vision. The leadership being provided by the local councils, business and community leaders provides us with a unique chance to develop and implement a long-term strategic plan for the region, a plan that will tackle future economic development priorities, a plan that will seek to ensure we protect and enhance our unique environment, and a plan that will strengthen our educational, health and social infrastructure.

It is an exciting era, and I know all the Geelong MPs are keen to work in partnership with all these organisation and community members to ensure we are able to realise the aspirations of the Geelong region.

I am proud to be a member of the Bracks government, a government that is committed to ensuring that there is an appropriate balance between the needs of the individual and the needs of the whole society. The government supports and encourages community participation, and the Victorian Communities policy is nurturing this aim to ensure that the most vulnerable in our society are active players in determining their own futures.

It is this approach that will ultimately ensure that our communities are healthier, stronger, more resilient and more cohesive. A just society can only be achieved when we make it our no. 1 priority to meet the needs of those who are most vulnerable. I am proud to say that the Bracks government, while ensuring financial responsibility and rebuilding our basic services, has at

its heart a desire to continue to build a just and compassionate society.

Of course at times like this it is appropriate to acknowledge and thank those who have been a part of my journey. Firstly I would like to thank the women of Emily's List, who supported me financially and provided invaluable personal support. I thank the members of the Australian Labor Party, a party of which I have proudly been a member for 16 years. Its members worked tirelessly to see a Labor member in Bellarine and to see the return of the Bracks government.

I thank my hard-working campaign team, especially Susan Salter, Lou Brazier, Anne Clarke and Ian Parsons. I acknowledge the contribution over the last 10 years of the former member of Bellarine, Garry Spry, and I wish him all the best in his retirement.

I want to thank my parents, Jill and Perce, who have given me love, support and the confidence to achieve my goals. I thank my close friends, particularly Vic, Collette and Helen, who have walked beside me through the good and bad times.

Most importantly I thank my son, Sam, who is here tonight, who at six years of age shows me the true meaning of compassion and love and ensures that my feet stay firmly on the ground.

As the new member for Bellarine I see my role as carrying my passion for the local community and for a stronger and more just society and my passion for ensuring we have the best public health care system in the country into this house of Parliament.

I look forward to working in partnership with the other local MPs, the Premier and the people of Bellarine to ensure that those communities are stronger and more able to realise their hopes and their aspirations.

The ACTING SPEAKER (Mr Seitz) — Order! Would honourable members resume their seats. Before I call the next member I remind honourable members that this is an inaugural speech and they should abide by the forms of the house.

Mr JENKINS (Morwell) — I first acknowledge the people of the Kulin nation, the original custodians of the land on which we sit, and I recognise the Braiakulung people of the Gunai-Kurni on whose land lies the electorate of Morwell. My congratulations to the Speaker, the Premier and executive, as well as the Leader of the Opposition and the leader of the third party on the occasion of their election to these

positions, which are important to this house and the government of this state.

I would like to thank my campaign team, led by the Honourable Keith Hamilton and his wife, Kath.

Many others have also worked for years to assist my arrival in this house: Debbie Carnduff; Kerrina Hall; Gordon Duncan; George Hamilton; Karen Sherlock; Steve Plunkett; Gary Foster; Sonya and Colin Casey; as always, Alan Riley; and Dale Bertoli, one of the most honest blokes I have ever met. My family, Matt, Ted and Donna Jenkins; Andi Clarke, Margaret Scanlon and Therese Dickison; as well as the Middlemiss, Harris, Lougheed, Vonk, Saultry and Hutchison families.

The counsel and advice from all these people, as much as their hard work, was the essential foundation of a successful campaign. They, along with literally hundreds of local branch members, supporters and friends, worked hard for this result. I humbly thank them and the people of the Morwell electorate for their faith in me.

I would also like to thank my wife, Susan, who came to the Latrobe Valley from England 14 years ago for a six-month stay to work at our local hospital. Fortunately she decided to stay. We had a shortage of medical professionals, and I did what I could. Susan combines a real care for the health and wellbeing of people with a passion for improving the society in which we live. And of course I thank my greatest supporters, my children, Clancy, who turned 10 today — happy birthday, mate! — and Tessa, who have spent their whole lives immersed in dad's politics. I say thanks to my mother, who after becoming a single parent worked on night shift at the textile mill for more than 10 years to keep six kids at home. I learnt more than the simple concept of responsibility and hard work.

I thank the Honourable Keith Hamilton, who with the support and help of his wife, Kath, served the people of Latrobe Valley and Morwell district for more than a quarter of a century. As councillor and mayor of the former City of Morwell and later as the member for Morwell in this house, Keith has been a representative of the people of the Morwell district for a longer period in more pivotal roles and at more critical times than any other individual. Keith's honesty, integrity and conviction have been recognised by many on both sides of this house in the past, and we feel the same about him at home.

The time Keith and Kath have committed to the community of the Latrobe Valley spanned the halcyon

years of growth in the region, up to and including the 1970s, through to those difficult and disastrous years in the early 1990s which saw employment in the former State Electricity Commission of Victoria (SECV) fall from a high of 11 000 to a little more than 3000 people. Keith and Kath's capacity to bridge the sometimes differing priorities of the political and industrial arms of the labour movement is in no small way responsible for the strength of the Labor Party and union movement in the Latrobe Valley. Such resilience was essential in overcoming the effects of the restructure and the subsequent privatisation of the electricity industry.

Morwell district is situated in central west Gippsland about 1½ hours from this place. It contains some of the most productive agricultural and forestry land in the state and some of the most beautiful temperate forest in the country. A little over an hour from Gippsland, beaches on one side and the snowfields on the other, it is home to some of the best sporting and cultural facilities in regional Victoria. The people are hardworking and generous and they know the meaning of community. I cannot think of a better place than Gippsland to raise my boy, Clancy, who is 10, and his sister, Tessa, who is 7. I am fortunate to live in the Latrobe Valley and doubly proud to represent that community in this place.

Since the 1940s the Latrobe Valley has also been the powerhouse of the state of Victoria. The men and women of the Latrobe Valley built the most reliable and sustainable electricity production facilities in the nation. Utilising the vast quantities of what was once thought of as low-grade brown coal, they laid the foundation for the national position of primacy enjoyed by Victoria's manufacturing sector.

This place in which we sit is often described as a tribute to the prosperity of gold rush Victoria. In many ways, however, Victoria's most prolonged golden age came as a result of the mining of brown coal from the Latrobe Valley. For most of the latter half of the last century the Latrobe Valley provided the cheapest, most reliable electrical energy in the country. It gives me no joy that Victoria's competitive edge in electricity prices, built on the base of the once state-owned and operated electricity commission, is no more. The privatised industry has now slipped behind New South Wales and Queensland. It should give no-one here any joy at all that a subsidy of more than \$100 million was required last year alone, merely to allow rural and regional electricity customers to remain within the range of those prices they enjoyed prior to the sell-off of our electricity industry.

The building and maintenance of Victoria's electricity industry did not come without a cost. To deliver a reliable electricity supply without anything but the most fleeting interruption 24 hours a day, 7 days a week, year after year for 75 years, brings hazards. It requires the use of untried and at times questionable technologies and materials. Thousands of people over a period of 70 years worked in close proximity to volatile asbestos in the powerhouses of the Latrobe Valley. Long after asbestos inhalation was known to have fatal consequences, workers and their families were still being subjected to an environment which provided little, if any, recognition of the dangers presented by this mineral.

Exposure to fine asbestos can cause asbestosis and in many cases mesothelioma, which is a particularly virulent form of cancer, usually resulting in death within months of the initial diagnosis. Hundreds of SECV workers and contract workers in the Latrobe Valley have already died from the effects of asbestos-related disease. Many more have been critically debilitated. The incubation period of mesothelioma, from exposure to presentation, can take up to 30 years.

For many employees of the SECV in the Latrobe Valley their time has already come. For many others their work with the SECV and its contractors has left them with a time bomb. Most have gone uninvestigated, undiagnosed and untreated for many years. Once mesothelioma is detected there will be nothing merciful about the swiftness of their death. The best estimates indicate that asbestos-related disease and death in the Latrobe Valley will peak at about 2010 to 2015 and will remain high for at least a decade thereafter.

For too many years governments paid scant regard to this insidious occupational disease. The first Bracks government, however, instituted a study of the workers in the SECV who have an established record of lung function testing. An expert panel will attempt to extrapolate what it can from the control group in order to establish the extent of the problem and the possibility of success of early detection and treatment for individuals.

This government has committed \$20 million to a radiotherapy unit at Latrobe Regional Hospital to aid with cancer treatment. This government has also committed to five new palliative care beds in Gippsland. It is a good start, but there is still more to be done: screening, monitoring, early diagnosis, effective treatment and palliative care.

Alan Roberts was born in England in 1933. In 1951 at the age of 19 he travelled to Australia to work at the SECV in Yallourn and complete his apprenticeship in fitting and turning. By 1986 the effects of exposure to asbestos were such that Alan was forced to retire due to his disability. He died of asbestos-related diseases in June 2000 after 20 years of deteriorating health. He is survived by his wife, Dorothy, and daughter, Vicky.

Mervyn Wilson was born in 1935 and began work with contractors building the Latrobe Valley's power stations in 1958. His lung complaints began in 1980 and had reached such severity that he was forced to retire in 1990. Mervyn Wilson, who with his wife, Helen, had raised their family of three in Moe, died of asbestos-related disease in 1996.

John Bathgate was born in 1956 in Aberdeen, Scotland, one of five kids. When John was 18 months old his parents, Alex and May, came to Australia to work in Yallourn. John left school at 14 to work on the construction crews at Yallourn mixing mortar and insulation materials. John continued in the Latrobe Valley construction industry for most of the rest of his working life. On Christmas Eve in 1998 John was diagnosed with mesothelioma. Some 18 months later he died at the age of 43, leaving a wife, Julie, and two daughters.

Graeme Guy worked at the SECV at Hazelwood power station after beginning his working life as an electrician in Yallourn. Graeme is a good bloke. He worked with me as my boss in control rooms at Hazelwood power station. He did his time like many others on full 24/7 shiftwork. Two years ago he was diagnosed with asbestosis after 18 months of flu-like symptoms. His wife describes Graeme's quality of life as down to 50 per cent, but he does have his good days. At least he is still with us.

Harold Harris lived all his working life in Yallourn and Newborough. He threw himself into community activity, particularly scouting and soccer. His wife, Lil, who suffered from childhood polio, always expected Harold to be there to support her in her old age. Harold Harris contracted lung cancer after his lungs had been weakened and damaged through years of exposure to asbestos. I was with Lil and Harold's sons, Neil and Peter, when they buried him last year in Yallourn.

My grandfather, Ted Jenkins, was born in 1904. His grandfather, a miner, died prematurely of miner's lung. The circumstances of his grandfather's death led him to a lifelong commitment to the Labor movement. A bright lad, my grandfather won a scholarship to St Kevin's and subsequently became a teacher. He

devoted his life to state education, spending the last of his 45 teaching years as principal of Camperdown High. Although a devout Catholic, he stayed with the Labor Party during the split of the 1950s: he believed the Labor movement needed to remain united if it was to attend to some of its fundamentals. He believed, as I do, that Labor governments have particular callings, among them to protect workers, their families and communities from the deleterious effects of unsafe work environments.

Asbestosis is not the only issue in the Latrobe Valley. Like many areas my community has at times struggled to provide sufficient health, education and community services. Our young people often look to an uncertain future caused by external, local or economic pressures. We in government have a responsibility to work with our communities to preserve their essential elements, to foster good initiatives and to provide for those who have every right to expect to benefit from our society's comparative good fortune.

I am confident that this government will continue in that regard in the Latrobe Valley as it did last term. The Latrobe Valley ministerial task force initiatives will stand for some time as the most significant package of social and community infrastructure and economic development programs ever to be undertaken in regional Victoria.

However, in many ways over the next few years the Latrobe Valley will still be defined by the effects of asbestos. No-one in the Latrobe Valley has remained unaffected and no-one will be immune as the problem gets worse before it inevitably gets better. There will be many reports and opportunities for members in this place to become more aware of the effects of asbestos faced by the community of the Latrobe Valley. There will be many statistics, facts and figures, but I ask other members here to remember that more than anything else asbestosis-related disease is about people, about individual lives, and it is ultimately also about the larger community's responsibility to do what we can do to help.

I am proud of the strength and resilience of the Latrobe Valley community. I am proud to be representing my community in this place and I thank those members here for their courtesy extended to me today.

Ms MORAND (Mount Waverley) — It gives me great pleasure to speak my first words in this, the 55th Victorian Parliament — a Parliament that will be remembered as one that resulted from an historic ALP victory in the state of Victoria. It is a Parliament that brings with it many new faces on the Labor benches,

particularly women's faces — including mine! It is indeed fitting that a woman has been elevated to the position of Speaker for the first time when so many women now sit on the government benches. I look forward very much to working with all of them.

I firstly take this opportunity to congratulate the Premier, the cabinet ministers, the 54th Parliament Labor MPs and their staffs, the Victorian branch of the ALP, branch members and the many volunteers who made this historic victory possible. In particular I note the leadership of the Premier. His leadership qualities have been seen and recognised by the electorate. I have been elected at a time when Victorians have recognised the outstanding job that the Premier and his government have done over the past three years.

I want to thank so many people who have assisted me in my own campaign for their efforts. Special thanks to John Lenders, the Minister for Finance in the other place; Janet McPartlane; Betty Appleton; Alf Goldberg; Bev Counsel; Cyril and Jan Kennedy; Robert Dalby; Gerry Watts, Matthew Merry; Donna Carr; Eric Derricott; and my friend Lynne Kosky, the Minister for Education and Training.

I would like to take this opportunity to thank the people most important to me and those with the most influence on my life: my husband, John, and children, James and Maddy. I thank my husband for his never-dwindling encouragement and enthusiasm and for his political wisdom and superb judgment that has been and will remain my most important influence. I thank my beautiful children for their patience and support, particularly as my work has impinged upon their lives and the time we have together. Trying to achieve a balance between work and family remains a difficult goal for working women, and indeed men.

I am very proud and honoured to be representing the community of Mount Waverley. I am the first member for Mount Waverley, as it is a new seat created in the recent redistribution. The seat takes in the suburbs of Mount Waverley, which includes Syndal, Pinewood, Jordanville and most of the suburb of Glen Waverley. I take this opportunity to acknowledge the previous member for Glen Waverley, Ross Smith, who represented the electorate for 17 years. I wish him very well in retirement.

The electorate of Mount Waverley is predominantly residential with many fine schools, shopping centres, restaurants, cinemas, a huge variety of businesses, and lovely reserves and recreational facilities. Quite clearly it is a suburb which has benefited from good long-term planning and the resulting infrastructure. Public

transport includes the Glen Waverley railway line, two Smart Bus routes run through the electorate, and it is bordered by the Monash Freeway.

I want to work with local government, community groups and my government colleagues to ensure that good planning continues — planning that will ensure the continued enjoyment of what the district has to offer to residents and visitors.

Mount Waverley is also a community rich in cultural diversity, with 35 per cent of residents having been born overseas. On Monday I attended the launch of Cultural Diversity Week with John Pandazopoulos, the Minister for Gaming, at Glen Waverley Secondary College. There a group of students had designed a web site celebrating Cultural Diversity Week.

It was particularly appropriate for Cultural Diversity Week to be launched at this school as it is so rich in cultural diversity. The fathers of the students come from 70 different countries as their birthplace, the mothers from 74 different countries and the students themselves from 58 different countries. We are so lucky in Victoria and Australia to have the benefits of a multicultural society, along with tolerance and respect for our religious and ethnic diversity. We are indeed a lucky country, and we should continue to work towards ensuring it stays that way.

Today is a sad day as the war in Iraq has started. It seems so strange to say that Australia is at war, a war that is not sanctioned by the United Nations. You could ask why Australia is part of an invasion of Iraq when other nations, northern hemisphere nations which are so much more geographically and politically relevant to the Middle East, are not supporting the invasion. The fight against terrorism is a fight against the individuals who perpetrate the terror, not a fight against an entire nation and its people. However, I do agree with the honourable member for Kew, who said earlier that now that it has started we must rally to support our men and women in the armed services.

I come back to the subject of my electorate now to say that Mount Waverley is also a community with a high proportion of ageing people. Australian Bureau of Statistics data indicates that Mount Waverley has the third highest median age of the 88 Victorian electoral districts. Planning for services to meet the needs of an ageing population is an area where as the local member I hope to make an impact. Caring for the ageing population is a looming challenge for governments across Australia. Access to appropriate housing, home care and supported accommodation with an

appropriately trained work force will continue to be vital to the wellbeing of older Victorians.

The electorate of Mount Waverley also has a special connection for me — a personal one. My parents and three brothers moved to Victoria from interstate in the 1970s and soon after I started my first year of high school at Brentwood high — now Brentwood secondary — in Glen Waverley.

While I was at high school my father took early retirement from the pharmaceutical industry and opened a small business in the Glen Waverley shops. It was a music shop that he named Maxine's Music, and there my brothers and I would work on Friday nights and Saturday mornings.

The shop was located on the ground floor of a strip shopping centre in Glen Waverley. With a little sense of destiny or *deja vu*, the office above my father's business is now an electorate office and the office that I now occupy. It is quite a coincidence. It certainly never ever entered my mind as a teenager that I may one day be the local MP. However, I would say that my political development had begun by virtue of robust political discussion then, which now continues to this day with my brothers, Mark, Eric and Bryan, and parents, Shirley and Peter Morand. Good on you guys.

I spent all of my high school years at Brentwood high, and like so many women of that time was encouraged by my parents to consider a career in teaching or nursing. Despite receiving a scholarship to undertake secondary teaching I decided to do nursing, a decision that has ultimately led to a lifelong career and interest in public health and related fields.

Nursing is an occupation that exposes those who undertake it to scenes, events and tasks that most people never experience. It is an experience that opens up the very private worlds of other people, people from every walk of life, every demographic, and certainly people you would not normally come into such close personal contact with. I witnessed hardship, pain, suffering, bravery, dignity, compassion and death. Those experiences, of course, shaped my view of the world and how I might contribute and participate in this life.

I trained at the Royal Melbourne Hospital, a big teaching hospital that exposes trainees to virtually all the different specialties. Training at the Royal Melbourne also exposed me to elitism that I had not experienced in growing up. I hate elitism and have seen that we are all the same when we are stripped to the bare flesh and bone, and I strongly believe each person deserves to be treated with the same dignity and respect

as each other. I applaud the recent decision of the Victorian Civil and Administrative Tribunal in the case of a woman suffering from Picks disease. The tribunal has ruled that artificial feeding can be refused by a person acting on behalf of a critical ill patient. This decision demonstrates the importance of respecting the dignity of terminally ill people and in turn their carers and loved ones.

At the Royal Melbourne I completed further training in renal and transplant nursing and was then appointed one of the first transplant coordinators in Victoria, based at the Austin hospital. Part of my role was to discuss organ donation with the relatives of people who had been diagnosed as brain dead as a result of sudden, unexpected and tragic circumstances. I can still remember many of the individual cases today. This experience further reinforced in my mind the depth of human spirit and selfless generosity, as I found that the majority of relatives did make the decision to donate. They donated to strangers they would never meet, strangers whose lives would so significantly benefit from this act of kindness made at such a difficult time. This generosity of community spirit can be seen in so many other ways, such as that witnessed by the volunteers helping to combat the biggest fires in Victoria since 1939. These qualities in a society should not be taken for granted.

Further influence of my attitudes and politics came from university. I was one of those super keen mature-age students when I started my arts degree. When I finished my fourth-year thesis I did it with two preschool-age children, which does prove most things are possible. I majored in sociology, an area of study that articulates the inequity of society, the inequity of opportunity and the influence of self-expectation on lives outcomes. This is precisely why government policy and programs, such as Best Start, are so important in addressing existing imbalances in opportunity among our young people.

On completing my arts degree I was fortunate to be appointed to a research position at the Centre for Behavioural Research in Cancer at the Cancer Council of Victoria. There I learnt the lessons and benefits of health promotion. I participated in research on evaluating the Quit program, skin cancer self-identification, and later in the needs of newly diagnosed cancer patients. I was very fortunate to work under the supervision of great behavioural scientists Ron Borland and Professor David Hill, who is now the director of the Cancer Council of Victoria.

For the past three years I have had the privilege of working as an adviser to the former Minister for Health,

John Thwaites, now the Minister for Environment. I do not say 'privilege' lightly. I have the highest regard for each person who worked in that office, particularly the other advisers, Chris Altis, Tass Mousaferiadis and chief of staff, Andrejs Zamurs. In respect of the minister, I can say that I have never seen anyone work as hard and with such intellectual rigour.

It was John Thwaites who strongly encouraged me to stand as the candidate for Mount Waverley, for which I am very grateful and pleased to now be his parliamentary colleague.

It was very satisfying for me as a health professional to have worked for a minister and a government who knew and continued to see the importance of good public health. I feel very fortunate to have worked in an office where I witnessed and participated in a massive shift in both financial and philosophical approaches in support of our public health facilities. To have been part of the government that had stopped privatisation, particularly at the Austin hospital, where I had worked for five years, and to have been part of the government that reinvested and reinvigorated the public health system was a wonderful experience.

My experience in working as a researcher at the Cancer Council of Victoria taught me the importance of behavioural change, and public health policy and legislation is another area where governments can have an important impact on improving community health.

As an adviser I was very proud to have been associated with the introduction of the most significant changes to tobacco control since the introduction of the Tobacco Act. It is less than two years since smoke-free dining was introduced in Victorian restaurants and cafes, but already it is hard to imagine being exposed to unwanted and harmful tobacco smoke while dining. I think further reforms aimed at reducing teenage smoking have also been very important.

I believe we have seen that good government can balance economic imperatives with the responsibility to provide and foster high-quality government services, particularly in health, education and community safety. I do not believe governments should just regulate services, they should provide them with the taxes that are raised to support everyone in our community. Good planning, and a focus on supporting and investing in people and services will return the benefits that are deserved by everyone in our community.

I am honoured to have been elected to Parliament, and it is a privilege to represent the electorate of Mount Waverley. Now I very much look forward to working

hard to represent the interests of my electorate and to working hard with the government more broadly in the interests and for the future of Victorians.

The ACTING SPEAKER (Mr Ingram) — Order! I call the honourable member for Cranbourne and remind honourable members that as his will be an inaugural speech the honourable member is to be heard without interruption.

Mr PERERA (Cranbourne) — I would like to take this opportunity to congratulate the Speaker on her elevation to her position. I am certain that with her experience she will uphold the integrity of her office and that of the house.

I would also like to acknowledge the traditional owners of the land on which we stand here today — the Kulin nation — and pay my respects to their elders.

It is indeed an honour to have been elected to the 55th Victorian Parliament, the supreme institution of Victoria. Many commentators heralded my election to Parliament as historic. Indeed it is significant in many respects due to my Sri Lankan origins. I take pride in being the first person born and educated on the Indian subcontinent to have been elected to a lower house of Parliament anywhere in Australia.

I was overwhelmingly endorsed by a predominantly Anglo-Saxon electorate with approximately 74 per cent of the population born in Australia. It is a great pleasure to be included in a long list of Labor members of Parliament from diverse backgrounds. Yet again Victoria has demonstrated that it is the multicultural capital of Australia. I celebrate this tolerance, and in a loud and clear voice I call on the rest of the world to learn from the example of Victoria.

I was born as the only child to a Sri Lankan middle-income Catholic family. My late mother, Hilda Perera, an English teacher by profession, was a practising Catholic with a politically conservative background. My father, Edmund Perera, was a member of the oldest socialist party of Sri Lanka, the Lanka Sama Samaja Party, which was formed in 1935 with two primary objectives: one, to win independence from the British colonial rule; and two, to establish an egalitarian society.

In the 1930s caste system, a social ranking based on ancestral profession prevailed in the then semi-feudalistic Sri Lankan society. Under this system low-caste women were forced to be present with bare upper bodies when encountering members of the powerful feudal class. At such meetings members of the low-caste communities were forced to bow down

and salute this so-called superior species. The Sama Samajist introduced their own egalitarian approach to uplift the conditions of the downtrodden while fighting vigorously against the British colonial rule within and outside the state council.

By profession my father managed plantations with large labour forces and never had union membership, although he had a close working relationship with the unions affiliated with the socialist movement. He firmly held the view that the organised working class would play a leading role in shaping the destiny of society. Had it not been for my father's political influence I would not have taken up the challenge to work my way into the Parliament.

After university education I started my career as a software developer in the information technology industry where trade union roots were not the strongest. I joined the Australian Services Union after recognising the admirable role played by the union movement. In response to the unconventional inaugural speech, with a strong political flavour, made by the member for Bass, I wish to put on the record that it is with great pride that I hold union membership.

In the lead-up to the 1992 Victorian election it was crystal clear that the Liberal-National coalition was going to come into power with an overwhelming majority. It had the agenda not only to take away the basic rights of the working men and women of Victoria but also threatened the very democratic institutions on which our society is built.

With my political upbringing, under these circumstances it would have been irresponsible to be a bystander and watch the clock being turned back in a Reganite-Thatcherite fashion. This was the trigger for me to join the Australian Labor Party which not only believes in the principles of equity, fairness and equality but also was capable of forming an alternative government to stop the threat of the dismantling of the very fabric of our society.

Success in parliamentary elections is not a solo effort. My great campaign team contributed immensely to the massive victory we enjoyed in Cranbourne. Campaign advisers, fundraising teams, zone leaders and foot soldiers all played their voluntary roles with dedication to reach our common objective. The Cranbourne foot soldiers did a fantastic job by covering more than 5000 households between just a handful of them.

I cannot name them all, and when naming only a few of them one runs the risk of offending those not mentioned. However, it would be remiss of me not to

mention campaign manager Barbara Kuhl and campaign director Lee Tarlamis who worked around the clock to achieve this outcome.

I would like to acknowledge the moral support and mentoring given by Alan Griffin, federal member for Bruce, and also the support of many members of the wider Sri Lankan community in Victoria.

I record my appreciation for the roles played by the members of Frankston North and Cranbourne ALP branches. I would also like to thank the members of the Carrum Downs ALP branch who came together as a unified team and worked diligently in so many different ways for nearly a decade to deliver this result.

My family who are here tonight, wife Iranganie and children Judy and Rangana, have been a tremendous support in all my political campaigns. My son-in-law Suranga Gamage, who is also here — an above-average young man — played an unenviable role as my campaign secretary to deliver victory at the last election.

Many of my parliamentary colleagues in their inaugural speeches mentioned beautiful wines and other products on offer in their electorates. As Victorians we need to explore new markets and promote ourselves internationally. It is very disconcerting to learn that Victoria's annual trade with India is as low as \$300 million per annum. India with a population of over 1.2 billion encompasses the second silicon valley where large volumes of IT services are supplied to the world market. Western Australia has two trade offices in India. It is about time we contemplated establishing a Victorian trade office in India to service the entire Indian subcontinent.

Cranbourne, the electorate I represent, has its unique problems and exciting opportunities. The electorate is divided between Casey and Frankston councils. Cranbourne is a reasonably young electorate with a median age of 31, compared to the Victorian median age of 35. It also has a low-income household structure with a median weekly household income of \$796, compared to the Victorian equivalent of \$812 per week.

The City of Casey is Victoria's fastest growing municipality and the third fastest growing in Australia, with an average of 80 families per week moving into the city. Within the Frankston municipality, Carrum Downs and Langwarrin are the fastest growing areas, with an influx of young families. Between October 2001 and November 2002 the voting population in the Cranbourne electorate increased by

approximately 1636, which is around 5 per cent annual growth.

Manufacturing and other labour-intensive industries have never been the forte of my electorate. My constituents have to travel to industrial hubs such as Dandenong, Mordialloc, Mulgrave, Melbourne city and other places for work. This is an issue which needs consideration.

It is not rocket science to understand how important road infrastructure, public transport, increased public health services, improved education facilities and public safety measures are to an electorate like Cranbourne where middle and low-income families have chosen to live. To name some of the Bracks government's initiatives in my electorate: a proposed \$5 million state-of-the-art Cranbourne police station; the first secondary college for Carrum Downs; and duplication of sections of busy Thompsons and Cranbourne-Frankston roads.

Carrum Downs, situated in the centre of my electorate, has been reliant upon the larger centres of Frankston and Cranbourne for many services. A local public transport network would link the area with broader community access to a wide variety of services and activities. Thanks to the visionary Bracks government, these issues are and will continue to be addressed and I will work diligently towards that end. I believe the future growth and wellbeing of my electorate will be reliant to a greater extent upon the growth of the regional tourist industry.

Cranbourne is the gateway to Phillip Island, well known for the penguin parade and motor races and as a holiday destination. The horse racing industry has a high profile in Cranbourne, with Australia's largest training centre. Cranbourne Racecourse is one of the rare places that offers three types of racing — thoroughbred, harness and greyhound.

In Cranbourne we have the renowned Royal Botanic Gardens which is currently developing the Australian Garden with an extensive range of native flora. It will also include a state-of-the-art visitor centre.

We have a newly built arts theatre in Cranbourne. This would be an ideal venue for an annual event, such as an emerging performing arts festival to promote young and upcoming artists in the region. Unfortunately, the only well-known annual event we have currently is the bikers breakfast during the Phillip Island Motorcycle Grand Prix. The McLelland Gallery situated in Langwarrin is well known for its sculptures and beautiful pieces of art. The former Monterey High

School site that has been reacquired, cleaned up, fenced and delivered to the community as public open space by the Bracks government would be an ideal site for a much-needed park for recreational facilities that could incorporate a community garden. This vision will only be realised with Frankston City Council playing a proactive role working in tandem with the state government, local community groups and interested commercial operators.

These are only a few of the attractions within my electorate. The south-eastern region has enormous potential as a tourist destination. A concrete strategy to promote tourism within the region would attract visionary private operators. It is important to formulate a regional tourism strategy, considering the impact of the extension of both the Monash and Scoresby freeways. Particular focus should be given to the economic benefits of tourism such as investment, small business growth and employment within a sustainable tourism framework.

I pay tribute to all the voters in the Cranbourne electorate for having the faith to elect me to represent them as their local member of Parliament. In conclusion, I foresee the Cranbourne electorate as a secure, quality place to live by the provision of public services that keep pace with the growth in the community and diverse developments that are both environmentally sustainable and provide economic opportunities locally. I take it as an honour and a privilege to be elected as a state member of Parliament to lead the way towards the most exciting task of making the Cranbourne electorate a vibrant place to live, work and visit.

The ACTING SPEAKER (Mr Ingram) — Order! I remind honourable members that as this is the inaugural speech of the honourable member for Kilsyth, it is the custom of this house that she should be heard without interruption.

Ms BEARD (Kilsyth) — Acting Speaker, it is a great honour to stand here today as the first member for the new seat of Kilsyth. I ask you to add my congratulations to those of others who have congratulated the Speaker on being the first woman to achieve this high office in the history of the Victorian Parliament.

I would also like to congratulate the Premier on his government's historic victory, the magnitude of which will enable the full implementation of the issues he took to the voters. I too would like to acknowledge the traditional owners of the land on which we stand today, the Kulin nation, and pay my respects to their elders. I

would like to thank the Australian Labor Party for the opportunity and support it has given me. My extreme gratitude is extended to my campaign committee and to all those who assisted me before and on election day.

I am especially grateful to my campaign manager, coincidentally my husband, Ted, who in the absence of other nominees was not discouraged by the 8 per cent margin required to win. We achieved a swing of 10.1 per cent. He currently enjoys a success rate of 100 per cent as a campaign manager. He was only able to be here tonight, after having returned back home to Kilsyth from the peace rally, after being phoned and asked to come back again.

It also gives me great pride to be part of a government where women have greater representation than ever before. I would like to thank the parliamentary staff, who have made my transition to Parliament so smooth, and my caucus colleagues, who have with such kindness offered help and support during this process.

I consider my life to have been one of privilege, though certainly not in a usual sense, but in the way in which it has provided me with such security and stability. I was constantly reminded how much I was loved. I made very wise choices when choosing my parents, and my childhood was nothing less than idyllic.

My history and Labor ideals can be traced back to at least when my grandfather, Edward Malone, was the Labor candidate for the federal seat of Corangamite in 1919. My brother Peter, who is here this evening, stood for the state seat of Ringwood in 1973. Anyone from Labor families in the 1950s and 1960s I am sure suffered as my family did from those excruciating Sunday mornings after elections. When I first started work my pay packet, as they were known, was extremely precious to me, and I remember asking my father why I should have to part with some of my precious booty to become a union member. He not only explained how grossly unfair it would be to reap the benefits of the hard bargaining others did on my behalf without contributing to this effort but also made it quite clear that union membership was compulsory if I intended to continue accepting his hospitality.

I would like to speak about my history in the Kilsyth area. In 1963 my parents, with my two brothers, Jim and Peter, and my sister, Helen, moved to Mooroolbark from our country home just outside Colac, some of us arriving by train! With hot water taps, a shower, a weekly garbage collection and a flushing toilet, and being together, we were sure life did not get any better. We have just celebrated the anniversary of that day when, 40 years ago, we became Mooroolbark residents.

Ted and I now live less than 3 kilometres from that Mooroolbark home, where my mother still resides. All our families have made the choice to live in this area, a choice to be close to each other, one we often think reflects the loneliness our grandmother suffered when she migrated from County Kerry in Ireland in the 1890s, never to see her family again.

I have taught in the local area for the last 25 years, recently teaching the children of children I taught, and I consider that a great privilege. Our three children were educated in and played their sport in this area, and we operate a taxi business from Kilsyth.

I mention this history because after 40 years I regard myself as a local, someone with a great love for this outer eastern suburban area and so that you might be able to imagine the great privilege I am experiencing in having been elected as the first representative of the people in the district of Kilsyth.

The Kilsyth electorate extends from the medium-density suburb of East Ringwood to the Yarra Ranges interface region. It includes North Bayswater and parts of Lilydale, Montrose, Kilsyth, Mooroolbark, Croydon and East Ringwood. It is a beautiful area with iconic, tree-lined major roads, like Mount Dandenong, Cambridge and several others, where you could think you were in the bush.

The commercial light industrial area around Canterbury and Dorset roads provides much employment for locals and people from further out in the Yarra Valley. The environment of trees and hills abounds with wildlife, and it is not uncommon for residents to have their magpie, rosella and possum friends drop by each day. At the same time we cannot be complacent about our remnant vegetation; specifically some endangered species require protection. The Kilsyth South spider-orchid is known to occur in only one location in the world — a stone's throw from the Kilsyth electorate. Its survival must be of concern to us all.

We in Kilsyth enjoy clean air, open space, parks, creeks and streams; the latter now becoming the subject of replanting and renewal. I thank the Minister for Water for the \$620 000 project to regenerate Croydon's Brushy Creek and other waterways in the Kilsyth district as part of the healthy waterways program. It might not mean a lot to everyone, but I am sure the increasing numbers of platypuses in Olinda Creek despite the drought conditions are most grateful. I thank the Premier for the initiative of the instigation of a water ministry.

The Maroondah Hospital is a huge medical facility situated in my electorate. The Bracks government has contributed \$10 million towards the stage 1 redevelopment project, a project which will not only add a new ward of 32 beds and a new short stay unit but will almost double the number of cubicles in the emergency department. This will increase patient throughput, decrease patient waiting times and further decrease the incidence of ambulance bypass. This stage of the redevelopment is due to be completed in November this year.

The 24-hour Croydon police station is due to be completed in September of this year, providing increased safety for residents. The Croydon transport interchange upgrade at Croydon railway station, which was designed to make the use of public transport easier and more comfortable, commenced operation in January at a cost of \$500 000.

Mooroolbark East Primary School has benefited from the Bracks Labor government's commitment to building better schools with the stage 2 music, library and canteen upgrade at a cost of \$1.24 million. This investment in Victoria's youth, its teachers and school infrastructure will continue in this second term of government.

I would like to acknowledge the contribution Lorraine Elliott has made to our area over the past 10 years. The political history of the area is for it to be represented by non-Labor members yet my inspirations in the 1970s were not only Gough Whitlam but also my local federal representatives, Tony Lamb and Peter Milton. The previous state Labor incumbents, Neil Pope and Kay Setches, served with distinction in the Cain-Kirner governments with both being elevated to the ministry.

The results of the recent election have uncovered members with a wide diversity of interests, talents, cultures and backgrounds, such as those represented in our communities.

I would like to relate a story from election day. While handing out how-to-vote cards I was approached by the Vietnamese baker from our local bread shop who requested assistance with voting for his Labor candidate in Narre Warren North. He had already approached the polling officer and had been referred to us for a how-to-vote card. Although his command of English was limited he was certain of his voting intentions. It would have been much simpler for him and others for him not to have voted, but he was determined to exercise his democratic right. I admired his conviction and good citizenship, and I could not help but think that it is only a little more than 30 years since our countries

were at war. I think this anecdote has significance for us today in light of the invasion of Iraq and our ongoing refugee crisis.

I am a proud republican. I stand for an egalitarian society, for equal opportunity for all people to reach their full potential and for the dignity of all people to be maintained.

My newly elected colleagues and I have already been referred to, albeit I am sure affectionately, as the 'cannon fodder from the backbench' and 'the Elmer Fudds that now fill up the backbench'. It has been suggested that some of the innovative sessional orders were devised because 'the government has to feed the chooks'. If I may take the liberty of speaking on behalf of my colleagues, I would like to say that none of this name-calling will detract from the excitement and privilege we are experiencing at being here and knowing that we will be here for four years. We are proud to be the democratically elected representatives of our electorates and members of the great Australian Labor Party. I wish all new members a satisfying and challenging time in the 55th Parliament.

I thank my friends for their love. I am most grateful to my electorate office staff — Julie, who is here this evening, Jarrod and Bob — who are my face to the world when I cannot be there. I thank my mother, Dorothy, for the ideals she instilled in me. I thank my brothers and sister and their families for their support and love. I thank my children — Angela and Delon, Kate and Greg, and Dan and Correna — for being a constant source of pride and enjoyment to me. By the way, the grandchildren thing is not quite so urgent now that my spare time is somewhat limited.

I especially acknowledge my husband and friend, Ted, for his love and support and for his belief in me.

I thank the members of the Bracks first-term government for having restored people's faith in Labor governments and therefore making my election possible.

I look forward to being a good representative and local member, and I thank the voters of Kilsyth for the privilege and the trust they have bestowed on me.

I will listen to the people of my electorate, and I will support them by speaking out on their behalf. As their representative I am committed to being of service to them, and I look forward to the challenges my new role will provide.

Ms BUCHANAN (Hastings) — It is going to be hard to follow a speech like that. Thank you very much

for this opportunity, Deputy Speaker, and let me begin by congratulating the Speaker on her election as the first female presiding officer in this house.

I take this opportunity to acknowledge the traditional owners of the land on which we stand here today — the Kulin nation — and to pay my respects to their elders.

It is an honour to have been elected as the first member for the seat of Hastings and to be the first female parliamentarian elected to this region in either state or federal politics. The privilege given to me by the people of the Hastings district is humbling, and I look forward to fulfilling the commitment bestowed upon me by them.

I am exceptionally proud to join so many Labor Party members here today. Looking around this chamber I see the manifestation of the overwhelming community endorsement of the principles and policies of the Bracks Labor government. I see the manifestation of how Victorians expect the business of governance to be conducted in this state — a method of governance that accepts that every individual in this community, regardless of their age, gender or income, has a universal right to a decent education, to decent health services and to community safety.

The Victorian public deserves much credit for its willingness to elect so many women to this chamber. I would like to pay tribute to two political pioneers — Joan Kirner and Kay Setches. Not only were these women inspirational leaders while in this house, but today they provide support and encouragement through Emily's List to Labor women looking to enter politics. The assistance provided through Emily's List has been a pivotal factor in many women being alongside me today.

Having resided on the Mornington Peninsula for some 15 years I would like to acknowledge the residents of the Hastings electorate. The people of Hastings district are among the most caring, supportive, innovative and resourceful individuals I have come across. These characteristics are best displayed when observing their consideration for their social environment.

The Hastings electorate contains the eastern and northern sides of Western Port bay. It incorporates French Island and encompasses approximately 600 square kilometres.

The people of the coastal towns of Tooradin, Blind Bight, Cannons Creek and Warneet, across to Hastings, Crib Point, Somers and Balnarring Beach are deeply committed to their communities. These residents are active participants in and supporters of their schools,

local businesses, community houses, chambers of commerce, foreshore and environmental committees, local emergency service units, cultural organisations and sporting clubs, to name a few. These communities are strong with both volunteer and union spirit.

With those of other honourable members my electorate shares part of the municipalities of Mornington Peninsula, Frankston and Casey. The electorate is on the fringe of the second-largest city in the country, and as such faces many challenges. The inland townships of Bittern, Balnarring, Cranbourne South, Tyabb, Somerville, Langwarrin, Baxter, Pearcedale, Clyde, Devon Meadows and Moorooduc are all at the interface of rural and urban living. These communities are working hard through the challenge of retaining and advancing adequate levels of infrastructure while maintaining a sense of identity.

In this term I am committed to working with each community to address its individual and collective challenges. I am willing to do so knowing that both the complexity of these challenges and the expectations of these communities are high.

The Western Port bay ecology, from which many constituents in the Hastings electorate derive their living, faces many tests in the future. The bay's catchment contains one of the fastest growing urban areas in the country — the Berwick–Pakenham growth corridor. Backed by strong community and local government involvement, the Bracks government's Melbourne 2030 plan will protect and enhance the environment in the Hastings district.

Recognising the importance of environmental sustainability and biodiversity, I congratulate my colleagues in the government on their dedication to reducing water and energy usage to preserve our precious natural resources for future generations.

Western Port bay and its hinterland collectively holds some of the prime tourist drawcards in all of Victoria. There has been great collaboration between local business groups and interest groups in partnership with the state government, and I look forward to ensuring that these relationships continue to flourish.

There is an expression in Spanish that goes 'nuncas mas'. Roughly translated it means never again. In my mind I use this expression when I think about the destructive economic rationalist approach the previous government took with this state in the 1990s which saw the near decimation of many communities within the Hastings electorate.

Council amalgamations and the mandating of the compulsory competitive tendering process saw the unacceptable retrenchment of many good, honest, hardworking people in the area I represent. Furthermore, these people had their plight exacerbated by the degradation of many vital services. This government has done much to address this situation within the electorate, and I look forward to the further revitalisation the Bracks government is undertaking in this region.

Environmental protection in areas such as the Mornington Peninsula, French Island, Phillip Island and Western Port bay has been an outstanding trademark of this government as it incorporates these areas into a designated biosphere. This is the first of its kind in Victoria, and it is in an area in which some 200 000 people work and reside.

The current government's sound planning framework and formation of three marine sanctuaries within Western Port bay will assist the region maintain its compelling and inspiring beauty. This indicates the significance of the region, and I aim to progress this vision with Melbourne Water's Devilbend Reservoir site.

Many factors have led me to be alongside you all today. I have heard similar stories told by other honourable members in their inaugural speeches. The core foundation and strength of this Labor caucus is its collective commitment to defending, caring and progressing issues for everyone in our communities.

Born in Bairnsdale, I spent my early years in transit from one township across the state to another, due to my father's role as a manager with the Commonwealth Trading Bank. My family finally settled in the western suburbs, where I attended local public schools and finally Melbourne State College, where I studied environmental science.

Like many of my colleagues there have been defining events that have seen me become a committed member of the Australian Labor Party. Firstly, as a student and young mother in the western suburbs, I had a close friend who founded an incest survivors support group. My involvement with this group allowed me to hear stories that were shattering yet eventually inspirational.

This experience gave me an insight into the workings of government, specifically into awareness, preventative and support services addressing some of the insidious sides of our society. Following on from this experience my work with Centrelink gave me a comprehensive appreciation of the vastly diverse nature of our society.

I witnessed directly the adverse impact of Liberal Party policy on the very people it claimed to support as it imposed its goods and services tax. In this role I saw that the primary difference between an individual feeling empowered rather than disconnected was entrenched in their ability to contribute and feel valued in society.

The DEPUTY SPEAKER — Order! The time appointed under sessional orders for me to interrupt the business of the house has now arrived.

Sitting continued on motion of Mr BATCHELOR (Minister for Transport).

Ms BUCHANAN (Hastings) — Moving on, the Frankston to Stony Point railway line was jeopardised during the last decade by the former Kennett government, despite the line being a vital public link in its area. All concerns over the impact of such a closure fell on the deaf ears of local Liberal parliamentarians at that time. They refused to acknowledge that it was not about politics but about community. It was this need to ensure my children would be able to actively interact with a responsive, honest and accountable government rather than what I had to deal with that caused me to become active in the electorate.

During the 1990s I was also in the unenviable position of having five children attending preschool, primary school, secondary school, college and TAFE — and it was bloody exhausting, I can tell you that much! But I was also very angry because I witnessed the grave concern continually being etched into parents faces with the implementation of school funding based purely on financial outcomes rather than quality educational outcomes. I know of children who missed out on the formative socialisation opportunities of preschool because their parents could not afford the enrolment fees. These destructive policies denied our children their right to a sound and supportive education, which was exacerbated by the pressures placed on a committed teacher work force that was being deliberately decimated.

Again representation to local members was futile. They either agreed with the policies or were gagged from debating them. All I wanted was to have a community that provided my children with a quality education. I knew then that only a Labor government could provide these integral social services.

As such, enhanced educational and vocational opportunities is one of the many issues I intend to progress as a member of the Bracks government, working closely with every educational outlet that serves the Hastings electorate. I am keen to progress the

already substantial commitment to infrastructure in this region. This government has demonstrated how much it values the residents in this area by virtue of the benchmarking capital investment that has taken place since 1999. No other government in one term has invested in the capital infrastructure in this region as this government has, with commitments ranging from the Mitcham to Frankston freeway to the Somerville secondary college to the Hastings aquatic centre.

Community safety is also an important issue in the Hastings electorate, and I intend to continue to work closely with individual communities and peak organisations to bring about complete community ownership of this issue.

There have been many people who have worked hard towards my being in this chamber today. There have been many great female friends and leaders that I have taken much inspiration from over my life, a list of whom would take up several parliamentary sitting days to detail. Many would not know the lasting legacy their words or actions have had on me. Suffice it to say the lasting impact of the purple, white and green ribbons will never leave me as I progress affirmative action for all the women in the Hastings electorate. I would normally have the ribbons on, but I lost them in the washing machine early this morning. With my female peers, I will carry on the principles so aptly quoted by Mrs Ella Boole of the Women's Christian Temperance Union, who back in 1947 said:

Here is the torch. It is yours, hold it high.

Or by Mrs Press of the same union, who in 1895 said:

That we do it, ladies. That we do it with grit, grace and gumption.

Finally to my family and supporters I am much indebted. ALP supporters, those real true believers, have worked tirelessly for many years to secure an ALP presence in this region, and their perseverance is starting to pay off with not only this new seat but with the election of Geoff Hilton to the upper house seat of Western Port Province.

To my family and friends: I want to pay homage to their incredible patience and tolerance of me as they supported my pursuit of a social justice agenda in the electorate.

To Alejandro Gaitan and our precious children, Nicholas, Julia, Robyn, Kaitlyn and Marcus, I say thank you, and I love you dearly — and I wish they were here but they are not.

To my mother Pamela Buchanan; my sisters, Cathy and Karen; my brother, Ross; my brother-in-law, Barry; Adan and Alcida Gaitan; Peter Spyker; Matt Viney; and Snez Plunkett, I also say thank you for your guidance, support and mentoring.

Finally, I wish to acknowledge my father, George Hugh Buchanan, born 31 October 1927, who died on 5 February 1998, aged 70. In times of adversity his words, often repeated to me in my youth, kept me resolved to go on. Mind you, these were during Saturday night drinking sessions, but I reckon they still ring true. His words were, 'Don't forget the coalmines, Rosy; don't forget the coalmines'. These words will sustain me in my commitment to represent all the people of Hastings with all my energy, passion, dedication and honesty for the next four years. Thank you very much.

Debate adjourned on motion of Mr INGRAM (Gippsland East).

Debate adjourned until next day.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

University of the Third Age: Glen Eira

Mrs SHARDEY (Caulfield) — The issue I wish to raise is for the Minister for Transport. I call upon the Minister for Transport to take action and reverse his government's decision to evict the Glen Eira University of the Third Age (U3A) and sell the Victrack-owned land it occupies in Glen Huntly.

To refresh the minister's memory I remind him that the Glen Eira University of the Third Age has some 800 elderly members who meet at the Glen Huntly campus for a wide range of classes and to enjoy the fellowship this worthy organisation provides. The U3A has occupied its site at the Glen Huntly Bowling Club for many years. However, in June 2002 the club received confirmation from Victrack that the campus would be sold in June this year under the government's policy of selling surplus railway land. Members of U3A were naturally devastated by this heartless news and made representations to me. I raised the matter in Parliament, and the government received some embarrassing local media coverage on the subject.

I note that prior to last year's election the Liberal Party made a firm commitment to saving the Glen Eira U3A and maintaining its current campus. Realising his party's mistake and desperate to avoid damaging publicity, the then ALP candidate for Bentleigh, Mr Rob Hudson, now the member for Bentleigh, devised his own plan to save the U3A. Under his imperfect vision the U3A site would still be sold, but the U3A and the Glen Eira City Council would be given the option of buying the land at an estimated cost of \$1.5 million.

To assist the U3A Mr Hudson promised a grant of \$850 000 from the Community Support Fund and the Glen Eira council was expected to make up the balance. Sadly, at the time the overeager Mr Hudson failed to contact the Glen Eira council regarding this deal and did not secure a commitment from it to provide the necessary funds. So thanks to this woolly-headed solution, the Glen Eira U3A still faces an uncertain future. It has received no further information on the Community Support Fund contribution and is unlikely to until the government is once again forced to respond to embarrassing local media reports.

To quote a statement from the Glen Eira U3A committee:

The U3A committee is deeply worried because the committee is still waiting to hear from the government about the finalisation of the whole site. The committee is deeply concerned about the length of time it is taking to get U3A a lease for the whole site. Currently the U3A has no contract, no lease and no ability to make future plans. The Bracks government has not fulfilled its promise to the U3A.

Significant doubt also remains as to the Glen Eira City Council's willingness or ability to find the \$500 000 to ensure the U3A's survival. Last week Glen Eira City Council announced a freeze on category 3 home and community care services in the face of inadequate funding. I ask why it is okay for the Bracks government to force Victorian taxpayers to buy land they already own in Glen Huntly but not — —

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

Bushfires: emergency services

Ms DUNCAN (Macedon) — The issue I wish to raise this evening is for the Minister for Police and Emergency Services. I ask the minister to take whatever action is necessary to continue to support our emergency services and recognise the enormous contribution they have made to this state on our behalf.

The recent fires in north-eastern Victoria demonstrated the terrific work of not only the Country Fire Authority, but also the State Emergency Service, the Red Cross and all our emergency services. I draw attention particularly to the efforts of the mountain group CFA in my electorate. Their work was outstanding and indicative of the supportive and cooperative response that was required to fight these fires right across the state. The mountain group includes Mount Macedon, Macedon, Riddells Creek, Heskett Kerrie and Bullengarook CFAs. These groups sent teams to fight the fires in shifts ranging from 4 to 12 days.

The Mount Macedon strike team was focused on asset protection at Falls Creek and Mount Buffalo and they then moved on to Swifts Creek and Ensay. The Riddells Creek strike team initially went to Mount Beauty and Emu Creek and then on to Myrtleford, Bairnsdale and Marlo. The Macedon tanker was sent to Beechworth and then on to Bairnsdale. Strike teams from Heskett Kerrie went to Bairnsdale and then on to Swifts Creek.

I am very proud that our services were willing and able to assist in those fires while continuing to protect our area. And protect it they did! The house will recall that the Australia Day weekend, and Australia Day in particular, was an absolute shocker. In my electorate approximately five new fires started on that day. Not one of those fires took off — all of them were responded to very quickly and professionally by the local CFAs. As well as providing protection from the north-east fires, they were still able to support their local areas.

The total of volunteer hours worked by our local crews was 19 080 hours or the equivalent of 502, 38-hour weeks, or nine years of a normal working life. That is an extraordinary contribution! I also acknowledge the assistance of the officers and members of the Sunbury Fire Brigade for their support of the Mount Macedon group during these fires. Thanks also to the Romsey group members. My thanks go to employers for allowing their employees time off work, and to their families for keeping the home fires burning. We must continue to support our emergency service volunteers, and I ask the minister to make sure their efforts and their skills are recognised and supported.

Lake Boga: amenity study

Mr WALSH (Swan Hill) — I seek action from the Minister for Environment. I speak on behalf of the Lake Boga community and the Swan Hill Rural City Council, which met with the former Minister for Environment and Conservation in May 2002

concerning improving the recreational and social amenity of Lake Boga. I quote from the minister's response after that meeting of 27 June 2002:

The department has advised that there may be options to improve the amenity of the lake in conjunction with other water supply objectives including the removal of Little Murray Weir to achieve water savings.

Options such as this are complex and would require detailed investigation before the feasibility could be established. These investigations will take many months and will also require extensive consultation with the local community.

The Swan Hill Rural City Council wrote to the former Minister for Environment and Conservation on 22 October 2002 seeking a progress report on the proposed study, and has had no response. It again wrote on 31 January 2003 to the current Minister for Environment on this issue and has had no response. Can the minister inform the house when the study to improve the recreational and social amenity of Lake Boga will start?

Latrobe Valley: health sector interpreter services

Mr MAXFIELD (Narracan) — I draw to the attention of the Minister assisting the Premier on Multicultural Affairs the issue of the training of hospital staff in interpreter skills.

In my electorate and the Latrobe Valley as a whole we have a large number of residents from culturally and linguistically diverse communities including the Netherlands, Italy and Germany. The multicultural nature of the Latrobe Valley is something I am extremely proud of, and I am very pleased that we have that diversity in our community.

There are from time to time, however, misunderstandings in communication when people are using the local health services — for example, at the Latrobe Regional Hospital and other similar facilities. The ability to communicate properly to health professionals is something most of us tend to take for granted, but for our multicultural communities it is important that we ensure that proper communication occurs.

When we are talking about health issues a lack of English skills can certainly create a situation which can not only be frustrating for patients but can also be potentially dangerous.

The other issue affecting some of these groups is the need to be aware of the right to ask for interpreting services and to understand what services are available.

In emergency situations after hours, for example — and medical emergencies do occur at any hour of the day or night — access to interpreters and their work is very important for these people in my community.

May I say that in the Latrobe Valley we are extremely pleased by the benefits that we as a community gain from the multicultural diversity of our region. I am very proud that I can meet and engage with any number of diverse groups in our community.

In addition to the groups I have already mentioned, over a number of years a coal-to-oil development plant was operating in the valley and for about five or six years many Japanese people lived and worked, and their families lived there with them, in the Latrobe Valley until the plant needed further work while it was being developed. We gained a lot as a community through having those people there.

I urge the minister to take action to ensure these important members of my community have access to interpreters when using local health services and to ensure that the health services themselves appropriately offer the right interpreter services.

Looking after the health of our community is one of the issues the Bracks government takes very seriously. That is one of the reasons we had such a magnificent victory at the last election: we focused not only on the core issues of community, safety and education, but on health as well. I am very pleased with the outcome.

Lorne: pier crane

Mr MULDER (Polwarth) — The issue I wish to raise and call for action on is directed to the Minister for Environment. It concerns a crane on the Lorne pier. It is out of order and has been shut down and the fishermen who operate off the Lorne pier, Mr Gary Norton, Mr Steve Love and Mr Scott Stewart, are in the crisis position of not being able to fish at this point in time. In fact one of the fishermen has all his gear sitting out at sea. It is quite an extraordinary situation that brought about the shutdown of the crane in that the Lorne Foreshore Committee required a mobile unit to be moved. So a crane service operator from Ballarat was contracted and asked to carry out the work. The committee said, ‘We think our crane is about 25 years old. It needs some cyclic maintenance done on it. While you are here, could you inspect it? Could you do it?’.

The crane service operator said he did not have the expertise to do that work and would bring in someone who had the qualifications. As I understand it, a person arrived with the Ballarat company to carry out the

inspection and said to the Lorne Foreshore Committee, ‘The crane looks like it is operating okay. However, to carry out a full inspection I would need to strip it down’. This matter was relayed to the Department of Sustainability and Environment. Lo and behold, the direction came back, ‘Shut the crane down.’! This was without any form of consultation with the fishermen at Lorne and while one of the fisherman had all his gear sitting out at sea!

Subsequently, with mortgages, other payments to meet and with a whole host of other commitments, the fishermen are now sitting back at Lorne waiting for something to happen with the crane. I understand that after that particular inspection took place the Lorne Foreshore Committee in consultation with the Department of Environment and Sustainability obtained a second opinion on the condition of the crane and somewhere along the line someone has arrived at the conclusion that the crane needs \$100 000 spent on it, even though it has not been stripped down as was a requirement of a full inspection to take place.

What we have in this situation is a scenario of men sitting at home with families to look after and with commitments in front of them who cannot work, and sitting on the pier a crane that does not have a ticket on it from Worksafe or anyone saying that there is anything wrong with it. Quite simply, these people cannot go about their work and their gear is sitting out in the sea off the Lorne pier.

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

General practitioners: bulk-billing

Mr SEITZ (Keilor) — I raise a matter for the Minister for Health and the action I ask is for her to take it up with her counterpart in the federal Parliament.

I am concerned about doctors who are stopping to bulk-bill, particularly in my region in the electorate of Keilor and surrounding districts. From 2000 to 2002 there was an 8.2 per cent drop in general practitioners bulk-billing, which means that the gap fees people have to pay are getting bigger and bigger. I ask the minister to take this up with the federal health minister because it is an important issue — —

Mrs Shardey — On a point of order, Deputy Speaker, I am loath to interrupt a person when they are speaking on the adjournment, but the issues being raised by the member are not the responsibility of the state government administration. Bulk-billing as it affects the community in relation to general

practitioners is a federal issue and the federal government sets a policy in this area. I suggest the member rephrase his contribution this evening to make it more applicable to the state government's responsibility.

An honourable member interjected.

The DEPUTY SPEAKER — Order! I have heard enough. I do not uphold the point of order. The member is clearly seeking the state Minister for Health to take action in contacting the federal minister.

Mr SEITZ — Thank you, Deputy Speaker. I raise the issue because it is for the state Minister for Health to take it up with her counterpart in the federal Parliament.

Referring to the western suburbs, the western Melbourne division of general practice chairman and Deer Park doctor, Dr Peter Rankin, said the decline was a concern for Brimbank, which had many low-income families. He is quoted in an article as follows:

Two years ago this area had a bulk-billing rate of 98 per cent ...

We've gone from a situation where everybody bulk-bills to one where nobody does.

Bulk-billing is an important concern in working-class areas. The lack of bulk-billing makes it very difficult for people who do not meet the stringent tests by Centrelink for health care cards. Many people come to my electorate office — even with bulk-billing — just to be able to find the money to pay for the prescriptions, the subsidy for which has also been cut back by the federal government. Bulk-billing is crucially important to the wellbeing of the residents of my electorate in Keilor, and I ask the state Minister for Health to bring this up before the federal Minister for Health to look at the situation and improve it for the needs of the people of my electorate.

Melbourne Steam Traction Engine Club

Mr WELLS (Scoresby) — I would like to raise a matter of concern with the Minister for Environment and ask him to take immediate action regarding a recent problem the Melbourne Steam Traction Engine Club is having. The club is based on land owned by Parks Victoria in the electorate of Scoresby on Ferntree Gully Road.

I have been fortunate enough to visit the annual rally exhibition the club has on or about the long weekend in March every year. It is a terrific function. It has about 1000 people coming from across the state to see the

displays of old steam tractors, trucks, pumps, woodcutters and other sorts of gadgets. It is quite a fascinating day. It is an important part of history for the state, and the members of the club are a very dedicated, hardworking bunch of volunteers. They are ably led by Mrs Jo Lloyd, and she is very committed to ensuring that this outstanding club continues to grow. But the club has problems.

The first problem is that that club members have been badly let down by the Bracks government in terms of assisting them in regard to public liability, but that is not the issue I want addressed tonight. The issue I would like the Minister for Environment to address is the lease. The club had a lease signed with Parks Victoria for 20 years. The problem is that it is going to expire in three and a half year's time, which means there is a certain amount of uncertainty for this club. It cannot plan for the future, it cannot invest in the land, it cannot build more sheds, it cannot build capital upgrades. So the club is in a bit of a dilemma. What does it do about spending money when it is unsure of the lease?

I call on the minister to extend the Melbourne Steam Traction Engine Club's lease for another 20, 50 or 99 years — whichever it fits into. I wrote to Parks Victoria on 18 March last year, when the club's lease had four and a half years to run. Parks Victoria wrote back to say it was then not in a position to extend the lease, but it was happy to enter into discussions with the club regarding its plans for enlargement or capital improvement.

That is the very point of the adjournment debate item I have raised tonight. There is no point discussing further capital works or enlarging the existing site if the club does not have a secure lease agreement over the next 20 years. I ask the minister to intervene in this very important issue. I gave the paperwork to his staff this afternoon. I hope this can be resolved in a very quick fashion to ensure that the lease is extended.

Camp Pell: commemorative plaque

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Premier. I ask the Premier to have a plaque struck to acknowledge the last remaining remnants of Camp Pell and that such a plaque be unveiled at an appropriate time, perhaps during Anzac Day or Armistice Day services.

Recently I was provided with a little bit of the history of Camp Pell by Mr Ted Richards of the Pascoe Vale Returned and Services League. The Pascoe Vale RSL

provides a very vibrant 'choir practice', one might say, on a Friday evening at the — —

The DEPUTY SPEAKER — Order! There is far too much audible conversation in the chamber. I ask honourable members to take their conversations outside.

Ms CAMPBELL — Our local RSL is really a hub of activity for those who have served, particularly in the Second World War.

Mr Richards and the Pascoe Vale veterans office looks after many of these senior citizens. I have also made my own inquiries in relation to Camp Pell from a group of esteemed local returned senior ex-servicemen, including Murray Gavin, Athol Attwater, Harry Atkinson, Peter Plumridge, Bill Mutton, Gordon Perlstein and Frank Cox, to name a few. They have informed me that what little history we know of Camp Pell is that it was the site in Victoria from which practically every Victorian soldier was discharged from after World War II, and almost without exception every one of our constituents who served in World War II would have had some contact with Camp Pell. They could have been stationed overseas or interstate, but apparently they were largely and almost exclusively discharged from Camp Pell.

Apparently Camp Pell was also used to house some of the married couples when there was a chronic shortage of housing post-World War II. Around Pascoe Vale, Glenroy and Broadmeadows, as the new land was subdivided and settled it was for many of the newly married couples their second home, their first being the Nissen huts around Camp Pell.

I suggest that if some interest were shown by a tertiary institution the Premier through his offices could sponsor a PhD student to write the history of Camp Pell so that those who were discharged post-World War II would have a little memento, and a plaque could be struck for Brens Parade, Parkville.

Cohuna: railway land

Mr MAUGHAN (Rodney) — I wish to raise a matter for the Minister for Transport concerning disused railway land at Cohuna. The railway line from Elmore to Cohuna has not operated for well over 25 years. The track and the ballast have been removed, and most of the land the track went through is leased to farmers — and the track certainly is not being used.

An honourable member interjected.

Mr MAUGHAN — We do not want the train back. It will never come back again; there is no doubt about that. There is very little land at Cohuna available for residential development, and this is limiting the expansion of the town. There is some serviced land that is in a prime position for residential development and could accommodate some 50 or 60 blocks. There are 10 or a dozen of those blocks that are actually serviced, with a sealed road, kerbs and channels, power and reticulated water. This is former railways land that is now owned and operated by Victrack.

I raised this matter in the adjournment debate on 29 May last year on behalf of a local builder by the name of Owen McLoughlan, the Cohuna Progress Association and the Shire of Gannawarra. I did not immediately get a response to that, but shortly afterwards the Cohuna Progress Association did get one from the minister when he was in Shepparton on 18 June. It is rather strange, because I received a letter from the minister essentially saying that Victrack would look into it and there were reasons why the land could not be released.

After that meeting in Shepparton with the Cohuna Progress Association — that very night — the minister went on WIN television and announced, much to the great approval of the people of Cohuna and the surrounding areas, that the land would be released and negotiations with the Shire of Gannawarra would be entered into as a matter of urgency. That was reported in the *Farmers Weekly*, a Cohuna newspaper, on 26 June. It was also written up in the *Riverine Herald* on 19 June and was greeted with a great deal of approval. Nothing has happened since. There has been no contact with the Shire of Gannawarra, with the builder or with the Cohuna Progress Association.

I ask the minister to refer back to the public response he gave with a great deal of relish, and I think sincerity, some nine months ago and enter into negotiations with the Shire of Gannawarra and the builder, Owen McLoughlan, with a view to releasing this railway land so that this urgently needed residential development can take place in Cohuna.

Housing: neighbourhood renewal program

Mr STENSHOLT (Burwood) — I ask the Minister for Housing in the other place to take action to establish in the near future a neighbourhood renewal program in Ashburton, Ashwood and Chadstone that includes the suburbs traditionally called Alamein, Holmesglen and Jordanville. As an aside, I am pleased that the honourable member for Bentleigh is an old Jordy boy, and I understand my father worked for Vickers during

World War II in its factory at Holmesglen, which is now the TAFE.

The area I am talking about — Ashburton, Ashwood and Chadstone — is part of the forgotten areas in Boroondara and Monash. It is a traditional housing commission area with 12 per cent still remaining as public housing. Families there are twice as likely to be single-parent families, and less than 10 per cent of the public housing households have wages or self-employment as their major income sources. Twice as many households in this area are likely to be without cars than elsewhere in the municipality and up to four times the instance of child protection notifications occur in this area than elsewhere in the municipality.

Mr Walsh — Deputy Speaker, how many members do we need to have a quorum?

The DEPUTY SPEAKER — Order! Is the honourable member requesting a quorum?

Mr Walsh — I am requesting a quorum, because if we have made the effort to stay to help the government's legislative program, at least we could be given the courtesy of having a quorum present.

Quorum formed.

Mr STENSHOLT — As a candidate in 1999 I was determined to redress the balance in this area. I remember dragging the Premier and the media out to the worst place in the electorate, and we had a press conference outside the old flats in Victory Boulevard. That was a great omen! With the help of the community the old flats have now been pulled down and new senior citizen units are being built. We also ran a successful campaign for community health centres, and the Bracks Labor government has funded two of these, including the promise of dental chairs.

Will the minister continue to support the area, looking forward to building on the work of the community, including the current work on the community strengthening program and the establishment of a new community group, by establishing a neighbourhood renewal program?

The DEPUTY SPEAKER — Order! The honourable member's time has expired. There having been 10 matters raised in the adjournment debate, the time for raising matters has concluded.

Responses

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for

Macedon raised an issue relating to recognition of members of the emergency services who had such a big role to play in this summer's fire emergency.

Certainly the government has announced a variety of measures which involve a number of community celebrations around Victoria that are designed to recognise the work done not only by many of the career firefighters and people in other emergency services in both the response and recovery areas but also particularly by the volunteers in the Country Fire Authority and organisations like the State Emergency Services, who played a backup role, St John Ambulance and the Salvation Army.

The honourable member mentioned particularly members of the Macedon group of the CFA, who had a big role to play not only in the north-east but in their area this summer. One of the things that really made this summer stand out from similar summers in the past — and we have not had a more dangerous summer fire period since Ash Wednesday some 20 years ago — was the preparedness and the training of many of our emergency services. On this particular occasion, and the honourable member referred specifically to the Australia Day weekend, there were some 200 fire outbreaks across Victoria, which 20 years ago would have amounted to another Ash Wednesday, if not worse. On this occasion, despite the massive effort being put in in the north-east, we were able to suppress those fires very quickly and avert another Ash Wednesday.

On the Australia Day weekend in the Macedon area there were at least eight or nine outbreaks of fire on the one day. They were able to be suppressed very quickly. As I said, some 20 years ago they might not have been put out and might have resulted in some dire consequences for the local communities.

It is a great credit to the firefighters of the Country Fire Authority and the entire emergency services effort across Victoria. We need to recognise not only those people who fought in the north-east but also the people who stayed behind and protected their own communities, because the success story of this summer is not just about what those who fought the fires in Victoria's north-east did but also about the fires that did not get a chance to develop.

The firefighters in the honourable member for Macedon's area deserve great credit for the effort they put in. The whole of Victoria owes them and other firefighters across the state an enormous debt of gratitude. The member for Macedon is to be

commended for the endless support she has provided to the CFA and other emergency services in her electorate.

Ms PIKE (Minister for Health) — I thank the member for Keilor for raising with me the decline in bulk-billing in his community and its impact, particularly on vulnerable members of his community but also more broadly on the public health system here in Victoria. We have seen across Australia — and of course Victoria is no exception — a decline in the number of doctors who are participating in the bulk-billing system. This means, of course, that vulnerable and low-income people who used to go to doctors for free medical services now do not have that opportunity.

The direct impact on the state health system is that many of these people are now attending the emergency departments of our public hospital system. We have seen an 8 per cent increase in presentations to emergency departments across our public health system. Many of these are directly attributed to the decline in the availability of bulk-billing services.

Many public hospitals are now in the position of analysing the presentations to the emergency departments, and it is the category 4 and category 5 patients who are making up the greater numbers. They are the very clients who have the kinds of medical needs that would normally be dealt with by a medical practitioner in a clinic in their own community, but because of the decline in bulk-billing, particularly in after-hours and weekend services, we have this direct impact.

This really goes to the heart of the understandings we have in our country about the Medicare agreement, which has two very fundamental prongs to it — firstly, that people in the community will have access to a medical practitioner, and secondly, that people will have access to a public health service.

Because of the decline in the availability of bulk-billing and the inadequacy of the funding that is provided by the commonwealth government, both of these planks of the Medicare agreement are under serious threat. So we in Victoria are reliant on the principles of the Medicare agreement in our negotiations with the commonwealth for the latest Australian health care agreement, and as long as the federal government is eating away at the principles of Medicare, as long as the federal government is showing no determination to stick by what it has promised to the Australian community, which is of course that Medicare will be kept intact, we are in a very difficult position.

I certainly have a very profound understanding of the issues the member and his community are facing. These matters are absolutely germane to the negotiations for the Australian health care agreement, and I can assure the honourable member that as the Victorian health minister I will vigorously pursue these matters with the commonwealth health minister as we continue to negotiate the Australian health care agreement.

Mr PANDAZOPOULOS (Minister assisting the Premier on Multicultural Affairs) — I thank the honourable member for Narracan for his ongoing support for multicultural communities in his electorate and the Latrobe Valley. The member raised the significant issue of the need for interpreter services in health care areas for people who are not proficient in the English language. About 4 per cent of Victoria's population — about 200 000 Victorians — either do not speak English at all or do not speak it well. That has dramatic implications for people if they are in the health care system, particularly if they are reporting for very serious health issues that may affect their lives.

We know from research that those who do not speak and understand English well in medical treatment are more likely to be readmitted into the hospital system for not following through rehabilitation plans, and there are certainly human rights issues about not knowing what treatment will be undertaken with them.

This government has committed an extra \$2 million over four years in improving interpreting services across the government sector. The health sector is a key area of responsibility not only in relation to the supply of interpreters and improvement in their numbers, particularly for new and emerging languages, but also in relation to something that has been identified in many parts of regional Victoria: interpreting services are being funded but are underutilised, either because the local communities and individuals are not aware of the availability of interpreters or because, importantly, staff at hospitals are not aware of how to use interpreters to improve the quality of service provision and the value of informing their clients of this already funded service.

What we want to do is see a better utilisation of the services and taxpayers dollars that are already provided to make interpreter services available to people, because there is a whole lot of unmet demand with people needing interpreters, but the service is not being offered, so it is not being used. That is certainly the case for a number of people in the Latrobe Valley.

I thank the honourable member very much for having raised these issues with me in the past. I know there is a

very diverse population in the Latrobe Valley — large Italian communities, Dutch communities, German communities and many others. I have met the Greek community over there. But this applies to many parts of Victoria. I am pleased to inform the honourable member that, as an initial boost to improve training for staff and the level of interpreting services made available in hospitals, the government has provided funding of \$200 000 across the state, including support to the Latrobe Regional Hospital.

I am also pleased to inform the house and the honourable member for Swan Hill that the Robinvale District Health Service also received — —

An honourable member interjected.

Mr PANDAZOPOULOS — Not in your electorate — well, whoever it is. Who is it?

An honourable member interjected.

Mr PANDAZOPOULOS — Mildura — obviously, it is a very multicultural part of the state. Anyway, Robinvale is also a — —

An Honourable Member — Used to be!

Mr PANDAZOPOULOS — There you go; I have not caught up with the latest boundaries. But certainly Robinvale is also receiving financial support.

I hope I am right on this one, but for the member for Rodney — I hope Kyabram is still there in his electorate — the Kyabram and district is also receiving financial support. The Wangaratta District Base Hospital, the Kilmore and District Hospital and a number of hospitals also in Melbourne — Peninsula Health, the Royal Victorian Eye and Ear Hospital, Western Health, Northern Health and Eastern Health — are all sharing — —

An honourable member interjected.

Mr PANDAZOPOULOS — It is \$200 000. A lot of hospitals are getting \$20 000. The sum of \$20 000 has been made available for the Latrobe Regional Hospital to train staff and the community about accessing services. I think it is a good and practical initiative, and I thank the member for Narracan for his keen interest in and support for communities in his electorate. I am very pleased to make this announcement on behalf of the government.

I am also very pleased to respond on behalf of other ministers. The member for Caulfield raised a matter for the Minister for Transport about the Glen Eira

University of the Third Age. I certainly remember discussions in a community cabinet in the City of Glen Eira with U3A and the member for Bentleigh supporting U3A. Certainly the Community Support Fund is considering that application and we very much appreciate the great work of the Glen Eira U3A. I will pass on the comments of the member for Caulfield to the Minister for Transport.

The member for Swan Hill raised a matter for the Minister for Environment in relation to Lake Boga. I can appreciate that Lake Boga is a very important tourism asset for that part of Victoria, having visited there with the member when he was a candidate and seeing the Catalina project, which is a wonderful tourism asset for the local area. I will pass that on to the minister.

The member for Polwarth raised a matter for the Minister for Environment about the crane on the Lorne pier. I thank him very much for raising the issue. I have seen it on many occasions on visits to Lorne when I have sat at that wonderful seafood restaurant near the crane. I will pass on the appropriate comments to the minister.

The member for Scoresby also raised a matter for the Minister for Environment about the great work the Melbourne Steam Traction Engine Club is performing and a leasing problem it has with Crown land. I will pass on those comments to the minister.

The member for Pascoe Vale raised a matter for the Premier — a wonderful idea about a plaque being struck to recognise the historic Camp Pell site. It is most important that we do not lose our heritage, and I will pass on those comments to the Premier.

The member for Rodney raised a matter for the Minister for Transport concerning disused railway land at Cohuna. I thank him for his interest in that, and I will pass that on to the minister.

The member for Burwood raised a matter for the Minister for Housing concerning a neighbourhood renewal program for various public housing estates in his electorate. I know the neighbourhood renewal program has been of great benefit to many communities in public housing upgrades, and I know of the member's very keen interest in public housing estates. I will pass those comments on to the minister.

Motion agreed to.

House adjourned 10.53 p.m.