

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

27 February 2003

(extract from Book 1)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

Lady SOUTHEY, AM

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Thursday, 27 February 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.34 a.m. and read the prayer.

PETITIONS

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

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 to 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 — that is, 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 ROBINSON (Mitcham) (10 signatures)

Sorrento: settlement site

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

The humble petition of the Friends of the Collins Settlement Sorrento Inc and/or the undersigned citizens of the state of Victoria sheweth:

- (i) that the cultural importance of the 1803–04 settlement site as being a place frequented by the Boon wurrung balluk people for thousands of years before the arrival of Europeans;
- (ii) that in 1803 the first European settlement in Victoria was established at Sullivan Bay under David Collins;
- (iii) that the present-day city of Hobart was established by people who moved from Sullivan Bay to Van Diemen's Land in 1804;
- (iv) that the Sullivan Bay settlement resulted in some of the earliest recorded contacts between the Europeans and the Boon wurrung people;
- (v) that erosion has made the site's display centre unsafe and removal of the building is recommended as an urgent action by Parks Victoria.

Your petitioners therefore pray that the Victorian government appreciates the cultural, historical and educational importance of this by exploring ways in which a replacement centre can be created.

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

By Mr DIXON (Nepean) (463 signatures)

Sorrento: settlement site

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

The humble petition of the Friends of the Collins Settlement Sorrento Inc and/or the undersigned citizens of the state of Victoria sheweth a replacement building is urgently needed at the Collins first settlement site near Sorrento as a visitor and display centre. This significant site has cultural, historical and educational importance that needs to be preserved for the bicentennial celebrations and future generations.

Your petitioners therefore pray that the Victorian government will provide a replacement building facility to be operative for the bicentenary in October 2003.

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

By Mr DIXON (Nepean) (314 signatures)

Laid on table.

PAPERS

Laid on table by Clerk:

Audit Act 1994 — Auditor General — Report on Public Sector Agencies — Results of special reviews and 30 June 2002 financial statement audits — Ordered to be printed

Footy Consortium Pty Ltd — Report for the year 2001–02

Health Services Act 1988 — Report of the Community Visitors for the year 2001–02 — Ordered to be printed

Parliamentary Contributory Superannuation Fund — Report of the year 2001–2002

Phillip Island Nature Park Board of Management — Report for the year 2001–02 (two papers)

Tattersall's — Financial Statements for the year 2001–02

Water Act 1989 — Barwon River Catchment Water Supply Protection Area Declaration Order 2003.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 26 February 2003:

Road Safety (Responsible Driving) Act 2002 — Remaining provisions (except sections 3, 4, 5 and 6 and paragraphs (b), (c), (d), (e) and (f) of section 10) on 15 December 2002 (*Gazette G44, 31 October 2002*)

Sentencing (Amendment) Act 2002 — Section 11 on 17 February 2003 (*Gazette G6, 6 February 2003*)

Victorian Institute of Teaching Act 2001 — Remaining provisions on 31 December 2002 (*Gazette G51, 19 December 2002*)

Wildlife (Amendment) Act 2002 — Whole Act on 1 November 2002 (*Gazette G44, 31 October 2002*)

Wrongs and Other Acts (Public Liability Insurance Reform) Act 2002 — Section 8 on 14 February 2003 (*Gazette G7, 13 February 2003*).

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

That the house, at its rising, adjourn until Tuesday, 18 March.

Motion agreed to.

MEMBERS STATEMENTS

Bushfires: region 14

Ms BEATTIE (Yuroke) — I wish to pay tribute to all those involved in the huge effort to hold back the

bushfires as they ravaged through Victoria. I especially salute those from Country Fire Authority region 14 who left home and family for days on end to fight this monster. That there was no loss of life until this morning's tragic events is indeed a tribute to their heroism, coupled with enormous support from other agencies that stood shoulder to shoulder minimising loss of property and stock.

Accolades also go to the Metropolitan Fire Brigade, the State Emergency Service, the Department of Sustainability and Environment, the St John Ambulance, the Red Cross and our beloved Sallies, always on hand with a cuppa, a strong shoulder and a kind word. This was and still is a mighty community benefit. Local church groups, service clubs, scouts and guides formed a special bond with the emergency groups. Well done all, especially those from region 14, my region. I salute them and I thank them.

Brauerander Park, Warrnambool: funding

Dr NAPHTHINE (South-West Coast) — Last Friday federal Treasurer Peter Costello visited the site of the proposed Brauerander Park sports development in Warrnambool. Mr Costello on that visit reaffirmed the commitment of the federal government to provide \$1 million for this important development for south-western Victoria.

I remind the house that in late 2001 Premier Bracks said, 'We are happy to contribute to a three-way partnership between state, local and federal governments, and I think we are well on the way to achieving that'. That is what he said in late 2001; and here we are at the start of 2003 and the federal government has committed \$1 million to the project, the community has committed well over \$2 million, including a very generous donation of \$1.65 million worth of land for the development of that sports facility, and the local government is supportive of this sports facility. The only one missing from this tripartite approach is the state government.

I urge the state government to get on board and provide \$1 million for the development of the Brauerander Park sports facility. This will provide a regional athletics facility, hockey facilities, soccer facilities and other important sporting facilities for the south-west. Without that facility our athletes are running in Blundstones compared to people who have sprint shoes to run in.

I call on the Treasurer when he is in Warrnambool this weekend to meet with the proponents and commit this government to \$1 million for this development.

Barry Aitken

Mr LANGDON (Ivanhoe) — I wish to advise the house of the passing of Barry Aitken. Many people in this house may have known of Barry; he was a longstanding officer of our parliamentary committees. Barry was born on 15 June 1956, and after a very long illness he passed away on Sunday, 29 December 2002.

He started his career with this Parliament in March 1992, first as executive officer to the Public Bodies Review Committee and then as executive officer to the Road Safety Committee, which he served for many years.

Two years ago a tumour he had had began to cause more problems, and a period of chemotherapy ensued. He went on extended sick leave after a stint in hospital in March 2001 and managed to return to work on a part-time basis in October of that year. Sadly, his return to work lasted only a few months before his condition deteriorated. On 18 February 2002 he was forced to resign.

Barry was a longstanding and very effective officer of this Parliament, and he will be sadly missed by all of us. He worked on reviews involving organisations like the Metropolitan Fire Brigades Board, the Liquor Licensing Commission and the State Electricity Commission and investigations into matters such as the effects of drugs other than alcohol on road safety, motorcycle safety in Victoria and the incidence and prevention of pedestrian accidents.

Barry is survived by his wife, Jacqueline, and their two children, Sarah, 19, and Dean, 18. My condolences to them. He will be sadly missed by all.

Police: Kyabram

Mr MAUGHAN (Rodney) — Increased police resources are needed in the Kyabram cluster, which covers the towns of Tongala, Girgarre, Stanhope and Rushworth as well as Kyabram. All of these towns are currently understaffed, and residents have expressed their grave concerns about the increase in vandalism and behavioural offences. Residents, particularly the older residents, are fearful and insecure because of the obvious lack of police coverage in the area.

These concerns were expressed in a petition organised by the Kyabram Chamber of Commerce, which in a very short period of time secured 951 signatures on a petition which was presented to this house yesterday. I therefore call on the government to ensure that there are sufficient police resources available to adequately cover

the towns of Kyabram, Tongala, Girgarre, Stanhope and Rushworth and their surrounding areas.

Ashburton Festival

Mr STENSHOLT (Burwood) — Last Sunday Ashburton held another of its very popular and successful festivals. There was fun, food, entertainment and information all along High Street and local side streets.

There were three stages with top attractions including Denise Drysdale and local talent such as the Gulasekharams, youth bands with Freeza support, multicultural belly dancers, Moroccan drummers and Afghan dancers of hope.

I commend the Ashburton Traders, led by coordinator Liz Webb and president Mark Phillips, for organising such a great festival. Our thanks to Boroondara council and local councillor Keith Walter as well as the Victorian Multicultural Commission, Camcare and Gamblers Anonymous for their sponsorship and support.

Thousands of locals, families and visitors attended the festival and enjoyed the many acts or went on the carnival rides, visited the animal farm behind the Estrella preschool stall or climbed the rock wall of the Hartwell, South Camberwell and Ashburton scouts.

The whole community pitched in with stalls from local schools, such as St Michael's, Solway, Glen Iris and Ashwood College, and groups such as CRACAS — the Concerned Residents of Ashburton, Ashwood, Chadstone and Surrounding Areas — and the nursing mothers, as well as neighbourhood and other centres such as the Craig, Rowen Street and Ashburn Grove groups, Ashburton community centre, the Boroondara community health centre and the Highgate Grove childcare centre.

It was a great event, and I was delighted to support it and be part of it once again.

Intellectual Property Research Institute of Australia

Mr KOTSIRAS (Bulleen) — Once again the spin of the Bracks government has been exposed. Once again this government has been caught jumping onto the back of a success story and claiming it to be their own. The Minister for Innovation has used smoke and mirrors to give the impression that his government was responsible for securing federal government funding to base the Intellectual Property Research Institute of Australia (IPRIA) in Melbourne.

In a media release dated 9 October 2002 the minister said:

The decision to base IPRIA in Victoria is further evidence of our leadership and strength in innovation ...

The media release also attributed words to the director claiming that:

... the Victorian government's support of the Melbourne University bid ... was essential in clinching commonwealth funding.

Melbourne University was able to leverage the state government's funding commitment to secure federal government funding ...

Someone forgot to tell the federal government, because the federal Minister for Industry, Tourism and Resources in a letter to me dated 22 January 2003 advised that:

... the Victorian government announced its funding support for IPRIA ... some months after the commencement of the centre ... and almost a year after the announcement ... that the University of Melbourne was the successful bidder.

This government jumped on the success story after the event, after the federal government had chosen Victoria as the preferred state.

Victorians cannot trust this hypocritical and self-serving Labor government, which is more interested in creating spin than in creating opportunities.

Carrum: walking school bus

Ms LINDELL (Carrum) — Speaker, yesterday in the City of Kingston the Walking School Bus program was launched. I want to take this opportunity to congratulate the Patterson Lakes Primary School, Carrum Primary School, Chelsea Primary School and Bonbeach Primary School communities for taking up this partnership with Vichealth and the City of Kingston to promote active lifestyles for their primary school age students.

We all know that children who are active as young children are much more prone to be active for their entire lives. The program builds on the aspect of community participation in taking control of our own environments and lifestyles. The increased traffic on roads, especially at school time, puts more children into cars, which puts more traffic on the road, and so the cycle goes on.

Parents engaged as volunteers to act as drivers and conductors of the Walking School Bus have taken the opportunity to put their kids on the street, thus making it safer by removing cars from the roads and

encouraging more children to walk. I commend their voluntary activities and wish the program well.

Arthurs Seat chairlift: government assistance

Mr DIXON (Nepean) — Speaker, you would be aware of the collapse of the Arthurs Seat chairlift early in January this year. The Acting Premier at the time, who is now the Deputy Premier, came down in a blaze of publicity and quickly promised \$100 000 to promote the local tourism industry.

We have an important part of our tourism season coming up with the March long weekend, the school holidays and the Easter holidays — in fact most weekends over the next couple of months. I have spoken to a number of local tourism operators and the tourism association in the Arthurs Seat area and everyone has said that not one cent of the \$100 000 has been seen. There has been no correspondence from the government, and they are wondering where that \$100 000 is and what it will be spent on.

Some businesses in the area rely heavily on the Arthurs Seat chairlift, including Seawinds gardens, the Manna Gum craft centre, the Arthurs Seat Maze and Arthurs Restaurant. Those businesses rely so much on the people the chairlift brings to that immediate area. Advertising is needed through Tourism Victoria and its various networks and in the Melbourne and national media. I ask the Deputy Premier to realise that media opportunities and spin are not needed. What is needed is the \$100 000 that was promised.

Lara Secondary College: opening

Mr LONEY (Lara) — On the first day of school this year I was privileged to be at Lara to see 105 students take up their places in the new Lara Secondary College. This is a great day for the Lara community after 20 years of working towards achieving their own secondary school in their community. Huge numbers of locals turned out to see those 105 students take their places.

I congratulate the principal of the school, Greg Stirling, and his staff on having programs ready for that first day and having everything in place for the 105 students who came in. I also congratulate the builders, Devco, and the workers who built that facility and who have done a magnificent job on what is an innovative building that will serve the community very well into the future. The principal, the staff and Devco thoroughly deserve the congratulations they have received on the preparation of the building and ensuring students would have no

disruption on the first day, because it was carried out tremendously well.

I would also like to congratulate the Bracks government and both the present and previous ministers for education on their commitment to the opening of this facility, providing the funding necessary and ensuring that Lara Secondary School — —

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

Police: annual report

Mr WELLS (Scoresby) — This members statement condemns the Bracks Labor government and the Minister for Police and Emergency Services for not honouring their promise to be open and accountable by failing to table the Victoria Police 2001–02 annual report prior to last year's state election. This follows an assurance provided to my office by the Victoria Police chief commissioner's office that the annual report would be tabled on Thursday, 31 October 2002. This meant the Victorian community went to an election without knowledge of the true operational status of the Victoria Police and the resources available to it.

The report shows that the Bracks government has turned our police force into a pack of revenue raisers. How do we know this? The time spent on investigations into crimes against the person were 500 000 police hours less than its own target, and investigations into illegal drug activity should have reached 600 000 hours yet only reached 326 000 hours; but road traffic law enforcement, which had a target of 850 000 hours, actually had 1.1 million hours applied to it, proof that police have been removed from crime fighting areas into revenue raising.

The Bracks Labor government has been caught out placing revenue raising ahead of community safety and crime fighting.

Brimbank: media relations

Mr SEITZ (Keilor) — I wish to place on public record my concern and that of the people of Brimbank at the inappropriate relationship between the media and the City of Brimbank that allows some councillors to produce documents and items that are then printed in the newspapers as true when they are absolutely false. I am led to believe this now extends to the ABC. It is of great concern to me and the residents of the municipality that this inappropriate relationship is taking place in the City of Brimbank at this time.

The fact is that some councillors have stated untruths about my past history, in particular my involvement with the former City of Keilor and other activities in municipalities where I actively supported getting funding and other support from the state government for the people of my electorate and those from adjoining electorates. I will continue to carry out my duties to make sure the City of Brimbank and the residents in the Keilor electorate get the maximum benefit from the Bracks government in the future, as they have in the past.

School buses: River Heights Estate

Mr DELAHUNTY (Lowan) — The safety of the travelling public is of paramount importance, particularly with the deaths on western Victorian highways in the last two days. Today I want to focus on the safety of our most precious resource, our children, especially those who are catching school buses on the Henty Highway at Dooen near Horsham.

The Henty Highway is a state-funded road, with responsibility for all issues, including school bus stops, resting with the state government. I have been contacted by parents of the River Heights Estate who are extremely concerned about the safety of approximately 20 children using school buses morning and afternoon. The Henty Highway carries a diverse range of traffic, including large B-doubles, grain trucks, V/Line buses and cars travelling at speeds of 100 kilometres an hour and sometimes more. This highway can be extremely busy during the Wimmera machinery field days, which are on next week — honourable members should be there — and at harvest time, when a constant stream of traffic makes crossing this highway very difficult.

I know meetings have been held with parents, the Wimmera road safety committee, schools, councils and government departments, who all agree that there are safety issue concerns. With more families moving into this area there is a need for a long-term, efficient and effective bus stop for our children now and into the future. Presently there is buck-passing between the Department of Infrastructure and Vicroads, who are trying to toss this to local government. I call on the government to accept its responsibility and fund a school safe bus stop at the River Heights Estate at Horsham.

Cr Ann Cox

Ms CAMPBELL (Pascoe Vale) — In March 2002 Cr Ann Cox, mayor of Mildura Rural City Council, addressed this house at the national population summit,

giving what I thought was an absolutely outstanding speech, after which I congratulated her. Her speech was filled with depth, good humour, practical solutions and a great deal of community input.

Sadly Ann passed away on Christmas Day. In that speech she painted a picture of the postwar population message 'populate or perish', postwar migration, the ethic of hard work, friendship, freedom and thriving rural Victoria. In the intervening decade she told us there was a rural decline that was hastened by the withdrawal of services and population infrastructure decline.

Not one merely to challenge governments, she focused on solutions. She had been active in a regional cities planning day and offered those solutions to this house. She said in that speech:

... rural and regional centres have positives.

And she really enticed us to come to Mildura. She mentioned the affordability of land, the lower cost of living, and she talked about when we went to Mildura we could see the stars and beautiful skies. With 7 children and 19 grandchildren, she felt eminently qualified to speak on the topic of population. I pass on my condolences to her devoted husband of 45 years, Brian, and her children and grandchildren.

Housing: waiting lists

Mrs SHARDEY (Caulfield) — Surprise, surprise! The election is over so public housing waiting lists are on the rise again. Public housing waiting lists in country Victoria rose by some 9 per cent during the December quarter alone, while the overall list rose for the first time in six months.

These new figures clearly show the Bracks government is concentrating its housing resources in city areas while country families have been surely left out in the cold. The worst increases were in the Gippsland region, with an increase of 22 per cent; the Hume region, up by 9.5 per cent; and the Grampians, up by over 5 per cent. For individual towns the worst increases were in Morwell, with an increase of a whopping 28 per cent; Bairnsdale, up by 17 per cent; and Wangaratta, Shepparton and Benalla.

The early or priority housing segments of the list have continued to rise at a phenomenal rate during the last three years, with a statewide increase of over 220 per cent, while individual towns such as Benalla are up by 2200 per cent since June 2000; Horsham, 1600 per cent; and Swan Hill, 1200 per cent, which shows the government is clearly failing to meet demand.

Following her predecessor's lead, the current housing minister has tried to hide the problem using dodgy figures which ignore transfer applications for people who genuinely need to move.

Brunswick Music Festival

Mr CARLI (Brunswick) — First of all, congratulations, Speaker, on your appointment to this important position.

I wish to remind honourable members that this Sunday is the beginning of the Brunswick Music Festival. The first event is the Sydney Road street party, which is a day where we celebrate our diversity in Brunswick. We close Sydney Road to all traffic and close down the trams and basically party and have music from all the countries that represent the community.

An honourable member interjected.

Mr CARLI — The honourable member suggests belly dancing. One of the things that is very strong in terms of the street party and the music festival is that it is a celebration of our diversity and solidarity with the people of Brunswick and Moreland. We have to remember that it has the largest number of people from the Middle East in Victoria.

One of the things we do in this celebration is build a solidarity in a community that feels very, very pressured at the moment given world events, and certainly for the Lebanese, Syrian and Iraqi communities we do our utmost to ensure that they are involved and we all build that sense of solidarity.

I particularly want to congratulate John McAuslan, the current director of the Brunswick Music Festival, and Peter Leman, the founder and previous director who also is assisting John in organising the street party.

I also want to acknowledge the Moreland City Council, which for over a decade has contributed to this music festival — a festival which celebrates music from all over the world, beginning with Australia and including Celtic music, particularly Irish and Scottish music, and European, Middle Eastern, African and Asian music. It is a terrific festival.

Jack Depler

Mr TREZISE (Geelong) — I take this brief opportunity this morning to recognise the life of a true stalwart and leader within the Geelong community, Mr Jack Depler, who sadly passed away after a long battle with cancer at the age of 76 on Monday, 24 February.

Jack Deppler, over many decades, fought for what he believed in and for what he believed was right, especially in seeking the best for people living in the Corio and North Shore area of Geelong. In tirelessly serving the northern suburbs of Geelong, Jack Deppler was involved in many organisations. He served as president of the Corio shire, he was president of the Geelong Trades Hall Council, and he devoted much time and effort into community organisations such as the Corio Little Athletics, Norlane High School, Norlane RSL, North Shore kindergarten, Red Cross — and the list goes on.

Jack also served Australia as a soldier in New Britain during World War II. But perhaps Jack's greatest love, outside his family of course, was the North Shore Football Club. On any given Saturday in winter he could be seen down on the boundary fence supporting the Shories in his own enthusiastic way.

Jack Deppler was devoted to making his community a better place and working to ensure that those in most need were provided for. He was justly rewarded for his work with an Order of Australia Medal, a reward he accepted with great pride. I pass on my condolences to Jack's wife, Lois, and his family. Vale Jack Deppler, OAM.

Frankston: Sunday market

Mr HARKNESS (Frankston) — I wish to inform the house of a much-loved and valued institution in Frankston, the Sunday market. Held every Sunday for the past 27 years, the market is a magnificent addition to the social and economic fabric of Frankston. With proceeds going to the Frankston Dolphins Football Club, it is also a terrific fundraising mechanism for the best team in the Victorian Football Association! I have been attending the market since I was a child, and while campaigning throughout 2002 I had a stall there almost every Sunday. I will be there fortnightly throughout 2003 and beyond.

However, the market needs assistance now, as its current home on the north of the Beach Street car park is destined to become a shopping centre. I am working actively with market management to enable the market to stay in the heart of Frankston or to find it a new home in the municipality.

Rain, hail or shine, people travel far and wide to attend the Frankston market, with its wide variety of stalls selling everything from trash and treasure to plants, fruit, vegetables and fine woodwork. Of course the hot jam doughnuts are not to be missed either! Notably the market is attended by many people from

non-English-speaking backgrounds, providing them with an opportunity to shop and socialise in a very friendly setting. I will continue my dialogue with the council, developers and government institutions over the weeks ahead to ensure that the market remains an institution in Frankston for at least another 27 years.

Barry Bushby

Mr ROBINSON (Mitcham) — This morning I record my congratulations to Mr Barry Bushby, who heads the patient advisory service in the Department of Health and who for many years has provided outstanding service to thousands of Victorians experiencing ill health. Over many years he has assisted those Victorians who have struggled to have hospital authorities deal with their case management adequately. He has been a terrific troubleshooter for patients. He has held hospital authorities, surgeons and registrars accountable for the way they deal with patients lined up for operations. On the number of occasions that I have dealt with Mr Bushby there have been some wonderful outcomes. Interestingly, I have never met Barry Bushby. To me he is an invaluable voice at the end of a telephone.

Most recently I dealt with him in a case involving a middle-aged woman from the outer eastern suburbs who had a very serious medical condition. Her language skills meant she was less proficient in English than many others, and this appeared to be part of the problem; the hospital authorities did not understand the gravity of her condition. But thanks to the intervention of Barry Bushby, she was able to receive her operation, and it has made an enormous difference to her life.

Northern region disability network

Mr LANGUILLER (Derrimut) — I recently represented the government and the Minister for Community Services at the opening of the northern region disability network state disability plan 2002–12. I place on record my admiration for and congratulations on the tremendous work of the network. I especially wish to acknowledge Jess Evans from Princess Hill Secondary College, who is an outstanding young Victorian whom I admire.

The Victorian state disability plan sets new and important directions for disability support in Victoria. It is a vision not just about disability services but about an entire community here in Victoria that is more inclusive of everyone, a place where diversity is embraced and celebrated and where everyone has the same opportunities to participate in the life of a community

and the same responsibilities towards society as all other citizens in Victoria.

They seem such simple words, but anyone who has been marginalised, be it by disability, class, cultural identity, gender or anything else, knows how aspirational these concepts really are. That is one reason why it is exciting to be part of a government that is committed to turning these aspirations into something real for all Victorians.

The state disability plan is a landmark initiative of the Bracks Labor government, especially the Minister for Health and the former Minister for Senior Victorians, given the way it has taken a whole-of-government, whole-of-community approach to understanding and responding to the rights and needs of people with a disability.

Bushfires: Seymour

Mr HARDMAN (Seymour) — Speaker, I congratulate you on your election to the role of Speaker. I know you will do well and be impartial. I also hope that honourable members opposite, who have expressed the hope that you would be impartial, will treat you with the respect that you have already earned and deserved as a member of this Parliament.

The Seymour electorate has so far been fortunate to have been missed by the major fires in the north-east and Gippsland. However, the many towns and communities that make up the Seymour electorate, as well as state government agencies, have had many of their people volunteering and going out to fight the fires. I would like to thank all these people who have made that sacrifice, seeking no recognition or reward. They just go there, do the job and blend back into the community, so that you would never know they had been there.

While the Seymour electorate has not been directly affected by the fires, communities such as Marysville are suffering a major downturn in visitor numbers. It is up to us to help promote these areas which are suffering as an indirect result of the fires, because of a perception out there in the community.

Coupled with the drought and its effects, I think our country communities are in for a very tough year. At this stage I condemn the federal government for running a scare campaign in the north-east, saying that the state government has withdrawn support for farmers in the drought. That is totally wrong and the federal government knows it, because we have outspent it 20 to 1 on drought relief. It should stop playing games and

get out there and support our communities and country electorates.

The SPEAKER — Order! The honourable member's time has expired. The honourable member for Ripon has 25 seconds.

Bushfires: Ripon

Mr HELPER (Ripon) — I would also like to congratulate you, Speaker, on your election to the high office that you hold.

I will use this opportunity to pass on my appreciation to the firefighters in my electorate, not only those who —

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

CONSTITUTION (PARLIAMENTARY REFORM) BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

One of the most important cornerstones of our way of life in Victoria is our system of parliamentary democracy. Since coming to office this government has taken many steps to make Victoria a leader in open and accountable government, giving Victorians greater confidence in their elected representatives. The Constitution (Parliamentary Reform) Bill 2003 is no different. The momentous initiatives in this bill will bring our Parliament into line with other states and ensure that Victoria has the strongest possible democratic safeguards.

The bill sets out the most comprehensive reform of Victoria's parliamentary system since it was established in 1856. It amends the Constitution Act 1975 and the Electoral Act 2002 to bring the Victorian constitution into line with the rest of Australia and give Victorian people a stronger, fairer system of democracy.

This bill meets the commitment of this government to create a modern parliamentary democracy by improving our constitution as recommended by the constitution commission. This means introducing new rules to make Parliament more accountable; transforming the Legislative Council into a more effective house of review and further improving transparency in government.

The constitution commission, comprising former Supreme Court judge, Professor George Hampel, and two former Liberal MPs, Ian Macphie and Alan Hunt, was established on 19 March 2001 and reported on 30 June 2002. The commission reported that there was a compelling case for reform of Victoria's Legislative Council. The government agrees with the commission that the time is right for change to Victoria's constitution to create a fairer and stronger system of parliamentary democracy. This bill is based upon the recommendations contained in the report of the constitution commission, *A House for Our Future*.

In reporting to the government, the commission found that Victorians believe that more frequent accountability of their upper house parliamentarians is important, as is the requirement that Parliament should reflect contemporary views in this increasingly changing society. The commission reported a strong trend in submissions and public feedback in favour of coinciding terms for both houses. Accordingly, the bill answers this need by providing for a fixed four-year term, in which both houses are elected simultaneously in a general election. The bill fixes the four-year term by requiring that an election be held every four years, on the last Saturday in November. Fixing the date of the election in this way means that the electoral process is strengthened through certainty. The Premier of the day will no longer be able to nominate the date of the election and any advantage to the government in choosing the timing of an election is diminished. Even if a dissolution was to occur outside the usual four-year cycle, members subsequently elected to the Parliament will not serve beyond a period of four years.

The commission stated in its report that those who attended the meetings and made submissions demanded maximum participation in the democratic process. The report described that country voters expressed the view that they would prefer to vote for a candidate who understands issues relevant to them. They would be more inclined to vote for a regional candidate residing in a regional area, so that rural issues were voiced in the Legislative Council.

The bill creates a system of proportional representation combined with multimember electorates for the upper house. This method ensures the highest level of regional participation, in a way that is consistent with the democratic principle of 'one vote, one value'. This new system will consist of eight regions, which return five members each. This means that the Legislative Council will now consist of 40 members, as opposed to the current 44 members.

In 2005 the Electoral Boundaries Commission is required to undertake the division of the new regions, in the usual manner under the Electoral Boundaries Commission Act 1982. The new regions will be contiguous with the Assembly districts and each region will comprise 11 districts. These new boundaries will become effective from the dissolution of this current Legislative Assembly.

As recommended by the constitution commission, the bill adopts the commonwealth Senate style of voting for the upper house, with the major reform of optional preferential voting below the line. This means that a voter may choose to vote above the line by marking a '1' in the box or below the line by numbering at least five candidates in their order of preference. Candidates will also be required to disclose on the ballot paper the suburb or locality of their enrolment.

The bill makes a number of other reforms to improve the efficacy of the Parliament and the way in which both houses relate to each other. These new measures start with inserting a new principle of respecting the government's mandate. The inclusion of this principle requires that the Legislative Council will exercise its powers in recognition of both the government's specific and general mandate. This provision is, however, a statement of principle only. It does not compel the Legislative Council to comply with the government mandate but simply asks that the Council undertake its reviewing role whilst respecting the mandate of the government to govern for the people.

At the moment, the Legislative Council can bring about the dissolution of the Legislative Assembly by rejecting supply bills. Earlier amendments to the constitution have made it virtually impossible to force an election by blocking supply during the first three years of the parliamentary term. The position in the fourth year is, however, unclear. As in New South Wales and the United Kingdom, the bill clarifies this position by removing the Legislative Council's ability to block supply. These reforms do not, however, mean that the upper house will be prevented from debating and considering the annual appropriation bills — just that if the Council does not pass a supply bill within one month, the bill must then be presented for royal assent. In this way, the Legislative Council cannot prevent a government from accessing the funds it needs to govern the state.

The bill also establishes a new dispute resolution mechanism that will provide both houses with greater opportunities to consider and debate a disputed bill. This system may involve the Premier of the day dissolving the Assembly and calling an election — or

holding the deadlocked bill over until the next Parliament, following the usual four-year election cycle. Again, if the deadlocked bill is re-presented and fails to pass the Council within two months, a joint sitting may be convened. If the deadlocked bill is passed by an absolute majority of members, it is taken to have been passed by both houses.

The constitution commission also recognised that closer party margins are an inevitable effect of the introduction of proportional representation. This means that where the government is required to provide the Legislative Council with the Presiding Officer, under current arrangements the government would be depriving itself of a substantive vote. This bill addresses this issue by adopting the practice of the Senate — the President will now have a deliberative and not a casting vote. This means that the constituents of the member who is the President will now be effectively represented in the upper house.

As further recommended by the constitution commission, the bill seeks to protect the democratic institutions and procedures that support our government by entrenching both existing and new provisions. These reforms require that bills containing entrenched provisions can only become an act of Parliament if passed by a majority of Victorian voters voting at a referendum; or passage by a special or absolute majority. These reforms mean that the Victorian people will, for the first time in our state's history, be given the opportunity to have a direct say about how their constitution is changed.

The provisions which can only be amended after the proposed change has been approved by a majority of Victorian voters voting at a referendum include, as the constitution commission described, 'core provisions' of our constitution. These are:

- the requirement to hold a referendum;
- provisions relating to the regions, number of members and quorum of the Council and the President;
- provisions relating to the districts, duration of, quorum of and number of members of the Assembly and to the Speaker;
- the requirement that there be a session of Parliament each year;
- the provision relating to appropriation bills and the inability of the Council to block passage of such bills;

the provision establishing a process for dispute resolution;

the provisions which recognise that local government is a distinct and essential tier of government and the ability of Parliament to legislate in respect of local government;

the provisions ensuring the continuance of the Supreme Court;

provisions establishing the offices of the Director of Public Prosecutions and Auditor-General and matters relating to those offices; and

provisions establishing the executive arm of government and relating to matters of the Executive Council and the tendering of advice to the Governor.

New sections will also be inserted into the constitution which make the Electoral Commissioner and the Ombudsman independent officers of the Parliament. This means these important office-holders will be responsible to the Parliament, not the government, and can only be dismissed by the Parliament. These too will be entrenched by referendum.

Similarly, the bill requires that there will always be an independent body, such as the Electoral Boundaries Commission, to review and settle Victoria's electoral boundaries. The bill likewise guarantees the existence of freedom of information legislation in this state.

The Constitution Act will also be amended to formalise the place of local government as a distinct and essential level of government and that councils are democratically elected and accountable to their constituents. The government committed prior to the recent election to amend the constitution to properly recognise local government and safeguard its democratic processes. This bill honours that commitment.

All of these matters I have described will not be able to be changed without recourse to the people of Victoria. Inclusion of the referendum requirement means that the bill must also establish a process for conducting referendums. This new system has been modelled both on New South Wales and the commonwealth, and the best has been taken from both jurisdictions. The Victorian referendum ballot paper is similar to its federal counterpart — ensuring that the Victorian people will be able to maximise their formal vote count by adopting the same method of voting in any referendum in which they are required to vote.

Other procedural provisions are entrenched by means of a special majority, comprising a three-fifths majority of all members of both houses. The requirement for a special majority increases the safeguards for those sections so entrenched, even more so than the absolute majority method which currently features in our constitution.

The provisions that are entrenched by a special three-fifths majority are:

- the requirement for a special majority;
- the Crown and the Governor;
- provisions establishing the constitution and powers of the Parliament;
- provisions which deal with the membership of the houses and qualifications of voters; and
- the provision which enables a house to relieve a member of the consequences of a breach of the office of profit provisions.

The bill retains the existing framework for entrenchment by an absolute majority for the provisions specifying the absolute majority requirement, the jurisdiction and membership of the Supreme Court and matters relating to judges and masters of that court.

This bill is the culmination of the work of the Constitution Commission Victoria and reflects the views of the Victorian people. I thank all Victorians for their interest and contributions to the reforms in this bill. Finally, in 2003, it can truthfully be said that the Victorian people are the framers of their own constitution. This bill has taken us the next step towards creating a stronger, fairer democracy which is relevant to both the needs and demands of all Victorians in this new century.

I commend this bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrantyte)

Debate adjourned until Thursday, 13 March.

**PARLIAMENTARY COMMITTEES
(AMENDMENT) BILL**

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

The proposed bill will amend the Parliamentary Committees Act 1968 to address the current structure of joint investigatory parliamentary committees to ensure that there is at least one committee broadly responsible for each government department and will allow the committee system to focus on the government's commitments to urban and regional Victoria and education. It is important that the Parliament has an effective committee structure. Parliament works better with all-party parliamentary committees considering a range of issues of interest to Victorians.

As there is no joint committee focusing specifically on the following departmental activities —

- rural and regional services,
- rural and regional development,
- planning and urban expansion of suburbs into rural areas, and
- education and training —

the bill will create three (3) new joint investigatory committees, namely the:

- Rural and Regional Services and Development Committee;
- Outer Suburban/Interface Services and Development Committee; and
- Education and Training Committee.

The Rural and Regional Services and Development Committee will inquire into, consider and report on any proposal, matter or thing concerned with the provision of services to and development of regional Victoria. This government recognises that for regional and rural Victoria to prosper further we need to constantly evaluate the way the government delivers services. Any evaluation made will find that a coordinated approach to service and program delivery will ensure the best outcomes for communities in regional and rural Victoria. The focus of the Rural and Regional Services and Development Committee will greatly assist accomplishing such outcomes and the attainment of programs to enhance economic and infrastructure development, investment attraction, job creation and community development in regional and rural Victoria.

The Outer Suburban/Interface Services and Development Committee, on the other hand will inquire into, consider and report on any proposal, matter or thing concerned with the provision of services to, or the development of, the expansion of new urban

regions. This committee will seek to address emerging issues for the expansion of metropolitan Victoria into areas that were previously regarded as regional Victoria. This committee will concentrate on those issues particular to those areas in light of the government's commitment to achieving a sensible balance between the economic development of the state, social growth of communities and the sustainability of Victoria's environment.

Lastly, the Education and Training Committee will inquire into, consider and report on any proposal, matter or thing concerned with education and/or training. Education and training are of great interest to Victorians, and it is important that there be a committee focusing on such issues.

In addition the bill will decrease to nine the number of members who can be appointed to the Public Accounts and Estimates Committee. Consequently this will bring that committee into line with the memberships of the other joint investigatory parliamentary committees established under the Parliamentary Committees Act.

Through the coordination of the committee process and of each committee's respective terms of reference, duplication of effort by those committees will be avoided thereby ensuring the delivery of effective committee processes and outcomes, focused on the government's commitments to the state of Victoria.

I commend this bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrandyte).

Debate adjourned until Thursday, 13 March.

TERRORISM (COMMUNITY PROTECTION) BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

The appalling attacks in Bali and in the United States have highlighted the vulnerability of open, democratic societies such as ours. It is an unfortunate reality that counter-terrorism measures are now issues of the highest importance for the government.

As part of the agreement on terrorism and multijurisdictional crime reached by the states and territories and the commonwealth in April 2002, all states and territories agreed to review their legislation

and counter-terrorism arrangements to ensure that they are sufficiently strong to deal with that threat. As a result of that review, the government has developed this bill, which it believes will strengthen our security.

It should be noted that the bill does not comprehensively cover all terrorist activities but rather seeks to plug gaps in areas over which Victoria will continue to have responsibility. It is designed to complement existing commonwealth counter-terrorism legislation. In a linked reform, the government will be introducing a separate bill to refer legislative powers to the commonwealth to provide constitutional support for commonwealth terrorism offences that will apply uniformly throughout Australia.

The bill proposes important new powers and obligations to ensure that there is in Victoria an adequate framework to prevent, and in a worst-case scenario respond to, a terrorist act. While the new measures are robust, they are also finely balanced to ensure that important civil liberties are not unduly infringed.

Part 7 of the bill requires the government to review the operation of the bill in three years time to see whether it is still justified and backs this up with an automatic termination date of 1 December 2006. This is a key safeguard to ensure that the powers are removed from the statute book should the current terrorist threat recede. If the review finds that the legislation is still necessary, is working well and has not been abused, Parliament can repeal the sunset clause.

In proposing this bill I would like to make it clear that the bill is a measure which is designed to protect the entire Victorian community from terrorist acts, which are simply a form of violence. All Victorians of every nationality, creed, religious persuasion, cultural background or political view are entitled to live in a safe community, a community which is free of criminally motivated violent attacks against its citizens for whatever reasons. Clearly the bill does not single out any particular ethnic, religious or political group but rather targets perpetrators of terrorist acts, whomever they may be, whatever their background.

I understand that since the 11 September and Bali attacks members of the Muslim community in Victoria have suffered increased violence against their communities, including property damage and personal violence. These attacks are reprehensible and despicable and damage Victoria's excellent record on community safety. I am proud of this state's multicultural heritage and am confident that we can work together cooperatively with the Muslim

community to ensure that these attacks cease. It was this government which introduced the Racial and Religious Tolerance Act 2001, and I am confident that this legislation, and the bill which I currently put before you, enhances the safety of all Victorians.

I now turn to some of the key aspects of the bill.

Covert search warrants

Part 2 allows a Supreme Court judge to issue a covert search warrant to police where the judge is satisfied that a terrorist act has occurred or is likely to occur and that the covert entry and search of premises would substantially assist police in preventing or responding to it. The judge must consider several factors when deciding whether or not to issue the warrant, including the extent to which the privacy of any person is likely to be affected.

The police will be authorised to enter and search premises or vehicles without the occupier's knowledge, subject to conditions imposed by the judge. In urgent circumstances, the police can apply for the warrant by telephone.

A member of the police force may only apply to the Supreme Court for these warrants if he or she first obtains the approval of the Chief Commissioner of Police, or a deputy or assistant commissioner. This internal approval is required in respect of all applications, including urgent telephone applications, before they can be brought before the Supreme Court.

Once the search under the warrant has been conducted, the police must report back to the court providing details about how the warrant was executed, including listing who entered the premises and which powers were exercised. The chief commissioner must also report annually to the Attorney-General on a range of matters such as how many applications for covert warrants were made, and how many were refused, the number of premises covertly entered and any other information the minister considers appropriate. This report will be tabled in Parliament to ensure public scrutiny and debate about the use of covert search warrants.

Powers to detain and decontaminate

Part 3 gives police special powers in the event of a chemical, biological or radiological attack, recognising that they are likely to be first on the scene. The bill allows senior police to authorise the exercise of certain powers to protect persons from chemical, biological or radiological contamination where they believe that a

terrorist act may have occurred and that an area, or persons in it, may have been exposed to contamination.

To prevent or limit the spread of contamination, authorised police may direct persons away from or into any area, detain a person and direct a person to submit to decontamination procedures carried out by others. If a person refuses to comply with a direction given under this part, the bill authorises the use of reasonable and necessary force to ensure compliance.

Clause 14 sets out a guiding principle for the new powers. In giving an authorisation or exercising the powers, no unnecessary restrictions on personal privacy or liberty should be imposed. An authorisation itself lasts for a maximum of 8 hours, unless it lapses earlier.

The bill does allow an authorisation to be extended for up to a further 8 hours, but only if approved by the chief commissioner, the deputy chief commissioner or an assistant commissioner, with the agreement of health authorities, for the purpose of protecting public health.

Mandatory reporting of theft of prescribed chemicals and other substances

The events in Bali revealed that many widely used chemicals can be used to make powerful explosives. Obtaining information about the theft or loss of particular chemicals could assist police in preventing a terrorist attack.

The bill obliges occupiers of premises who become aware of the loss or theft of prescribed chemicals to notify the police without delay. Failure to comply will be an offence. Regulations will be developed, in close consultation with police, technical experts and industry, to prescribe the relevant chemicals and their quantities. Care will be taken to ensure the reporting obligation does not impose unrealistic or unnecessary burdens on the community.

In the longer term, the government is committed to working with the Council of Australian Governments in developing a more far-reaching national approach to the regulation and control of hazardous substances.

Protection of counter-terrorism information

Part 5 of the bill contains measures to protect the confidentiality of sensitive police investigative methods in appropriate cases. Part 5 enables courts and tribunals to protect counter-terrorism information from disclosure in legal proceedings if satisfied that disclosure would prejudice the prevention, investigation or prosecution of a terrorist act, or suspected terrorist act, and that there is a greater public interest in

preserving the confidentiality of the information than there is in disclosing it. 'Counter-terrorism information' means information about covert methods of investigating terrorist acts.

The bill provides guidance about the sorts of matters the court or tribunal should consider when weighing up the balance, including the nature of the proceedings in question and the importance of the information to them, which of the parties is seeking disclosure, and the effect which disclosing the information would have.

Essential services infrastructure risk management

The government regards the security of Victoria's essential services as a matter of the highest priority. Terrorist attacks targeted at these services may cause serious injury or loss of life, and have the potential to impact on the social and economic wellbeing of the state. Many of our essential services are privately owned. It is a matter of sound corporate governance for these private owners to put in place plans to safeguard their assets from terrorist attack. I understand that many private sector owners are already undertaking this task. However, the government recognises that it has a role in working with private industry to ensure that appropriate plans are in place to prevent and respond to and recover from acts of terrorism.

Since the 11 September attacks in the United States, the government has initiated major reviews of the terrorist threat to Victoria's essential services. To complement the work being done by the government, this bill requires essential service operators to undertake risk management measures in respect of the terrorist threat.

Operators of essential services may already have risk management initiatives in place as part of their business strategies. However, where an essential service is declared under this legislation, the operator of that service will be required to ensure that the specific risk of terrorist threats or acts is addressed. The operator will be required to undertake risk management planning, auditing and training exercises.

The legislation also takes account of the fact that many essential services are interdependent and that this interdependence must be considered in the overall preparation of plans. In this way, essential service operators can have confidence that counter-terrorism measures are in place in relation to services upon which they themselves may rely.

Victoria Police and relevant government agencies will assist owners and operators of essential service infrastructure in developing their risk management plans. Victoria Police will supervise the training

exercises developed by operators to test the plans. The police and other relevant government agencies will provide important advice to essential service operators in this respect, and their role is fundamental to the cooperative basis which is necessary to ensure that adequate risk management initiatives are in place. This will ensure that risk management plans will include appropriate consideration of terrorism.

The government is committed to working cooperatively with private industry to ensure the security of our essential services infrastructure. Given the importance of addressing the terrorist threat, and the key place of essential services in our community and economy, a legislative framework is necessary. The legislation provides a framework in which this cooperation will take place. However, it also includes powers of compulsion to ensure that operators of essential services undertake the required risk management activities. The government trusts that through working together with industry on these issues, the occasions on which the government might need to invoke these powers would be uncommon.

Freedom of information: new security exemption

Governments need to work cooperatively to tackle the terrorist threat. A key part of this involves improving intelligence sharing between security and law enforcement agencies and government. This in turn requires confidence that information shared will be protected from inappropriate disclosure.

Part 8 of the bill amends the Freedom of Information Act 1982 to create an exemption from the requirement to disclose documents if they affect national security, the defence of the commonwealth or international relations. The new exemption is closely modelled on the corresponding exemption in the commonwealth Freedom of Information Act 1982.

The bill enables a department head or the Chief Commissioner of Police to conclusively certify that a document falls within the exemption and refuse access. The person seeking release of the document can apply to the Victorian Civil and Administrative Tribunal (VCAT) to determine whether there are reasonable grounds for the claimed exemption. The bill allows only the most senior VCAT members, judicial members, to decide these applications.

If VCAT decides that there are no reasonable grounds for the claimed exemption, it must notify the responsible minister, who must then decide within 28 days whether or not to revoke the certificate and release the document. Where the responsible minister

decides not to revoke the certificate, he or she must notify the applicant of the reasons for that decision and attach a copy of the VCAT determination, and also table these documents in Parliament. This latter requirement will ensure that responsible ministers will only act on the power to override VCAT's ruling on the original certificate in appropriate circumstances.

The government will continue to work to ensure that everything possible is done to enhance our state's capability to face the terrorism threat.

I commend the bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrantyte).

Debate adjourned until Thursday, 13 March.

FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL

Second reading

Mr HAERMEYER (Minister for Police and Emergency Services) — I move:

That this bill be now read a second time.

In the aftermath of the Port Arthur incident in April 1996, the Australasian Police Ministers Council (APMC) entered into the national firearms agreement. Under that agreement, broadly uniform regimes for the regulation and licensing of firearms were put in place in all states and territories.

Australian governments have subsequently entered into two further agreements to enhance community safety while preserving the privileges of responsible firearms owners.

The first, the handgun control agreement, arises from the tragic events at Monash University on 21 October 2002 and the community's resultant demand to restrict the availability and use of handguns, particularly concealable handguns, for target shooting purposes to minimise the risk of future tragedies. That agreement will significantly strengthen controls over access to handguns throughout Australia.

The second, the firearms trafficking policy agreement, is designed to provide a broadly national approach to allow police to better detect and deter the illegal trade in unregistered firearms, which is an issue that has come to police attention nationally in recent years.

This bill will amend the Firearms Act 1996 to give effect to these two agreements in Victoria by:

restricting the range of handgun target shooting matches in which sporting shooters can compete, and the handguns that can be used for those legitimate shooting matches;

providing for a system of graduated access to handguns for target shooting based on training, experience and match participation;

giving shooting clubs greater access to information by requiring a prospective member to produce a police clearance prior to acceptance as a member, information on other shooting clubs a person belongs to, and their current firearms ownership;

allowing the Chief Commissioner of Police to refuse and revoke firearms licences and applications on the basis of criminal intelligence;

increasing penalties and introducing new offences relating to the illegal disposal and acquisition of firearms — especially with respect to handguns;

introducing a new penalty for a subsequent finding of guilt for possession of an unregistered firearm;

introducing new interstate trafficking provisions;

introducing a new requirement for dealer licence applicants to disclose their 'close associates' to the chief commissioner, and for certain information about those 'close associates', including a full set of their fingerprints, to be provided to the chief commissioner; and

allowing some handguns, which may not be possessed by anyone, other than for very strictly controlled purposes, to be prescribed in regulations to be category E handguns.

Handguns available for target shooting

COAG agreed to restrict the classes of legal handguns that can be imported or possessed for sporting purposes to those meeting recognised sporting shooter classifications in the Olympic and commonwealth games and other accredited events. Those target shooting disciplines and matches that will be available to target shooters for the purposes of retaining ownership of handguns will be prescribed in regulations.

Handguns will generally be available in 27 matches in seven target shooting disciplines for competitive target shooting purposes, and will be restricted to:

a maximum calibre of .38 inches, other than for specially accredited handgun events, which will be prescribed in regulations, in which handguns will be available up to a maximum calibre of .45 inches;

a minimum barrel length of 120 mm in the case of semiautomatic handguns, and a minimum barrel length of 100 mm for revolvers and single-shot handguns; and

a maximum magazine capacity of 10 rounds.

However, in line with the handgun control agreement, highly specialised target pistols will be allowed irrespective of their barrel length, as often they are large, visually distinctive and not readily concealable due to their overall size. Handguns used for prescribed approved black powder matches may be prescribed to be permitted for target shooting in other calibres.

Minimum participation rates for continued access to handguns for the purpose of target shooting

COAG agreed that target shooters needed to show a dedication to the sport in order to maintain possession and use of handguns. In order to achieve that end, the bill will require people who wish to retain handguns for target shooting to compete in a minimum number of competitive target shooting matches.

Each year a licensee will be required to compete in a minimum of four competitive approved target shooting matches for each type of handgun that he or she possesses per annum, and an overall minimum of 10 competitive approved target shooting matches per annum. For example, a person who possesses only one .22 calibre handgun will have to compete in a minimum of 10 competitive approved target shooting matches per annum, whereas a person who possess a .22 calibre handgun, a .32 calibre handgun and a .38 calibre handgun will have to compete in a minimum of 12 competitive approved target shooting matches.

A person who fails to meet the minimum participation requirements will be compelled to surrender either the handguns for which he or she has failed to meet the requirements, and, if he or she has failed to meet the overall minimum requirements, the handgun licence. However, the bill will enable a person who will not be able to meet the requirements because that person is temporarily incapacitated or will be absent from the jurisdiction to apply to the chief commissioner to retain their handguns after entering into safe storage arrangements. This application must be made in advance of the failure to meet the participation requirements.

Graduated access to handgun licences

The handgun control agreement requires the imposition of a graduated scheme of access to handgun licences for target shooting.

The bill will provide that a person must be a member of an approved handgun target shooting club for a minimum of six months before he or she is entitled to apply for a general category handgun licence. During this time a person will have to:

demonstrate that he or she has a good knowledge of firearms and firearms laws;

safely participate in the number of approved target shooting matches;

demonstrate that he or she can comply with the storage requirements of the act; and

successfully complete an approved handgun safety training course.

The approved club must also endorse any application by the member before it can be considered by the chief commissioner.

During the first six months of a person holding a general category handgun licence, the bill will ensure that that person may only possess a maximum of two handguns — and each application for a permit to acquire one of these handguns must be endorsed by an approved target shooting club to which the person belongs. During this period the person will be able to possess one .177 calibre air pistol, and either one .22 calibre pistol or one centre-fire pistol. This requirement will ensure that a person cannot acquire a large number of handguns quickly after first obtaining a general category handgun licence.

The bill will provide that any application for a permit to acquire a handgun made after this period will also have to be endorsed by the approved club to which the person belongs.

The bill will also prevent a person who is not a member of an approved handgun target shooting club from shooting on an approved range without a temporary use permit. A temporary use permit will be available, for a period of up to seven days, to a person who wishes to try out the sport before joining a handgun target shooting club. If a person has obtained three temporary use permits and wishes to pursue their interest in handgun target shooting, the person will be need to become a member of an approved handgun target shooting club and undertake the process required to

become licensed to possess and use handguns for target shooting as a person may apply for a maximum of three of these new permits.

Collectors of firearms

While the Handgun Control Agreement is principally concerned with the use of handguns for target shooting purposes, it requires some amendments to the act for handgun collectors.

The bill replaces the existing firearms collectors licence with two new firearms collectors licences.

A category 1 handgun licence will be required for a person who wishes to collect long arms and handguns manufactured prior to 1 January 1947. This category of collector licence will remain generally available to collectors who meet all of the licensing and safety requirements prescribed in the Firearms Act.

However, collectors wishing to possess handguns manufactured on or after 1 January 1947 will be required to obtain a category 2 firearms collectors licence. A collector wishing to collect these handguns will be required to demonstrate a greater degree of commitment to the collection of historical arms.

Importantly, the requirements for museums will remain unaffected.

Registration of all handguns

The bill will ensure that all handguns must be registered in Victoria. At present, firearms manufactured prior to 1900 for which ammunition is not commercially available, are not subject to the registration requirements set out in the act.

This new registration requirement will mean these handguns need to have a unique identifier attached to them. However, the bill also provides that a person who has a particular reason not to have a unique identifier affixed permanently to the handgun — for example, to preserve its historical significance or value — will be able to apply to the chief commissioner to fix the serial number to the firearm other than by stamping. Where a unique identifier is not stamped on to a firearm in accordance with the new provision, the chief commissioner will be able to impose conditions on the licence, including requiring increased security arrangements in the location in which the handgun is stored.

Extension of the immunity for approved clubs

Section 183 of the act provides for an immunity from civil and criminal liability for certain classes of medical professionals and officials of gun clubs when they provide information to police in good faith that, in their opinion, a person is not fit and proper to possess, carry or use a firearm.

The act applies to registered medical practitioners, registered psychologists and registered nurses. The COAG agreement requires that the immunity be extended to a number of other classes of health professionals.

The bill will apply the immunity to prescribed classes of social workers and professional counsellors.

The immunity will be extended by the bill to apply in situations where the bill requires nominated officials of approved shooting clubs and approved firearms collectors clubs to report in good faith to the chief commissioner their reasonable belief that a member is not a fit and proper person to possess and use firearms. This provision will assist Victoria Police to ensure that only people who are fit and proper to obtain and maintain their firearms licence in fact do so.

Refusal and revocation of firearms licences on the basis of criminal intelligence

The bill will give the power to the chief commissioner to refuse or revoke a licence under the act on the basis of criminal intelligence.

It is in the interest of public safety that persons thought by police to present a safety risk are not given access to handguns under the licensing system. Where a person is the subject of a covert investigation or intelligence operations reveal the person is associated with serious criminal behaviour, it is not in the public interest for the chief commissioner to grant him or her a handgun licence. It is expected that the chief commissioner, who must make this decision personally, would not refuse or revoke a licence on the basis of criminal intelligence in the absence of very strong information that the life or safety of a person is at risk as a result of the subject having access to handguns.

A person who has a handgun licence refused or revoked by the chief commissioner on the basis of criminal intelligence will have the opportunity to apply to the Supreme Court for a review of the chief commissioner's decision. The government considers that the Supreme Court should retain its existing discretion to determine whether the secrecy of the criminal intelligence should be maintained, rather than

the act imposing a blanket prohibition on its disclosure. This position is consistent with the government's policy on an open and transparent court system. However, given the serious circumstances in which the chief commissioner would make such a decision, the government expects that the Supreme Court would exercise its existing discretion to preserve the secrecy of the criminal intelligence in appropriate circumstances where a person's life or public safety would be put at risk as a result of the criminal intelligence being made public.

Firearms trafficking

As indicated earlier, the bill will also implement the Firearms Trafficking Policy Agreement for Victoria. The bill will not only make it more difficult for criminals to access firearms in Victoria, but will help to maintain the principle of uniformity essential to the efficacy of the national agreement.

In acknowledging that the greatest risks to the community are posed by illegal firearms, the bill will significantly increase penalties for people found guilty of firearms trafficking or who otherwise possess, use or sell firearms outside of the licensing and registration system. The bill will help police to better detect and deter people from possessing and using illegal firearms.

Category E handguns

The bill will remove some classes of handguns from the ordinary class of handguns and create new restrictions on those handguns that are not appropriate or desirable for possession by any ordinary law-abiding firearms owners. The new category E handgun category will consist of models of machine pistols and handguns that are prescribed in regulations so that they are not readily available to people who have a general category handgun licence. The bill broadly equates those handguns to the category E long arm licence category in the act.

A person who wishes to possess one of these handguns will need to be able to demonstrate a compelling reason why they need to possess one. This will be over and above the 'genuine reason' requirement imposed under the national firearms agreement. The maximum penalties for a breach of the controls on category E handguns will be broadly the same as those for category E long arms which, owing to the nature of these firearms, are the most severe in the Firearms Act. The chief commissioner will also be able to place any conditions on a category E handgun licence that she or he considers to be appropriate in the circumstances. However, in recognition of the serious risks to public

safety posed by these types of handguns, some of the penalties are significantly increased by the bill.

Increasing the penalties for the illegal possession, carriage or use of firearms

Experience has shown that simply apprehending the final buyers and sellers of unregistered firearms has little or no long-term impact on the trade in prohibited firearms. In order to effectively reduce the number of unregistered firearms in circulation, it is necessary to both identify and eradicate the source from which these firearms flow to the black market and to introduce harsh penalties as a deterrent to repeat offending.

The possession, carriage and use of unregistered firearms is a very serious matter because it flies in the face of firearms laws by subverting the licensing and registration system which is the cornerstone of the national agreement. Unregistered firearms, and particularly unregistered handguns, are the firearms of choice of firearms traffickers.

It is because the trade and use of unregistered firearms is so serious that the bill significantly increases the maximum penalties for possession, carriage and use of unregistered firearms in the act. Possession of an unregistered general category handgun will attract a maximum penalty of seven years imprisonment, and acquiring or disposing of a general category handgun other than through a licensed firearms dealer will attract a maximum penalty of five years imprisonment. Where the handgun is a category E handgun, unregistered possession will attract a maximum penalty of 14 years imprisonment and acquiring or disposing of the category E handgun other than through a licensed firearms dealer will attract a maximum penalty of 10 years imprisonment.

In addition to these penalties, any person who is in possession of a trafficable quantity, defined as 10 or more, unregistered firearms, without having notified the Chief Commissioner of Police that the unregistered firearms require registration, will commit an offence and be subject to a maximum penalty of 10 years imprisonment or 1200 penalty units. A person who finances a trafficking operation will face maximum penalties of 600 penalty units or seven years imprisonment. Introducing this provision will take away any protection that the current form of the law may afford to criminals operating behind the scenes in arranging and financing firearms transactions that are contrary to the act.

The bill also introduces a subsequent offence penalty provision to better differentiate between those persons

who organise and profit from the trade in unregistered firearms and those who commit one offence against the act. The bill provides for the maximum penalty for a subsequent offence to be 10 years imprisonment in the case of a general category handgun and 17 years imprisonment in the case of a more dangerous category E handgun.

Improving recording provisions with respect to firearms

The registration and licensing of firearms can only be effective where the firearm bears a unique identification or serial number and can, therefore, be effectively monitored by police. A number of firearms are manufactured without serial numbers. This loophole can give traffickers a significant opportunity to divert firearms from the legal firearms market.

To prevent this opportunity, the bill includes a provision that will ensure that a registrable firearm that does not bear a unique identification mark cannot be registered until a unique identification mark has been stamped on to the firearm. Engraving a unique identification mark is not considered satisfactory as it can be easily removed for criminal purposes.

The removal of serial numbers makes it almost impossible for police to monitor the movement of firearms, or to determine the correct make of the firearm. It is a key technique used by firearms traffickers and criminals in an attempt to avoid detection. The technique lessens the value of a firearm for a genuine collector and makes legal resale extremely difficult.

The present maximum penalty for obliterating a serial number is 240 penalty units or four years imprisonment. To reflect the seriousness of this action, the bill increases the maximum penalty to 600 penalty units or seven years imprisonment.

The bill also makes it an offence to possess a firearm on which the serial number has been defaced or altered. As this is another of the key techniques of the firearms trafficker, it will attract a substantial maximum penalty of 240 penalty units or four years imprisonment.

The bill will also improve the recording provisions with respect to firearms in several other ways.

The bill creates an obligation in the act to ensure that a person must seek the permission of the Chief Commissioner of Police before that person may alter the licence category of a firearm, and a person must advise the chief commissioner within seven days if he or she alters the calibre of a firearm within the same

licence category. These provisions will apply in all circumstances other than where the alteration of a calibre is provided for in the original manufacture of the firearm — for example, competition handguns with interchangeable barrels.

The close associates of firearms dealers

The bill will amend the Firearms Act to introduce a requirement for licensed firearms dealers to disclose their 'close associates' when applying for a firearms dealer licence. The intent of this proposal is to ensure that the holder of a firearms dealer licence is the actual person primarily responsible for the management of the firearms business named in the licence and is not merely a 'front person'. It will ensure that prohibited persons cannot use 'front people' to continue to do what they are prohibited from doing themselves.

It is also designed to strengthen the existing act by ensuring that anyone who has a financial interest in the assets or capital of a firearms dealership, or participates in the management of a firearms dealership, is fit and proper to do so.

The Firearms Act 1996 currently requires a person with a firearms dealers licence and any person that works in a firearms dealership to provide a full set of their fingerprints with the licence application. It is proposed to extend the requirement to disclose the full name and address of any close associate to requiring a full set of fingerprints from any close associate. This requirement will ensure that the requirement to disclose the people managing and working in a firearms dealership is consistent with the requirements imposed on licence applicants and any employees of the applicants that currently exists under the act.

The bill provides for the Chief Commissioner of Police to receive information about the close associate held by other law enforcement agencies in Australia or overseas, in circumstances where it is not possible to obtain a full set of that person's fingerprints. It is expected that, in practice, this provision will be utilised only where a full set of fingerprints cannot be obtained from a close associate who is resident in a foreign country.

A person whose close associates are not fit and proper persons should not be able to hold a firearm dealers licence. Where the close associates of a dealer or dealer applicant are not fit and proper persons, the chief commissioner must not issue a firearms dealers licence.

Other trafficking offences

It is proposed to better prevent the manipulation of the licensing and registration system by increasing the scope of trafficking-related activities that are recognised as illegal under Victorian law. To that end, the bill also makes a person a prohibited person if the person has been convicted of a conspiracy offence anywhere in Australia within the past 10 years. This means that any person who is imprisoned for an offence against sections 321 or 321A of the Crimes Act 1958 in Victoria, or against an equivalent provision in any other state or territory or the commonwealth, cannot have a firearms licence for 10 years after they are released from prison.

In addition to these provisions, the firearms policy trafficking agreement requires that the commonwealth government introduce a cross-border firearms trafficking offence with a substantial maximum penalty.

Clause 69 amends section 190 of the Firearms Act 1996 stating that it is the intention of section 183 (as proposed to be amended by clause 69 of this bill) to alter or vary section 85 of the Constitution Act 1975.

I wish to make the following statement under section 85 of the Constitution Act 1975 of the reason for altering or varying that section by the proposed clause 69. That clause extends the immunity from civil or criminal proceedings granted by section 183 of the Firearms Act 1996 to particular classes of medical professionals and officials of shooting clubs who report to police their belief that a patient or member respectively is not a fit and proper person to possess firearms. This is necessary to ensure that these people are able to assist in protecting community safety by alerting the chief commissioner to persons who are not, in their belief in good faith, fit and proper people to possess firearms.

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 by:

reducing the range of handguns available to those used in legitimate sporting events;

restricting access to handguns for people who have not participated in competitive shooting matches with, and do not have the support of, legitimate sport shooting clubs; and

making it more difficult for organised criminals to circumvent the licensing and registration systems under the Firearms Act.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Thursday, 13 March.

GOVERNOR'S SPEECH**Address-in-reply**

Debate resumed from 26 February; motion of Ms LOBATO (Gembrook) for adoption of address-in-reply.

The SPEAKER — Order! I call the honourable member for Mulgrave. I advise the house that this is the inaugural speech of the honourable member and I ask for the normal courtesies to be observed.

Mr ANDREWS (Mulgrave) — Firstly, Speaker, I congratulate you on your elevation to such high office.

It is a great honour to stand in this chamber as the honourable member for the new Mulgrave district. To be chosen to serve as my local community's representative in this place is truly humbling. I am conscious of the trust that has been placed in me and I commit myself to every member of my constituency, regardless of their political persuasion, and I will be always mindful of their needs as individuals and as a community.

I am also honoured to have been appointed as the parliamentary secretary for health. It is an important role and I am grateful for the opportunity to serve. But as pleased as I am to stand here today I am sure honourable members will allow me to express an equal delight in being surrounded by so many Labor colleagues. Never before have so many Labor members sat in this chamber or indeed the other place. Never before has any government received such a comprehensive endorsement from the Victorian people.

On 30 November last year Victorians endorsed a government that has stayed focused on the things that are important to us all, the services we all rely on no matter where we live or what we do for a living: hospitals when we are sick; schools to give our kids the best start possible; and a police force that is given the resources it needs to fight crime and make our community safer. These are the things that define state politics — at least they should. These are the things with which good state governments concern themselves. I am proud to say that I am part of a government that is absolutely committed to better basic services for all Victorians.

Equally, I am proud to be part of a team committed to a fair and equitable industrial relations system, a government that is open and accountable, and an administration committed to the sound financial management that delivers a strong modern economy, an economy that has produced economic and employment growth that leads the nation.

It is also a government that governs for all Victorians, for the whole of the state. Having grown up in the country town of Wangaratta — in the electorate held by the honourable member for Murray Valley — I understand that our state extends well beyond the central business district and into suburbs like Mulgrave, Springvale North, Noble Park North and Wheelers Hill in my own electorate — and right throughout regional centres and rural communities.

It is also a government that makes promises and keeps them. These are the hallmarks of the Bracks government, and these are the reasons why and I and my colleagues are seated on this side — indeed both sides — of this house.

I come to this place after 10 years involvement in the Australian Labor Party, first as a rank and file member, then an electorate officer and finally a party official. Most recently I have been privileged to work as the assistant state secretary of our great party. It was a challenging and rewarding job and an office I am honoured to have occupied.

My time in the Labor Party has been dominated by the machinery of politics, the contest between competing agendas and the running of campaigns. This is a background that brings a passion all of its own. My background has bred a great faith in our system of government and a real belief in the office of a member of Parliament.

From working with and for members of this place and the commonwealth Parliament, I have become convinced that we can each make a difference, not in any clichéd way but in the practical affairs of the families that form our local communities, in the provision of the services they each rely upon and in the representation of the issues they consider important.

My experiences have taught me that hard work and a commitment to listening to people are the keys to being an effective representative. I hope I can put these lessons to good use in this place.

Having spoken a little bit about my background, I now want to talk about my electorate and some of the issues that are important to my local community.

Mulgrave is a new electorate, but as some in this place will know, I am not the first member for Mulgrave. Reginald John Wiltshire served as the member for Mulgrave between 1958 and 1967. He was the member for Dandenong before that time and later represented the Syndal electorate in this place. While 1958 is a long time ago, some things still ring true.

In preparing for today, I took the time to read many of Mr Wiltshire's contributions in this place. I was struck by the fact that he was focused then on many of the issues that confront us now — things like roads and traffic congestion, public transport, the need for new and improved local schools, demand for public housing and the protection of our natural environment. Many of Mr Wiltshire's concerns remain challenges for our community today and priorities for me as the member for Mulgrave.

Despite these similarities, Mulgrave is a very different place today. Many honourable members may be surprised to learn that Mulgrave is the seventh most multicultural electorate in this chamber. Just under 50 per cent of local residents were born outside Australia. Many are postwar migrants and others have made Melbourne's south-east their home in more recent times. This diversity provides challenges, but at the same time it is a rich part of our vibrant local community. Multiculturalism is not a concept or a construct in my electorate. It is reality. It is workplaces and neighbourhoods, classrooms and playgrounds.

Just last week I had the pleasure of visiting two schools in my electorate to present badges to newly elected school captains. Looking out over the school assemblies I was left with no doubt that these kids will grow up unconscious of the many external differences that seem to dominate the thinking of some in our community. Our diversity is our strength. So too is our acceptance and tolerance. I am committed to a celebration of our differences and the defence of our diversity. I support multiculturalism, but I recognise that some in our community have a different view.

Each of us in this place must promote and defend the tolerance and acceptance that set us apart, and we must oppose those who put short-term political advantage and strategies of fear ahead of respect, tolerance and harmony.

Deputy Speaker, I have outlined the focus of the government, its priorities and its approach. But what does this mean for Mulgrave residents? It means a great deal indeed.

I want to summarise the government's achievements in my local community, because they are each substantial and involve issues that remain challenges for our future. Just take health services: over the last three years this government has provided funding for 250 extra nurses across the Southern Health Service, funded stage 2 of the Dandenong Hospital redevelopment and invested more than \$5 million in new medical equipment. Waiting lists are falling and hospitals serving my community are treating more patients than ever before. Over the life of this Parliament \$34 million will be spent upgrading Dandenong Hospital and Monash Medical Centre in Clayton.

In roads and public transport, this government has spent more than \$2.7 million improving local roads across the cities of Monash and Greater Dandenong, funded the Smart Bus pilot and delivered the biggest boost to bus funding in 30 years. This government has also provided well over half the funding for the new Scoresby freeway — a project of critical importance to my local community, our region and our state.

In education, Mulgrave schools have more teachers and smaller classes and have benefited from record levels of investment — for instance, capital improvements totalling more than \$4.9 million.

In fighting crime and making our community safer, local police stations have 18 extra uniformed officers and soon the southern half of my electorate will be serviced by a new, \$9.5 million police station in Springvale. These are not merely words; these are realities that have impacted on thousands of families in my constituency. These are the issues that are important to my community, and they are my focus as their representative in this place. Over the next four years I look forward to continued improvements in local services and to being part of the implementation of each of Labor's commitments to my community and all Victorians.

I look forward to helping tackle other emergent and important issues like sustainability and the protection of our natural environment, the management of our precious water resources and the balancing of work and family life. It is true to say that none of us gets to this place on our own. We each require the support firstly of our constituencies, but on a more personal note we each need the support of our family, countless volunteers, our political parties and many more.

I want to take this opportunity to register my gratitude to a number of key supporters without whom my election would not have been possible: people like Alan Griffin, the federal member for Bruce — as my former

employer, political ally and good friend, I have learnt much from Alan, I owe him a great deal and I thank him for his support; the Minister for Aboriginal Affairs and Aged Care in the other place, the Honourable Gavin Jennings, whose friendship and support have always been important to me; a host of head office officials and staff, both past and present, not least of whom are the Minister for Finance and the Leader of the Government in the other place, the Honourable John Lenders, whose dedication and attention to detail are a lesson to us all; and others like David Feeney, Roland Lindell, Abbey Howe, Karen Sherlock and the many support staff whose commitment is so clear; local political activists like Ray de Witt, Patricia Gibson and Lee Tarlamis; and trade unionists like Michelle O'Neil, Martin Foley from my own union, the Australian Services Union, and the now Senator Gavin Marshall.

I also want to thank my family who are in the gallery today, especially my parents and parents-in-law, my grandmother and, of course, my wife Catherine — someone who has made great sacrifices in order to support me and my path into this place. I thank her for her love and unwavering support, specifically her sole parenting of our wonderful six-month-old son Noah. The Attorney-General says that I am a shocker, but I suppose his son may well benefit from a very busy autumn session as mine did from a very busy election campaign. The first three months of his life was an especially busy time.

There is one member of my family who sadly cannot be here today — my grandfather, Michael Joseph White, who passed away three years ago at the age of 87. He is in my thoughts today, and I am conscious that he would have taken much pride in my election to this Parliament. As a career railway worker and trade unionist, he is a constant reminder to me of the dignity that belongs to working men and women. He was possessed of a quick wit and once told me that it was better to remain silent and be thought a fool than to open one's mouth and remove all doubt. I hope in my contribution today I have not advanced that theory.

In conclusion, can I say that I believe this is an honourable profession — an opportunity for public service that can lead to real improvements in our local communities and right across our state. I look to the future and hope to be an active and effective representative for my local community.

Finally, Deputy Speaker, I thank the people of Mulgrave for the opportunity and responsibility they have given me, and I thank the house for the courtesy extended to me today.

Mr CLARK (Box Hill) — I join in the debate on the address-in-reply to the Governor's speech and pay my respects and those of my constituents to the Governor, as the representative of our head of state, and to Mrs Landy.

I want to look at some of the issues that are likely to face the government and the people of Victoria over the forthcoming term of the Parliament, particularly in relation to state finances. In its first term the Labor government had the benefit of the financial legacy it inherited from the previous coalition government — the strong finances, the strong economy and a strong public service. However, during the course of its first term that legacy was whittled away. The surpluses are now nearing the minimum set by the government itself as its target, the state economy is falling back through the economic pack and good people have consistently been leaving or been ejected from the Victorian public service.

Thus it is that Access Economics is now warning that the good times may be coming to an end for the Victorian economy. I quote in particular from page 97 of the Access Economics *Business Outlook* of December 2002, which says in relation to the Victorian economy:

Yet some of that recent state success has been built on shifting sands. Housing activity in particular has rested on twin pillars — the return to faster population growth evident in recent years, and the stunning surge in housing prices in Melbourne.

Later on Access Economics observes:

But as we have warned clients before, we believe that the housing construction cycle in Victoria has gotten ahead of itself. That is perhaps most evident in inner-city apartments, but it is also true for freestanding family homes. Some types of housing in Melbourne are now oversupplied, and forward indicators of housing activity are showing signs of the wobbles.

Access Economics then observes:

But the return to strength evident in the Victorian economy over the past decade saw a return of many economic refugees. In turn, that further added to demand growth. So the virtuous cycle may break if the Victorian economy stumbles notably relative to that for Australia as a whole. And certainly any extended downturn in housing construction could cut 1½ per cent off GSP gains in 2003–04.

The diminution of the calibre of our public service is now becoming evident, for example, in the irregularities relating to the Docklands film and television studio tender that have been so graphically highlighted in today's Auditor-General's report on public sector agencies. It may also be reflected in the

\$12 million loss reported by the Melbourne Market Authority over its failed Freshchain project.

So the test for the government in this forthcoming term will be how it shapes up to a challenging future. It has a clear mandate, and now it is up to the government to deliver and to be judged on what it does or fails to do. So far it has shown no signs of living up to its responsibilities. It persists in being a government of excuses. It was striking when the first notices of motion were given yesterday that motion after motion condemned the federal government.

Members of the Labor government exhausted themselves last term by blaming everything through to the state of the weather on the Kennett government. Perhaps they are at last getting the message that Victorian voters think that excuse is wearing a bit thin. So now they are shifting their focus to the federal arena, and absolutely everything is going to be the responsibility of the federal government. Problems are nothing to do with government members; they are not the federal government and so do not have to be accountable! In fact this government is very much a Peter Pan government. It is always at heart an opposition, even when it wins an overwhelming mandate. It never truly grows up or realises the responsibility that is incumbent on it as a government to deliver rather than be constantly attempting to point the finger at someone else and look to someone else to do the work and tackle the issues facing the community.

Let us look in particular at how the government is handling the current financial and economic situation. There is probably one point of agreement across the table, and that is that we are facing more difficult economic times than we have had in the past. The Treasurer has been quoted on several occasions as referring to that. You always have to take pre-budget remarks by treasurers with a grain of salt.

They would not be doing their duty if they were not trying to downplay expectations. The big unknown in the fiscal mix that will come out on paper in the May budget will be the revenue projections for the coming budget year, which are always a matter of judgment and depend on Treasury officers' estimates.

However, subject to that caveat all the portents point to our facing much more difficult fiscal circumstances. The key question is what the reason is for those more difficult fiscal circumstances.

Mr Nardella — Bushfires, drought.

Mr CLARK — I thank the honourable member for Melton for referring to drought and bushfires, because

he just about took the words out of my mouth. Those have indeed been the two key reasons advanced by the Treasurer as to why he alleges that next year's budget is going to be a lot tighter than it would have been. But when you look at the details of those claims you see that many of them are absolutely nonsensical. The Treasurer is shifting his claims between one budget year and the next. He might seek to pull the wool over the eyes of his backbench and those journalists who take him on trust, but what has to be recognised is that the vast bulk of the expenditure on drought and bushfires is taking place in this fiscal year, 2002–03. It is not taking place in 2003–04, which is the year for which the budget is being prepared.

In fact that is borne out by the government's own mid-year budget update. If you look at the figures for the additional initiatives that have taken place since budget time, you will see that for the Department of Natural Resources and Environment — as it is referred to on page 89 of the *2002–03 Budget Update* — all the drought assistance committed by the government at the time of that report on 15 January takes place in the current fiscal year.

Media reports have referred to the costs of fighting the absolutely horrific bushfires that Victoria has experienced over recent weeks. Those bushfires have indeed caused significant costs to the community for firefighting and related activities, as has been claimed in media reports, but again those expenses are for the current year.

The question in regard to the tight budget for next year is how much expense is going to be incurred the next year either in drought measures or in bushfire restoration measures that is additional to those already announced. Despite the very worthy sentiments expressed by the government and the whole Parliament, and despite the urgings by honourable members on this side of the house for the government to get on with taking action to help the community recover from the bushfires, what the government is doing about budget commitments for the next fiscal year is at present extremely nebulous indeed. In fact the only specific reference that I have been able to find to the government's fiscal commitment that may carry over into next financial year is in an article in the *Sunday Age* last Sunday, where it is reported that:

Premier Steve Bracks will soon announce details of a \$10 million-plus recovery package for the affected regions.

If honourable members have greater knowledge than I do of further commitments, I would be grateful if they would inform the house.

In relation to the claims about the drought adversely affecting the coming year's budget, there is in fact a contradiction between the Treasurer and the Minister for Finance, who was the Acting Treasurer at the time of the release of the budget update. The Minister for Finance said quite truthfully in his media release of 15 January:

Economic growth in Victoria is forecast to rise to 3.75 per cent in 2003–04, as exports recover following the end of the drought.

That in fact bears out what the Treasury officers themselves forecast in the mid-term budget update, where they also refer to a likely increase in the economic growth rate:

For 2003–04, forecast Victorian GSP growth has been revised upward slightly to 3.75 per cent, capturing the expected effects of a sustained recovery in exports in line with the ending of the drought.

In other words, they increased the economic growth forecast for Victoria for the next financial year by 0.25 per cent compared with the previous forecast, in line with the expected end of the drought. On the government's own budget sensitivity figures, that implies somewhat in excess of a \$10 million net revenue injection to the budget.

While both the drought and bushfires have of course had a very serious economic impact on Victoria and have been a drain on the finances for the current fiscal year, the evidence is very slight indeed that they are the major factors squeezing the budget for the next financial year. The main reasons lie elsewhere and are the explanation of why the government has been so keen to latch onto the drought and bushfires as a justification for the tightening fiscal situation. Just about everything else that means we will have a tough budget next year was already known back during the course of the election campaign, when the government was assuring Victorians of the strength of our economy and our fiscal situation.

During the election campaign the Premier pledged that, if re-elected, his government would maintain budget surpluses throughout the forward estimates period of in excess of \$200 million. That promise has already been breached when one adds to the published budget figures the cost of the Labor Party's election promises. That shows why the government has been so keen to shift attention.

Another aspect that needs to be commented on is the government's capital expenditure program. I was amazed to read, again in the report of the *Sunday Age* last Sunday:

... the next budget is likely to sharply reduce the amount of money devoted to new capital works.

Isn't that amazing! Until now the Treasurer has been waxing eloquent about how much money the government has been committing to capital works, and yet I specifically drew attention in the budget debate last year to the fact that the government had overcommitted the available funds for future capital works. It had dramatically shrunk the free funds that were available. I quote:

In other words, this year's budget —

the 2001–02 budget —

has left only \$306 million of uncommitted capital works funds available for the next budget year 2003–04 compared with \$504.5 million of new capital spending announced in this year's budget for 2002–03.

No wonder the capital availability is shrinking: the government has overspent the capital in the past, it further overspent the capital in its election promises and now, lo and behold, there is not the money to go around. For example, in my electorate further capital funding for one of my primary schools is under question, and certainly there is a big doubt, in fact more than a big doubt, about the timing of funding for the redevelopment of the Box Hill Hospital. It is all very well to put a few million dollars into strategy plans, but when you have overpromised so much where do you find the actual cash for the project itself?

In conclusion, this forthcoming term of the Bracks government is going to be a very different one to the term that has just passed. It is going to be a term in which the government faces real challenges, and its ability to live up to its responsibilities as a government is going to be put the test. I very much fear that on its record to date the government is going to be found wanting.

The DEPUTY SPEAKER — Order! Before calling the honourable member for Yan Yean I advise the house that this is an inaugural speech and ask honourable members to extend the traditional courtesies of the house to the honourable member.

Ms GREEN (Yan Yean) — It is with great pleasure that I rise in this place as only the second member for the seat of Yan Yean.

I take the opportunity to congratulate you, Deputy Speaker, on your appointment, and I ask that you pass on to the Speaker my congratulations on her worthy appointment as Speaker and on being the first woman

to occupy the position. I know that you will both undertake your roles with great skill and vigour.

I also want to express my heartfelt thanks to the voters of Yan Yean who have shown their confidence in our Premier, Steve Bracks, and in me as the local representative of a great government. I want to assure all the voters of Yan Yean, wherever they live and whomever they may have voted for, that I will represent them all to the best of my ability.

I take this opportunity to acknowledge the work of my predecessor, the Minister for Police and Emergency Services, who gave the seat excellent representation for 10 years and without whose help I would not be standing in this place today. The minister achieved many things for the electorate of Yan Yean, including the now almost completed duplication of Cooper Street, Epping, a fight he waged for many years; he championed the opening and extension of the Northern Hospital at Epping and the electrification of the rail line to Craigieburn. He fought the Kennett government hard on issues such as the closure of local schools and the threatened closure of the train line to Hurstbridge.

I also wish to show gratitude to the honourable member for Seymour, Ben Hardman, for his tireless work in that part of the Yan Yean electorate that was previously in the seat of Seymour. The honourable member for Seymour has demonstrated to these electors what it is like to have an elected representative who listens to their concerns, genuinely cares and gets things done. I will strive to emulate his work ethic and actions. I look forward to now working closely with both my predecessors in this place for the benefit of the electors of Yan Yean.

I now want to tell the house about the wonderful electorate of Yan Yean. The electorate is a classic urban-rural interface seat offering the best of both worlds: country feel; beautiful environment; relaxed community-oriented people; quality educational facilities; tourism opportunities and potential; quality restaurants and bed and breakfasts; fascinating markets; delicious wines and gourmet produce including cheese, buffalo, lavender, olive oil and a wide range of fruit including all berries, apples and pears.

It is populated by actors, artists, musicians, farmers, elite and amateur sportsmen and women, tradespeople, professionals and families. It has the best blues venue in the Melbourne region — the St Andrews Hotel. The electorate also hosts the best country music festival in Victoria, and maybe Australia, at Whittlesea. Whittlesea also has one of the best agricultural shows in the state. The electorate has an excellent and

competitive Australian Rules football league competition in the Diamond Valley Football League.

Country Fire Authority volunteers, including the oldest fire brigade in Australia at Kangaroo Ground, proudly serve and protect the whole electorate and beyond. I am proud of the 127 CFA volunteers from the Whittlesea–Diamond Valley group in region 14 who have spent time fighting the dreadful bushfires in north-east Gippsland, including 15 or so who still remain there.

In short, the Yan Yean electorate is a great place to live and to visit, and I encourage you all to do so. The electorate covers 744 square kilometres and includes the localities of Arthurs Creek, Christmas Hills, Cottles Bridge, Diamond Creek — where I live and raise my family — Hurstbridge, Kangaroo Ground, Mernda, North Warrandyte, Plenty, Whittlesea, Yan Yean, Yarrambat and parts of Donnybrook, Eltham, Epping, Greensborough, Kinglake West, Research, St Andrews and South Morang. The seat takes its name from the reservoir, one of the earliest water storage facilities for Melbourne. The reservoir is one of three such water facilities in the electorate along with Sugarloaf and Toorourrong.

The name 'Yan Yean' is Aboriginal in origin and means young boy. I take this opportunity to acknowledge the traditional owners of the land on which we stand here today — the Kulin nation — and pay my respects to their elders.

As I mentioned before, the electorate is a classic urban and rural interface seat. I am proud to be part of a government which has a Premier who is committed to delivering for the whole state — for every street in every location in Victoria. The first Bracks government did a great job in undoing the Kennett government's damage to rural and regional Victoria, and rightly so. In this term I know that this government will continue undoing the damage to the rural and suburban interface. This is our new challenge and we will meet it well.

In the last three years in Yan Yean the Bracks government delivered strongly with almost \$40 million spent on black spot programs and other road funding — more than the previous government had spent in seven years, not just in Yan Yean but in the whole state.

Projects like the duplication of Cooper Street, Epping, and the Craigieburn bypass, which has been given the go-ahead and which will reduce by more than 30 minutes the road trip from Sydney to Melbourne and shorten commuter and freight journeys to the city. Both road projects stand to create up to 10 000 local jobs in

the immediate vicinity of these two new roads and the new industrial park called Northpoint in Epping.

Public transport has seen great expansion in Yan Yean, with four new bus routes, improvements to many other routes, 24 new weekly rail services on the Hurstbridge line and 20 weekly services on the Seymour line, and a level crossing upgrade at Donnybrook.

Health services in the north also received new support, with \$12 million for the expansion of the Northern Hospital to meet increasing demand and to provide an additional 32 beds, together with 2 new operating theatres. I congratulate the Northern Hospital on its recently opened general practice clinic, which will make a dent in the shortage of bulk-billing doctors in the northern interface.

The biggest ever hospital project, which will serve the eastern side of my electorate, is the \$325 million redevelopment of the Austin and Repatriation Medical Centre and relocation of the Mercy Hospital for Women, which is proceeding apace.

Community health centres in the Plenty Valley and Eltham have also gained funding boosts, and the numbers of front-line health professionals — nurses — have increased by 178 in the northern region.

I mentioned earlier that Yan Yean has many quality education facilities. This quality is due to the dedication of the staff and standard of the programs which, it should be said, received markedly improved funds and support in the past three years — 52 new teachers, 127 classroom computers, \$7.3 million in capital grants for major school upgrades, including \$4 million at Whittlesea Secondary College, \$864 000 for Epping Primary School and \$1.08 million at Diamond Creek East Primary School.

The Yan Yean community is indeed fortunate to have such excellent schools, and I recommend them to all prospective parents. In particular I thank Diamond Creek Primary School and Diamond Valley College for the quality of both education and pastoral care that my family has enjoyed and will continue to enjoy.

The TAFE sector has also seen great improvements in the last three years with significant investment in new buildings at the Northern College of TAFE. It is the centre of excellence for agriculture for the whole state, and it trains students in such disciplines as beef breeding — particularly Angus cattle — wine growing and making, farriery, horticulture and essential oils, to name a few.

Community safety has also been a priority for the Bracks government, with 42 new police servicing the Yan Yean electorate; new police stations now open in Eltham and Kinglake; new fire stations at Yarrambat and Doreen; new appliances and equipment for St Andrews and Research; and a station building extension at Wollert.

Despite the achievements of the last three years, there is still more to be done for the rural and suburban interface of Yan Yean. I, as the local representative and member of the Bracks government, will deliver increased services and needed infrastructure to the community. The government has delivered much in its first three years, and the community trusts us to continue to deliver.

In the next four years the Yan Yean electorate will see the construction of four new schools to serve our growing communities, with a new primary school for North Epping in the new suburb of Aurora; a new primary school for Laurimar Park; and both a primary and a secondary school at Mill Park Lakes.

The Northern Hospital will get an additional wing with another 64 new beds, and a new super clinic for day procedures will be built at Craigieburn to service the north.

I call on the federal government to take its responsibilities for health more seriously and make good on its very stale promise to get new general practitioners into the outer suburbs and small towns near Melbourne. I condemn the federal health minister for failing to attend the recent health ministers conference.

This government will not rest on its laurels in the area of community safety. The Diamond Creek community will soon be served by a \$6 million joint facility for police, fire and ambulance services.

On roads, the government promises to duplicate the Plenty Bridge on the Greensborough bypass, at a cost of \$12 million. Also, Plenty Road will be duplicated from Centenary Drive to Gordon's Road, South Morang, at a cost of \$13 million.

On other important infrastructure, I am committed to working with local communities to see natural gas extended to Whittlesea and Hurstbridge. The government is committed to using our precious water resources well and keeping them in public hands. I know that the Yan Yean community will work with us to achieve this.

The Melbourne 2030 strategy will provide certainty to Melbourne's fringe. There will be growth where it can be sustained in the western side of the Yan Yean electorate, appropriately planned, with infrastructure like schools and health services, roads and public transport. Existing commercial development will be supported and new development will occur in designated activity centres. I am opposed to retail development outside these areas in greenfield sites, especially in Diamond Creek Road, Plenty. The strategy will enshrine the right of farmers to continue to farm. Importantly, the strategy will protect Melbourne's green wedges as the lungs of the city and something that current and future generations will enjoy.

I am delighted to share the government benches with so many talented men and women. In particular, I want to express my pride at our Labor team being so reflective of the community. With so many members coming from such diverse backgrounds, many of whom are parents of young children, this can only be good for our Victorian community. The number of babies, small children and teenagers visiting their parents in this place will change it for the better. I defy any honourable member to become out of touch with the real world when faced with the daily logic and sense of wonder of a child.

I have been a parent for 20 years, and mostly a paid, working parent at that, and I have enjoyed every minute. I thank Blake and Carlo for the difference they have made to my life and the wisdom and humility they have bestowed on me. I also thank my partner, Steve, for his love, support, sage advice and stoicism.

Some 40 per cent of the government benches are women, and I am proud to be one of them. The 40 per cent target has been reached some 10 years earlier than Labor nationally had sought to achieve. I express my gratitude both to the ALP and to Emily's List for their parts in us all arriving here. I will never forget your support.

I also want to acknowledge other women who have been important in my life in shaping how I think and who I am. Firstly, my late grandmother, Eileen Plozza, nee Brady, a woman of great spirit and dignity, from whom I learnt so much — the passion of her commitment to the ALP, the Catholic Church and equality for women. My grandmother and her sisters were committed Labor voters and trade union members who worked through the Depression. My grandmother and my grandfather, Frank Plozza, moved from the north-east and settled on a farm near Warrnambool at Nullawarre North. Theirs were often the only Labor votes cast at that polling booth. Despite being good

Catholics, they stuck with the ALP during the torturous split.

Mama, as we called my grandmother, was a very small woman who spent much time on the farm alone while our grandfather went off shearing. He was a committed member of the Australian Workers Union.

Whilst my sisters and I have enjoyed improved access to working conditions thanks to the work of successive Labor governments and the broader labour movement, my mother and her sisters began their working lives before the equal pay cases of 1969 and 1972, so they have not always received proper recognition for their talents. It should never be forgotten that these decisions have only happened in my lifetime, and even when I began my public service career in the 1980s it was only five years earlier that women had been able to retain permanency once married and have the same access to superannuation as their male colleagues.

All this began to change in 1984 when the then Premier, John Cain, Jr, introduced the action plan for women in the Victorian Public Service. It was not about favouring women over men, it was about recognising women for the skills they had and allowing us to reach our full potential. But for this plan I doubt that I and many others would have had the opportunity to stand here today.

To my mother, I commend her for her strength through adversity. She was widowed when my father had a heart attack on the cricket field when I was 19. My mother has since educated herself, finished her secondary school and completed an arts degree, where she started gaining an insight into what her daughter's funny views of politics and life were all about.

I want to thank my campaign team, who worked tirelessly for me for 12 months to win this seat for the ALP. In particular, I want to thank Mark Ward, Michele Ryan, Margaret and Mike Wayth, Peter and Jan Cleeland, Colin Brookes, Santo Spinello, Pam McLeod, Peter Kneale, Barbara Sturmfels, John Parker, Marg Hennel, Kerri Anne Tatchell, Fiona Cotter, Colin Hackworth, Michelle Croughan, John Yianoulatos, Tony Comley and all the other hundreds of ALP members and supporters in Yan Yean and the surrounds. It is their hard work promoting our message that helped us win Yan Yean. I also want to thank the ALP head office team.

I thank my parliamentary colleagues in this place and the unions who have supported me.

Last of all, I pay tribute to the best leader that the state of Victoria has ever had. He conducts himself with

dignity, humility, honesty and integrity. I am proud to serve in this place as a member of this government.

Mr WELLS (Scoresby) — It is gives me a great deal of pleasure to speak on the address-in-reply to the Governor's speech. I would firstly like to thank the people of Scoresby. It is a great honour to represent that area for the fourth time. Scoresby covers the suburbs of Wantirna South, Knoxfield, Wheelers Hill, Rowville, Glen Waverley and, of course, Scoresby, which is pretty much in the centre of the electorate.

I found the Governor's speech to be an interesting address that covered a wide range of topics. The point I would like to pick up is on page 2 of the speech, where the Governor said in regard to community safety:

Over the next four years, the government's priorities will be to:

improve community safety ...

I wonder why the Bracks government has set community safety as the no. 1 priority. Is it because of world tension? Is it because of community concerns at the moment? Or is it because the government failed in its first three years in regard to community safety? I wonder whether we should look at some crime statistics to see how the Bracks Labor government has stacked up over the past three years. I have the official current crime statistics, the source being the Victoria Police statistics for 2000–01 and 2001–02. They show that from the time the Bracks Labor government came to office to 30 June 2002, the homicide rate had increased by 32.9 per cent, rape was up by 8.5 per cent, robbery was up by 10.5 per cent, assault was up by — can you believe it? — 26.8 per cent, and abduction and kidnapping were up by 14.4 per cent. So crimes against the person went from 31 372 to 36 630, an increase of 16.8 per cent.

It is even more disturbing when you look at the statistics on weapons used in assaults. The use of bottles and glass, firearms, bats and bars, and knives was up by 37.8 per cent in 2001–02. That is a frightening amount, and we would expect a responsible government would address that when it comes to community safety. It is clear that with violent crimes on the increase the government should have done more in the past three years.

It was interesting when in early October 2002 my office phoned the office of the Chief Commissioner of Police to ask for a copy of the police annual report. We were categorically told that it would be tabled in Parliament on 31 October 2002, which would have been one week before the state election date was announced. When it

was not tabled on 31 October 2002 my office phoned the chief commissioner's office again to find out why it had not been tabled, and we were told there was a printing problem. A \$1 billion department tried to convince us there was a printing problem!

When the report was tabled — we got it yesterday — we found out why the Labor government had buried it and why it did not want the electors of Victoria to see it. Let us have a look at some of the interesting facts.

The Minister for Police and Emergency Services goes to great lengths to tell us about the extra 800 police officers out on the beat. Over and over again we have heard it, and we have accepted that figure — there is no question about that. So the first thing you would have expected is that the police would have reached their patrol hours target. That is what the minister said: extra police officers would be out on the beat so they would reach their patrol hours target. The police force itself set a target of 2.5 million patrol hours — I think that is reasonable — but they only reached 2.463 million hours, which means they were 37 000 hours short on patrolling our streets. When one considers that there are an extra 800 police officers, one has to ask what they are doing. If they are not out on the beat reaching their targets, where are they? So we looked at this figure a little more closely and found that with the hours of prisoner supervision, lo and behold, they are 37 000 hours over budget.

So they have taken police off the street, off the patrols, to look after prisoners in police cells because this government has our prisons chock-a-block. The prisons in this state are running at 121 per cent occupancy. Where are the government's plans? It is now into its fourth year in government, yet not one brick has been laid in a new prison — not one brick! And the prisons are running at 121 per cent occupancy. So let us establish the first fact: that 37 000 patrol hours have been taken off the street and police members stuck in police cells to look after prisoners in police cells. That is the job of prison warders, not of the available members of the police force.

The next point concerns crimes against the person. As I have just mentioned, crimes against the person under Labor have increased by 16.8 per cent, so you would want to make sure as a responsible government that, of all points you wanted to cover, crimes against the person investigation should be the no. 1 priority, you would think. The police rightly set themselves a target of 1.442 million patrol hours for investigation into crimes against the person. But what do we find on page 35 of the police annual report? They came in only at 928 000 hours. Half a million hours of police

investigation did not happen. We do not set these targets as an opposition or a Liberal Party. I thought the priorities the police force set for itself were dead right when it had 1.442 million hours for crime investigation, but the result is half a million hours short.

What is happening with the victims of crime? You have violent crime on the increase, but when it comes to investigating these crimes the police are not putting in the hours to fix it. Then you go to illegal drug activity.

Mr Nardella interjected.

Mr WELLS — I will get to your point in a minute, just give me a moment. Many of us in here are parents and we are petrified about the drug scourge. The government and the police set themselves a target of 600 000 hours of investigation into illegal drug activity. I think that is a fair balance. but if you look at page 35 of the police report you find that they have reached only 326 000 hours — just over half of the police target into illegal drug investigations. That is appalling!

The honourable member for Melton called out and said, 'You are having a go at the coppers'. Let me clarify that point very carefully. In road traffic law enforcement the police have set themselves a target of 850 000 hours. What happens? There are 1.1 million hours applied to road traffic law enforcement — 1.1 million! So you have 250 000 extra hours taken out of crime fighting spent chasing people up and down the freeways. Where are the priorities of the government?

I will tell you why this has happened. The first point I will make, and make very clearly, is that if it is genuine road safety you will always have bipartisan support from this side of the house, no question. But the government's own budget papers set police fines at \$340 million. And what it has put above that figure is the word 'target', not 'estimate' or 'budget'. What pressure does that put on the chief commissioner? The police minister has put enormous pressure on her to reach \$340 million to make sure the Labor budget balances, so the number of fines will go from 903 000 in 2001–02 to Labor's target of 1.7 million in this financial year — not quite a doubling of police fines. In the minds of many that would justify why the government has taken 250 000 hours out of crime fighting and stuck them into traffic enforcement to reach Labor's budgets.

Labor also forecasts that its budget coffers will get a massive 84.8 per cent increase in revenue compared to last financial year through police fines: \$340 million this year against \$182 million, once again not quite double.

This is a very disappointing part of the way the police have utilised their resources. We will be asking the minister for police and certainly the chief commissioner for an explanation of any undue pressure she has been under over the last three years since she became commissioner. We will find out why crime fighting as a priority has been dropped further down the line. That is a fair and valid point.

We will also be asking the minister when he will start moving prisoners out of police cells, because the report also shows that on a daily average there are 245 prisoners in police custody. How does that work when there is only room for 120? They are crammed in like sardines. That is, of course, putting undue pressure on our police force. We will be following that through very carefully.

It is very clear now why Labor tried to bury this report prior to the last state election. It went to the 1999 election promising to be open, transparent and honest, and we found by this report being buried that the government was embarrassed by the figures contained in it.

I will talk briefly about my electorate of Scoresby. There are three main issues on which I will be working with the honourable members for Bayswater and Ferntree Gully — an interesting challenge! We need, obviously, to make sure that projects like the Scoresby freeway are built and up and going. In 1999 Labor was totally opposed to the Scoresby freeway and then changed its mind. At the Aston by-election suddenly Labor members were all for it; but we are still waiting for a bulldozer to turn up so we can get just one millimetre of dirt moved, just a little bit of it.

I do not know where they are going to be. We were told by Vicroads the other day that it has 90 people working on the Scoresby freeway — 90 people — yet not one inch of dirt has been moved. I am not sure what they are going to do, so we are going to be in for a very interesting time.

The other promise the Labor Party made in 1999 was to build a tramline right to Knox City. It is interesting to note the front page of this newspaper, which states, 'Light rail to city in four years'. Labor made that promise — 'in four years'. It is interesting to note that Mrs Carolyn Hirsh is shown on the front page, but the date of the front page of that *Knox-Sherbrooke News* is Tuesday, 20 September 1988 — 1988! You promised to put the tramline through to Knox in 1988, which meant it would have been there in 1992. We are talking 15 years later, and it still has not moved one millimetre from Blackburn Road! It will be interesting to see if the

new honourable member for Silvan Province in the other place recommits herself to seeing if that promise can be delivered.

Ms Kosky — There is a better chance under a Bracks government.

Mr WELLS — Oh, it is a better chance! And the Bracks government has not even moved, despite promise after promise.

I thank my staff, Glenn Corey, Chris Costello and Kim McFarlane, who are so loyal and who work so very hard. I also thank my campaign team, also very dedicated and loyal, headed up by Geoff White.

I thank my family for the enormous amount of support and loyalty they have shown me. I know that little kids are great levellers. I said to them one night that I would be debating with the Minister for Police and Emergency Services on *Stateline* at 7.30, to which they said, 'Dad, if you think we are going to be watching you, fat chance — the *Simpsons* are going to be on Channel 10!', so we ended up having to get the babysitter to tape *Stateline*! My very special thanks to Judy, Sam, Tommy and Tahnee. They make everything worth while when we are stuck in here working very long hours. I know that at times it is hard, especially when it is homework and sports time, but I am very grateful for their support.

The ACTING SPEAKER (Mr Delahunty) — Order! I advise the house that this is an inaugural speech, and I ask that honourable members extend the traditional courtesies to the honourable member for Bentleigh.

Mr HUDSON (Bentleigh) — Acting Speaker, may I join others in congratulating the Speaker on her election to high office. It is both a great tribute to her and an overdue recognition of the very significant contribution that women are making in public life.

I would 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.

I am proud to stand in this chamber today as the new member for Bentleigh and as the third Labor member to represent the electorate in the Victorian Parliament. I congratulate the Premier on Labor's magnificent win in the state election. I thank my campaign team, headed by Cartha Maloney and Bill Kneebone. Without them I would not be here today.

The people of Bentleigh have placed their trust in me to be their elected representative. It is a huge

responsibility, and I promise to do everything I can to ensure that their trust in me is vindicated. My first duty as an MP is to represent my constituents. I promise to listen to their concerns and speak up in the face of injustice or when government falls short of its stated goals and commitments. I intend to be a voice for the people of Bentleigh and to work with them to make a difference.

Bentleigh is an electorate which in recent years has changed dramatically. In the postwar period it was a major settlement area for returned servicemen and women, who left an indelible imprint on the electorate. They were modest people who served their country, worked hard and raised their families. Their community pride resulted in great local institutions such as the Moorabbin hospital, which was built because the community had a dream and helped to raise funds to make it a reality. These dreams were crushed when the accident and emergency department at the Moorabbin hospital closed under the Kennett government — a decision that still rankles with the community today.

When I surveyed the electorate as a candidate 46 per cent of the respondents nominated health as their no. 1 priority, and many, without prompting, raised the closure of the emergency department as something that concerned them. The Bracks government has recognised this and embarked on a series of initiatives that will improve health services in the community. They will also go a long way towards restoring the sense of local community ownership that my constituents are looking for. These include the first-ever ambulance station in Bentleigh, a new elective surgery ward and operating theatre at Moorabbin, and two new radiotherapy bunkers that will double the cancer treatment services available in the area.

In the last decade many of the old diggers have been replaced by new waves of young families and migrants, taking advantage of an established residential area and facilities close to the heart of Melbourne. Their aspiration for improved schools and a safer community will be met through the major redevelopment of a number of schools in the area and the increased presence of uniformed police in our local police stations. I am excited about what these commitments mean for Bentleigh, and I will look forward to bringing them to fruition over the next four years.

I grew up in the nearby suburb of Chadstone, as part of the Holmesglen public housing estate. Waves of migrants came to Holmesglen and found their first homes in tin Nissan huts along Gardiner's Creek. My parents not only raised six children but were also active in the community. I do not know how they did it.

My mother instigated and ran a netball club for 25 years, while my father built school ovals and tennis courts and served on the school council. They showed me the importance of compassion, hard work, honesty, discipline and community. They were modest people but fiercely ambitious for their children. They taught us that what counts is what you do, not who you are. So the measure for me will be what I am able to achieve in public life, not the position itself.

My parents have been the single most important influence in my life, and I am proud that my mother is here today to share this moment. I regret that my father was rushed to hospital and could not be here today.

I also know that I could not have come this far on my journey into public life without the love, support and advice of my wife, Marie, and I know I will continue to be indebted to her and our children, Pru, Dashiell, Elliot and Freya, for their tolerance and patience.

My own political values have been shaped by my family and by the years that I spent working in community organisations and in government. My heroes were not only politicians like Gough Whitlam but people like Ronald Henderson, who through painstaking research gave us our first real picture of what poverty means in this country. Many of the social justice measures that we now take for granted had their genesis in Henderson's work.

My first job was working at the Brotherhood of St Laurence in an anti-poverty project in Fitzroy called the Action and Resource Centre for Low Income Families. Working with people like Connie Benn, David Scott and Hayden Raysmith I came to understand the grinding reality of poverty and its damaging impact on individuals and our society.

Poverty can be effectively tackled only when people are empowered to exercise greater control over their own lives. This is achieved when governments are prepared to tackle the barriers that lock many people into poverty. For example, people must have the security that comes from a decent income and affordable housing. Without this they will struggle to access educational and employment opportunities or participate meaningfully in the broader community.

It is the first duty of governments to make sure everyone has a stake in society and can share fairly in its benefits. To ensure that this happens we must set goals and targets against which we can measure our progress and be held accountable for specific outcomes. This government had the courage to do this, not only in relation to education but in a wide range of areas of

government activity, through Growing Victoria Together.

I believe in a positive role for government, not for its own sake but as a means of ensuring that everyone, no matter what their circumstances, has equitable access to economic resources, to essential services and educational and employment opportunities. Our educational funding must recognise that some students will need more assistance if they are to effectively overcome the disadvantages that come from a deprived background.

The past century has seen tremendous gains in the health of our population, but the burden of disease and injury in Australia still falls much more heavily on the poorest people in our community, including our indigenous population. Our public health funding must recognise this fact if further health gains are to be made.

This is not a question of sacrificing economic objectives to social development. There is no reason why providing for people's social needs should not itself produce economic benefits — for example, providing social protection for unemployed people delivers economic returns in the form of increased stability, increased consumer demand and increased labour market flexibility. It is very hard to contemplate major structural adjustments if there is no safety net for affected workers.

The same is true of labour market programs. I have always thought that the conservatives miss the point about these. They are not principally about job creation, rather they are designed to give disadvantaged workers the opportunity to gain much-needed work experience, confidence and skills so that they can compete more effectively in the labour market.

With Australia's economy undergoing structural change, new opportunities have been created. However, at the same time there are new inequalities. While in the last decade new jobs have been created in the information technology and service industries, there has been a collapse in traditional manufacturing jobs in the old industrial suburbs. In the past 20 years the gap between the wealthiest and poorest sections of our community has steadily widened, a gap that has principally been driven by market forces. During that time it has only been the real increases in social security payments achieved by Brian Howe as social security minister in the Hawke government that have prevented poverty from getting worse. I would like to acknowledge the enormous debt I owe to Brian Howe as a political mentor and friend. In my view he is one of the great ministers we have had in this country since

Federation, and even today the benefits of his reforms are felt by everyone who has to rely on social security as their principal source of income. It is a privilege to have him present to hear this speech.

It is also true that you cannot have a decent social security system without decent wages. The fortunes of those who depend on social security are bound up with the level of wages paid to those in the work force, particularly at the bottom end. People cannot work their way out of poverty unless we tackle poverty traps that are inherent in poor wages and conditions, as well as poorly constructed income tests. These can only be improved through the work of unions and I am proud to be a union member.

One of my more chilling experiences was to speak at the Dallas Brooks Hall at a rally for injured workers to support those whose workers compensation entitlements had been unilaterally cut by the Kennett government. These people were being thrown onto social security payments at a moment's notice. As I spoke I felt the waves of fear and distress wash over me from the crowd. It is an experience I will never forget. Fundamental rights are a critical part of social justice, and I promise to stand up for them at every opportunity.

It is the task of Labor governments to ensure that no matter what else we do, we work to improve the position of people at the bottom of the heap. Increasingly, high concentrations of disadvantage can be found in particular suburbs and regions hard-hit by structural change, creating further barriers to social and economic participation.

In my years in the community sector, including six as director of the Victorian Council of Social Service, I had the privilege of working with a myriad of individuals and organisations that are the critical building blocks for a cohesive and inclusive society. Government can seem distant and inaccessible to many people and community organisations are often the mediating structures through which people gain access to services and participate in decisions that affect their lives.

Community organisations shine the torch on areas of need that are often overlooked or ignored by governments. They are crucial advocates for people's rights. The very best of them also connect people to each other and provide a vehicle for empowering people to take control of their own lives. Victoria is lucky to have a vibrant and healthy community sector and I am indebted to it for what it has taught me about people and community.

Contrary to the myths, Australia is one of the most urbanised societies on the planet and ensuring that Melbourne remains one of the most liveable cities in the world is one of our greatest challenges. The health of our environment depends very much on how well we manage our cities. The environmental impacts of urban activities are also felt far beyond the cities and towns in which they occur. State governments can play a crucial role in guaranteeing the liveability of cities.

In a globalised world the quality of our cities, the health of our urban environment, their degree of social harmony and their economic activity will be the major factors determining whether Victoria continues to prosper. In a world of mobile capital, people prefer to visit, study and invest in cities that are pleasant places to live and have good infrastructure. In Melbourne this is evident in the huge explosion of our service industries, in the increasing attraction of Melbourne to world-class scientists and the growing number of students from the Asia-Pacific area.

Likewise, people do not want to live or invest in cities that are riddled with crime, choked with traffic or have a poorly trained work force. We will not be able to compete internationally if traffic congestion imposes huge costs on business or freight cannot be moved efficiently around our ports. We will not maintain our quality of life unless public transport as well as roads and freeways are part of the long-term solution. I look forward to working on the government's commitment to increase public transport's share of motorised trips within Melbourne to 20 per cent by 2020. It is crucial to the future liveability of the city. Our infrastructure program over the next 10 years will largely determine our future success.

The Bracks government has recognised this with the development of its greenhouse strategy, *Melbourne 2030*, and the huge increase in expenditure on infrastructure projects over the last three years. These initiatives will be among the lasting legacies of the Bracks government.

However, our cities will not be attractive places to visit and do business unless we also renew those areas in which there are high levels of social disadvantage and high concentrations of public housing and unemployment. Nor can we leave people on the fringe without access to services, transport or jobs. We cannot afford to forget these areas and the people who reside within them.

The same is also true of our natural environment. We will not be able to sustain our cities or the rural areas around them unless we tackle greenhouse gas

emissions, air quality, the level of water consumption and the disposal of our wastes.

Economic, environment and social policy must be inextricably linked. When I first went to work for Brian Howe in Canberra he told me to be humble about social policy, not because he did not see it as important, but because too often it is seen as subservient to economic policy by opinion leaders and decision makers in this country. In Brian's view, you only made headway with patience, good research and carefully constructed policy, not hubris or rhetoric. This was the hallmark of his public life. It is an approach I hope to emulate during my time in this Parliament.

The ACTING SPEAKER (Mr Delahunty) — In calling the honourable member for Swan Hill I advise the house that this is his inaugural speech, so I ask that honourable members extend the courtesies and traditions of the house to the honourable member.

Mr WALSH (Swan Hill) — Thank you, Mr Acting Speaker. I congratulate you on your elevation to that position and say how dignified you look sitting in that chair!

I sincerely thank the fine parliamentary staff who have ably assisted the new members, including me, start the transition to parliamentary life. I also acknowledge the many National Party supporters in my electorate who worked hard to assist me to be elected to this place.

The Swan Hill electorate offers its parliamentary representative many challenges. It is a huge electorate of 28 000 square kilometres, twice the size it was when my predecessor, Barry Steggall, was elected in 1983. There are 40 towns in my electorate, 6 local government municipalities, 17 hospitals and health care facilities, 58 schools and hundreds of small businesses. It is truly the best part of Victoria, despite what other honourable members may say in their speeches!

The last electoral redistribution brought two new areas into the Swan Hill electorate, and I welcome them warmly — the area centring on St Arnaud and including Stuart Mill, Navarre and Natte Yallock; and the district around Warracknabeal and south almost to Horsham, including Minyip, Murtoa, Rupanyup and Marnoo.

The Swan Hill electorate is diverse. Environmentally it has the harshly beautiful and tough Mallee, the box-ironbark ecosystem, the riverine red gum forests along the Murray and Loddon rivers, and the great plains of the Eastern Wimmera and the Tragowel. There is just as wide a spread in our communities of interests — the old mining towns of central Victoria,

which are heavily dependent on tourism; the larger commercial centres of Swan Hill, Kerang, Warracknabeal, and St Arnaud, and the many small towns scattered across the electorate, which are mostly dependant on agriculture and which have survived despite massive technological change that has enlarged our farms but shrunk our towns. There are so many different communities of interest, each with its own set of strengths and its own challenges.

One inescapable problem we all share at the moment is the savage drought — the worst on record — that comes hard on the heels of six previous years of below-average rainfall. Many of the recreational lakes that draw thousands of tourists each summer are completely dry; others are rapidly evaporating. The psychological, economic and recreational importance of lakes like Lake Boga cannot be underestimated.

The storages of the Wimmera-Mallee system are holding just 7 per cent of capacity. People on farms and in towns fed by these systems are coping with extreme water restrictions. The Wimmera-Mallee Water Authority is already making plans for extensive water carting to towns and properties next year if no significant rain falls. In fact, one of the great benefits of the proposed Wimmera-Mallee pipeline will be the increased security for communities across 2.3 million hectares of the region. The reduction in evaporation and leakage alone of 83 000 megalitres a year is a staggering benefit in an area where every drop counts. It will be one of my challenges to ensure the system we finally put in place has the capacity for future development. We should not be penny wise and pound foolish on a project that will last the next 80 to 100 years.

It would be easy to get depressed about the effects of this severe drought on our farmers, our towns and our wildlife, but I am fortunate in having in my electorate many enterprising, resilient and forward-thinking people. The drought will eventually end, it will rain and our people will get back to doing what they do best — growing high-quality food for domestic and export consumption.

There has been a quantum leap in approaches to food production in the electorate over the last 10 years on dryland and irrigation farms. In the dryland areas vast monocultures of wheat and barley have been replaced by a wide range of pulses and oilseeds — canola, chickpeas, lentils and faba beans — grown to diversify the income base in the rotation and for the health of the soil.

Change has occurred not only in the type of crops but also in the increasingly sustainable way they are grown and the skilful way they are marketed. Wimmera Grain is typical of the businesses that have sprung up. It began operating out of Rupanyup in 1993 and has become a significant exporter of chickpeas, lentils, broad beans and other specialty grains like fenugreek, to 32 different countries. Similar successful grain exporting and stockfeed businesses are operating in Nullawil, Minyip, St Arnaud, Donald and Manangatang. Throughout my electorate good ideas are being taken up and developed with skill and imagination by entrepreneurial people who are not afraid to take a risk.

Kooka's Country Cookies — a real small-town success story — was started nine years ago as a one-man operation, and now employs more than 40 people in its factory at Donald. It supplies those great buttery shortbreads to supermarkets in every state in Australia. Honourable members who have not tried them are missing a treat.

We have an agricultural service sector that is second to none. Large family businesses like Emmetts, O'Connors, Michaels and the Parkers T and I network span the region with dealerships. Specialist machinery engineers like Grizzly and Pumpa Engineering supply all over Australia. The Pickering transport group has built up an enviable reputation as a carrier. You will not pass another Fox in the Swan Hill electorate, but it is on the cards you will pass a Lake Boga Transport B-double taking high-quality fruit and vegetables to the big cities of Australia.

In the irrigation areas horticulture and viticulture have boomed, largely as a result of the transferability of water rights activated by the coalition government in the early 1990s. The Goulburn–Murray corridor is now flourishing, with more than 60 different agricultural and horticultural products, including stone fruits, grapes, vegetables, olives and almonds. My home town of Boort accommodates the largest olive grove in the southern hemisphere. When fully developed by Timbercorp it will represent \$110 million of investment spread across 3500 hectares. Construction has just begun on a \$100 million olive processing plant to process that premium oil.

That brings me to an issue of importance to my electorate. In the big cities irrigators are often perceived as environmental vandals. Few workers tucking into a salad roll for lunch spare a thought for where the food they are eating came from. In all likelihood it was an irrigation farm. We enjoy an unparalleled range of fresh produce all year round. How? Irrigation. What gives

our food its consistency and variety in a highly variable and uncertain climate? Irrigation. The latest national land and water resources audit tells us that 50 to 55 per cent of all farm profit generated in Australia in the late 1990s came off one half of 1 per cent of the agricultural land base. How? Irrigation.

Irrigators have done much over the past decade to make significant productivity gains, and there has been a quantum leap in water use efficiency — and I am confident this will continue. Water is being transferred to higher value horticultural crops; hundreds of kilometres of community drains have been constructed; flood irrigated properties are almost all laser levelled; and sprays, micro and subsoil irrigation systems have won greater acceptance. Irrigators recognise that improving irrigation efficiency, reducing ground water recharge and minimising off-farm drainage are critical to sustainable irrigation and to their survival as farmers. I want urban consumers to understand that irrigators are already making a major contribution to improving the environmental health of northern Victoria and will continue to do so.

I would like to take this opportunity to pay tribute to my predecessor, Barry Steggall, who held the seat of Swan Hill for almost 20 years between 1983 and 2002. I am sure honourable members who worked with Barry in that period hold him in the same high regard as I do.

One of the permanent legacies Barry has left Victoria is his work on water reform. His amendments to the Water Act 1989 set the rules that have enabled the transformation of the Murray Valley's productive landscape. He chaired the Sharing the Murray bulk water entitlement process for three years. The outcome of that was consensus between environmentalists and irrigators, a more secure investment climate, and confidence in irrigators entitlements. I commend and honour Barry Steggall for his dedication to his community and his untiring work for the health and prosperity of the Swan Hill electorate.

One of the greatest challenges ahead for all of us will be satisfying the water and food demands of our society while protecting our in-stream and riparian ecology. Even after the drought has broken water will be one of the biggest issues of the future. The Living Murray debate that will examine these issues has already begun. Over a 15-month consultation period, scientists, the community and government will discuss the notion of what constitutes a healthy working river.

We all have a vested interest in a healthy river. Everybody lives downstream of somebody else. But there is a growing concern among my constituents that

we may throw the baby out with the bathwater. We look to our scientists to provide us with some convincing science about the benefits of returning each of three levels of environmental flows. How much flow restores the maximum biodiversity benefit, when should it be delivered and over what period? To what extent will the flood plain, now largely leveed off to protect assets and property, be involved? How will we manage the low summer flows needed by the environment and still provide the necessary water for Adelaide, for our towns and our irrigators? How do we balance good environmental outcomes with the social and economic imperatives of our communities?

I quote Dr John Whittington's sensible remarks from *Watershed*, February 2002:

It is not the role of the scientific community or those who work the river to decide upon the compromise between the competing values of production and the natural environment. Rather it is for the community, through the political process, to determine this compromise. It is the role of the science community to identify the relationship between level and type of work and the loss of river health. Similarly, it is the role of river users to identify the levels and types of work that are socially and economically viable.

Underscoring these investigations there are a number of principles which I will vigorously promote: government must acknowledge water rights and licences as property rights; any property rights to water that are extinguished should be legislated and compensated for on just terms; the integrity of the water market must remain free from government intervention; changes to our river health that come about as a result of environmental flows must be closely monitored and reported to our river communities annually.

A stakeholder profile study for the Murray-Darling Basin Commission last year showed strong support for a healthy Murray. Ninety-five per cent of those interviewed said the health of the river was a top priority, but that support fell to below 40 per cent if it was thought that river communities were not adequately drawn into the process and the decisions.

Governments must be mindful of this qualification. The 15-month period allocated to the Living Murray process may not be long enough for people to accept and support any changes needed, especially during a period of extended drought.

I look forward to the challenge of being the member for Swan Hill. Many focus on the decline of services to country towns, but I believe this is a symptom, not a cause. A measure of my success will be to increase the economic activity in my towns and help generate permanent jobs and careers.

The extension of the natural gas network to the region is one of the tools that I believe will help grow the rural population and hold on to our young people. If I can do that, I will help to solve the health, education and service delivery deficiencies that plague many of my small towns and simply do not exist for city people.

I can assure the constituency of the Swan Hill electorate that I bring to my new role as their local member all of the determination, the drive and the energy that I have, and I will use my skills and networks to achieve positive outcomes across the whole electorate, and I hope my inclusive approach will allow all to feel that they have a voice through me in this place.

The ACTING SPEAKER (Mr Thompson) — I call the honourable member for Mordialloc. I advise the house that this is an inaugural speech and ask the house to extend the usual courtesy.

Ms MUNT (Mordialloc) — Thank you, Acting Speaker. Please pass on my congratulations to the Speaker on her election as the first female Speaker in this place. Her election marked another milestone on the road to full participation by women in politics.

I want to commence my remarks by speaking about our roles as members of the Parliament. We have the opportunity and responsibility to support good laws such as the Bracks government's reform of the upper house. We also have the opportunity and responsibility to reject bad laws, such as the previous government's legislation to reduce the powers of the Auditor-General.

The reforms of the upper house that our new government is introducing will bring to the Victorian community a more democratic and more representative Parliament, so I have great pleasure in supporting this reform. I am delighted also to have as my colleague in the upper house, Noel Pullen, the first Labor member for Higinbotham Province.

The other key role we have as members of Parliament is the chance to help our community and constituents find a way through the bureaucratic maze. A member can help solve problems like finding housing for someone who is homeless or working to change traffic rules so that a thousand passing trucks do not keep residents awake at night.

I wish to declare here today in my first speech in Parliament that the clear focus of my efforts over the next four years will be to work to achieve as my priority the needs of the people of my Mordialloc electorate who have honoured me with their support.

My priorities as the member for Mordialloc will be a continued strong emphasis on improving educational opportunities and facilities for our children; improvement of our living environment, from protecting the south-east green wedge to addressing traffic management and planning issues; working hard for the recognition and inclusion of the diverse people and groups in the Mordialloc community, including people with disabilities; and industrial relations reform to protect worker entitlements and working conditions.

No doubt other issues will emerge and gain momentum over the next four years, but the above issues are important, and I will address them in some detail in a few moments.

But first I wish to say a few words about my background and some of the people and issues that have influenced me and shaped my character. As such no doubt they will influence the way I go about representing Mordialloc.

I was born and grew up in a housing commission estate in Highett. It was an area that did not get much attention at that time. The best resources in parklands, libraries, schools and health care were placed some distance away in more affluent suburbs. As I stand here now, I am wondering how a girl from the housing commission estate was able to end up here, for goodness sake. Yet this place could not do its job representing the people if it did not include people from the greatest possible variety of backgrounds and walks of life.

I grew up listening to my late father, Stanley 'Digger' O'Connell, talking about politics over the dinner table. He was a cantankerous voter, considering every issue and only giving his vote to Labor after hard and careful thought. He raised me to have concern about the way our state and country were run. He was a worker at a factory in Port Melbourne — home of the greatest football team in Australia, the mighty Burras. He worked there for nearly 40 years. Had he worked there just a little longer, he would have been eligible for a modest superannuation payout — all that he had. But the management dismissed him just a few months beforehand. They did this to avoid paying him his due.

How many times have we seen this happen? How many of the working people of Australia have lost their entitlements due to deliberate policies like that perpetrated on my father? How many of the factory owners in such cases are still living very well, thank you very much? This personal experience makes me very pleased to support the government's program for

industrial law reform in this place and to work to stop the exploitation of our workers.

Here, surrounded by gold leaf and a tradition that dates back 150 years in Victoria and several hundred more years in Britain, it is easy to forget how privileged we are. Everyone in this place earns a considerably higher salary than the average family in our community. Whilst I do not suggest we do not work for our salary, no-one should ever, ever suggest that the nurses, the nursing home aides, the factory workers, train drivers, school teachers, small business people and all the others who keep our society running do not work for theirs.

Over 30 years ago I was a student at Highett Primary School. Our school was one of the first closed by the former Kennett government and sold off for housing development.

All that the people in the housing commission areas of Highett wanted was a good education for their children. When the former Kennett government attacked the state education system, it was not a random process but a deliberate philosophy to reduce the opportunities for the less well connected in our society.

I went on to attend Highett High School, which I am happy to say survived the previous coalition government — just — and is now part of Sandringham Secondary College. I was very lucky to have as my teacher one Peter Ford, who recently sent me a letter from which I would like to quote:

I started at Highett in April 1970; all I wanted to do was to teach politics (Social Studies as it was then called). But this, of course, was the prerogative of the private schools and the ruling class. What was the point of teaching politics to the plebs? There were only five high schools teaching it and they were the elite ones. It took a very courageous principal in Frank Farmer to convince the school council to put it on the curriculum. They were heady days and, of course, kids flocked to the subject and we had over 70 in year 11 and 38 did year 12 in 1972, including 10 As — the best results in the state by a mile.

Peter's words remind us that in living memory — only 30 years ago — people in working-class areas were routinely denied the advantages that society as a whole gives to others.

After growing up in Highett I was lucky to be the right age when the former Prime Minister Gough Whitlam removed university fees. This allowed me, a housing commission girl, to go to university — the first of my family to do so. Of course I studied politics — it seems it did me some good — but I learnt as much about politics from another resident of the estate, the late Stan Curnow, as I did from the university.

I knew Stan from early childhood. He used to organise the local Labor polling booth rosters, and I would go wherever he sent me. Stan was also a great friend of Peter Spyker, a former honourable member of this place and someone who ably represented large parts of my electorate for many years, although the boundaries have changed a bit in recent years. Peter has been a great inspiration to me, both during my time as a candidate and since my election. Since I lived in Highett I have prospered and amazingly I am now a member of Parliament, but I have not forgotten the places I have come from and I have not forgotten that there are many people who are struggling as my family did.

It is the mark of a really civilised society that all people get the help they need. We raise taxes from society as a whole in order to provide the services that society as a whole requires. Those of us who are privileged have a responsibility to help those who are not. This is accepted by those on our side of the house, thankfully now a large majority of this place.

I wish to say a few words about the electoral district of Mordialloc which I now represent. First of all I want to pay tribute to the original inhabitants, the Koori people. Mordialloc is a Koori word meaning a short creek. Until the late 19th century there was an important Koori settlement there. Nowadays the Mordialloc district may be best described as middle suburban, with many new suburbs developing further out in south-east Melbourne, but Mordialloc is very diverse. In the north-eastern corner of the electorate there is a community known locally as Spring Valley. Here we find a large number of people who were born in many different countries but who have made Australia home.

In Spring Valley, as in the areas represented by my neighbours, the honourable members for Clayton and Lyndhurst, people from Cambodia, China, Spain and Eastern Europe will be found, working together as a new and vibrant part of multicultural Australia. The people in Spring Valley have the lowest average incomes and are the poorest resourced in my electorate, and maybe because of this they complain the least. Representing the people of Spring Valley will be one of my major objectives in this Parliament.

Not far from Spring Valley is a very different community in Dingley Village, a more affluent area. One of the most important issues in Dingley is the preservation of the green wedge — the lungs of Melbourne. I am very pleased with the unequivocal commitment of the Premier that Labor will preserve the green wedge from housing and industrial development.

Most of my electorate is near to or on the coast of Port Phillip Bay, including the suburbs of Highett, Cheltenham, Mentone, Parkdale and Mordialloc. The protection of the bay is one of the most important environmental concerns in my electorate. In recent years there have been efforts to clean up the discharges into the bay, such as at Mordialloc Creek, but there is much more to do. This could involve partnerships between the community, government and private enterprise — for example, the new Waterways estate in Braeside includes a fine new wetland that will help to filter out some of the pollutants carried down the creek. We must all work together to help clean up our creeks and other waterways.

Recently there have been some alarmist statements by the Kingston City Council and others about Port Phillip Bay being damaged by possible dredging for deeper shipping channels and a possible deepening of the rip at the entrance to the bay. This is a serious environmental issue and has to be properly examined. The scientific study is still to be done. I welcome the contribution of community groups to this debate, but I am disappointed that the local council has prematurely attacked the proposal for purely political reasons. Let me make it clear to the house that I will not support any bay dredging that might damage the environment or cause problems for any housing estates.

Right throughout the electorate of Mordialloc people have expressed their concerns about the environment, both natural and built. People do not wish to wake up in the morning with several three-storey mock-Georgian units next door, as was the way when a previous honourable member for Pakenham was the planning minister. Under the Bracks government planning is no longer a dirty word. We still have many challenges however, and the government has introduced Melbourne 2030 as a way of preparing for our future. Melbourne 2030 does not mean the virtually unlimited development of the mid-1990s but it does mean that we all have to work together to provide places for housing, schools, public transport and other infrastructure for the whole community.

I want to raise an issue that has been a large concern for many people in the Mordialloc electorate — namely, traffic. During the recent election campaign I was attacked by my opponent and the local council for not supporting a \$180 million freeway, known locally as the Dingley bypass. I cannot support this kind of expenditure when the traffic studies show that it will not solve any of the traffic problems in my electorate. I can say that the residents of White Street, Mordialloc, whose pleasant street was turned into a main road by

the previous Liberal government, deserve relief from the daily grind of trucks and traffic.

I believe that the Labor government's decision to go ahead with the Mitcham–Frankston freeway will reduce the traffic impact in White Street. But if more needs to be done, it will be.

There are so many issues that a member of Parliament can and should take up. Time does not allow me to raise every one, but I do want to mention services for the disabled and differently abled people in our community. There have never been enough money and resources available for people who are born with or who acquire disabilities. As a community we must work harder to provide more services for such people. It is expensive, and all of us who are prosperous and have good health need to be prepared to put in our share to help those who need such help.

Disabled children who are going to school need integration aides, and we have to be prepared to fund an increasing number of these. Older disabled people need a range of appropriate accommodation — and this does not mean keeping severely disabled young people in nursing homes for the aged, because disabled citizens need more than just a place to sleep. They need intellectual stimulation and to be able to have fun and experience rich and fulfilling lives in our community.

If we are to provide reasonable services for our disabled citizens, to provide the best schools and to improve all of our public infrastructure, we have to be able to pay for it. Those who are best able to afford to pay need to pay more. I am a high-income earner and am very pleased to pay higher taxes if I know that those taxes are assisting the community.

I have spoken before about my schooling and university. Education is an area in which our society has to do much better. Recent conservative governments have closed schools — including mine — and ripped huge sums away from our universities. That is not a way in which clever people would ever act.

Fortunately the Bracks government has made a strong commitment to education, and this has meant more teachers in our schools, more money for infrastructure and, in the case of some schools, really significant improvements. Mentone Primary School serves many children in my electorate, and I was the school council president there. I am so pleased that the school is to be rebuilt at a cost of over \$2 million.

In addition I am very pleased that the Bracks government has provided over \$2 million for improvements at Cheltenham Secondary College, one

of the two secondary colleges in the Mordialloc electorate. Furthermore, Mordialloc Primary School has been earmarked for a major redevelopment. I intend to work very hard on behalf of all the excellent state schools in my electorate.

Now I have to turn my attention to thank some of those who have helped me to get to this place. Emily's List Australia was set up to help increase the number of women in Australia's federal and state parliaments. I am grateful for their help, and I am delighted to be in this place with the largest ever proportion of female members.

I had a wonderful committee to assist me in my election, of whom I want to mention in particular the committee president, Steve Hardy; the treasurer, Dennis O'Sullivan; the campaign manager, Stephen Morey; the campaign secretary, Chris Davey; the press adviser, Lynette Wilkes; and Noel Beaton, a former federal member for Bendigo, who gave me advice on such a wide range of things and helped with his great knowledge of the press.

I have to single out Nola van Klaveren, who walked the streets of the Mordialloc electorate with me, week after week, knocking on doors that had not seen a state member for a long time.

Much of the hard work of restoring the level of Labor support in Mordialloc was done by Robyn McLeod over successive, difficult elections. She would have been a great member for Mordialloc and is a great role model for me. Finally I want to thank my family — my mum, who rang 3AW on election night and asked them why I was not being interviewed, and my husband, Greg, and three children, Ian, Katherine and Jenny. I know Jenny will be embarrassed, but so be it.

Business interrupted pursuant to sessional orders.

Sitting suspended 1.02 p.m. until 2.02 p.m.

QUESTIONS WITHOUT NOTICE

Central City Studios: Docklands tender

Mr DOYLE (Leader of the Opposition) — My question without notice is to the Premier. I refer to the Auditor-General's report today on the Docklands film and television studio, which states:

The successful tenderer enjoyed additional opportunities to present and clarify their proposal ...

and:

The other tenderers were not given the same opportunities for additional presentations or to revise their tenders ...

How does the Premier justify the government's corruption of this tender process?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The Auditor-General goes on to say some other things — including that the preferred tender has been undertaken in accordance with the Victorian Government Purchasing Board's probity and policy guidelines. That is exactly right, and those guidelines are very clear about preferred tender status, which requires and obliges further negotiations. It has always been the case in clarifying tenders.

On the matter of the Auditor-General, it is important to note that on this side of the house we support the Auditor-General here in Victoria. Not only do we support the Auditor-General, but today we have started the process of bringing in legislation to enshrine the Auditor-General's powers and abilities in the Victorian constitution. The reason we have an Auditor-General is that we support that position on this side. Members of the opposition voted against the powers of the Auditor-General and effectively, sitting there, voted against his capacities.

I again say that the Auditor-General in this case has determined quite appropriately and properly that the proper probity rules were followed. The tick-off was given there by independent probity auditors Pricewaterhousecoopers and Acumen Alliance. What is also great is that what we will see at the new Docklands studio is \$100 million-plus of new economic activity in this state, something that was missing in the previous government's policy before we came to office but something that we will gain in new film and television production in this state.

Bushfires: firefighter death

Mr HARDMAN (Seymour) — My question without notice is to the Premier. Will the Premier advise the house of the tragic events that occurred yesterday during the ongoing firefighting effort in north-east Victoria?

Mr BRACKS (Premier) — I thank the honourable member for Seymour for his question. Yesterday in the house we were debating matters concerning the bushfires and many honourable members were passing on their support for the firefighting effort, which I know would be reconfirmed here today. The fires, which have burnt out more than a million hectares and have been effectively the worst fires we have had in this state for the last 60 years, have been burning now for some

51 days. Regrettably it is with sorrow that I advise the house of the tragic death overnight of a Department of Sustainability and Environment firefighter after storms and localised flash flooding occurred in the Upper Buckland Valley late yesterday.

I am sure all honourable members will join with me in offering our condolences and sympathy to the family, friends and colleagues of the firefighter involved. Two other department firefighters were also injured in the incident, in which it is understood that the Department of Sustainability and Environment fire vehicle was washed away in a flash flood which occurred in that region.

We will be undertaking an inquiry into this matter. I am advised that there will be a police investigation, together with a coronial inquiry and a departmental inquiry, of course, in the Department of Sustainability and Environment. Worksafe Victoria will also conduct an investigation.

This accident occurred within hours of a second incident, where the pilot of a firebombing aeroplane survived the plane going down south of Mount Buffalo. Again I can indicate to the house that there will be a full investigation into that matter also, which will include an investigation by the Department of Sustainability and Environment and the Australian Transport Safety Bureau.

These incidents serve to remind us of the terrible risks taken by firefighters around Victoria in fighting these fires. They have done a magnificent effort — a heroic effort — in containing the fires, in saving lives, in saving property, in making sure the fires have not caused the harm they could have caused otherwise. Regrettably, overnight we have had incidents in which we have had a loss of life. All people in this house pass on their sympathy to the family, friends and colleagues of the firefighter involved.

Some 2800 departmental staff have been fighting the fires from the Department of Sustainability and Environment, the Department of Primary Industries and Parks Victoria. They have been there for some 51 days. I am sure they will find this incident overnight a very difficult one to accept. Again I say to them, they have the support of this house and the people of Victoria.

I can also advise the house that in the last 24 hours the western end of the fire zone has received thunderstorm activity with 30 millimetres of rain recorded at both Mount Buller and Mount Hotham, which has been very pleasing. Unfortunately the eastern zone of the fire has received little rain, but there is some hope that there

will be some rain tonight and relief, therefore, for firefighters imminent in the next few days.

We should again, as we did yesterday, honour those who have fought in the front line in protecting properties, lives and important strategic assets in Victoria. It has been a magnificent effort on behalf of the whole of the state. Our sympathy goes to the family, friends and colleagues of the firefighter. To all those firefighters we say, 'A job well done!', and acknowledge their efforts to date.

Hospitals: nurses wages

Mr RYAN (Leader of the National Party) — I refer to the Auditor-General's report on public sector agencies, which reports that the 'overall financial position of public hospitals deteriorated sharply in 2001–02' and that four regional hospitals are experiencing financial difficulty and a further 12 hospitals have recorded unfavourable results.

Given that the Auditor-General states that costs associated with the nurses enterprise bargaining agreement are partly to blame for this and that quality of care may be compromised, will the Minister for Health guarantee that service provision will not be compromised by unfunded wage agreements?

Ms PIKE (Minister for Health) — I would like to start by reminding the house that a report, which was commissioned by this government in 1999, showed that our hospital system was technically insolvent. That is the base that we have been working on and we have had a huge task ahead of us over the last few years in rebuilding our hospital system. That has been in the context of an enormous increase in demand — we are treating an extra 35 000 patients every year.

More recently there has been an enormous increase in demand in our emergency wards. In this context, however, we have been rebuilding our hospital system so that we, here in Victoria, have a world-class health system. We have boosted funding by about \$1 billion, opened more beds, hired 3300 extra nurses and have put nearly \$1 billion into a capital works program. The work has not stopped there. Over the next four years through our hospital demand strategy around \$900 million of extra funding will continue to boost capacity. We will be preventing unnecessary admissions and will be substituting for more appropriate alternative care to hospital admissions.

We have already put a strategy in place to closely monitor and work with our hospitals to help them manage their finances. There are a number of elements

to that strategy: negotiating with the federal government to help it provide a fairer deal for public hospitals — —

Mr Ryan — On a point of order, Speaker, and on the issue of relevance, the question was directed toward the alarming trend that has emerged in today's production from the Auditor-General when compared to last year. I ask that you direct the minister to answer the question that was asked of her.

The SPEAKER — Order! I do not uphold the point of order. The minister was addressing herself in relation to the financial situation of hospitals in the state, including country hospitals. I ask the minister to continue.

Ms PIKE — As I was saying, we have already put in place a range of strategies to closely monitor and work with the hospitals to assist them in managing their finances. Apart from assisting the federal government in coming to terms with some of its responsibilities — the blow-out of costs and its need to have adequate indexation of those costs; the changes in the bulk-billing regime, which has seen a genuine decline in bulk-billing; and further presentations — we are also looking at other mechanisms to improve revenue into our hospital system.

We are pleased to welcome the Auditor-General's input. One of the things that he has drawn attention to — and it has been noted in the question by the Leader of the National Party — is the matter of the increase that came about in nurses wages as a result of the enterprise bargaining agreement (EBA). We have already acted upon the Auditor-General's recommendations in this regard. The Department of Human Services has worked with every hospital right across this state. There has been a comprehensive evaluation of that particular claim that the nurses' EBA was not funded adequately. The Auditor-General's request, in fact, has been fulfilled.

In the response of the Department of Human Services to the Auditor-General's request we can read that, one by one, hospitals have been systematically approached and talked to. There has been an evaluation of this particular claim about appropriate levels of funding, and that claim has not been substantiated.

Industrial relations: federal system

Mr HUDSON (Bentleigh) — My question is to the Minister for Industrial Relations. Will the minister inform the house of any plans the Victorian government

has to improve the federal government's industrial relations systems as it operates in Victoria?

Mr HULLS (Minister for Industrial Relations) — Victorian employers and employees alike are struggling to free themselves from the shackles of the federal Workplace Relations Act. It is a story of strikes, lockouts and industrial chaos, a story which the Victorian work force really wants no part of. The only explanation for this Dickensian saga is that its protagonist has not grown up. Unable to get into the main leadership game, the federal Minister for Workplace Relations, Tony Abbott, is attempting to manufacture a war for himself. Now psychologists would have a lot to say about this, and I hate to think what the results would be if the shrinks were sent in to the federal cabinet. As we know, they were sent in to the opposition — —

The SPEAKER — Order! I remind the Minister for Industrial Relations that he must confine his answer to matters relating to the government of Victoria, not the federal government.

Mr HULLS — We know the shrinks were sent into the Liberal opposition, but it would be interesting to know what answer the federal Minister for Workplace Relations would give to the question, 'Do you usually get along with imaginative people or realistic people?'

Honourable members interjecting.

Mr HULLS — What was your answer?

The SPEAKER — Order! I warn the Minister for Industrial Relations that I will not continue to hear him unless he addresses his comments to Victorian government business.

Mr HULLS — I can say that Mr Abbott's war is a war of conflict and a war of blame and recrimination. The troops are the hard-working employers and employees of Australian industry, and the collateral damage is high.

Mr Ryan — On a point of order, Speaker, on the question of relevance, in the context of global events I think the use of the expressions 'war' and 'troops' is ill-advised. I ask you to direct the minister not to use those expressions in the context of this question time.

The SPEAKER — Order! The Chair does not have the authority to make that ruling, but I do ask the Minister for Industrial Relations to confine his remarks to Victorian government business.

Mr HULLS — I was asked about the state government's plan to improve the federal government's industrial relations scheme as it operates in Victoria. The point I am making is that the federal government's industrial relations regime is based on dog-eat-dog, where two combatants get themselves into a ring and beat the living tripe out of each other, and the last person standing is the victor. It is totally inappropriate.

The Bracks government knows that employers and employees are not interested in this type of war; they are interested in cooperation. The Bracks government is committed to educating the federal government about modern industrial relations. I will be meeting with Tony Abbott today — this afternoon, in fact — to provide him with a better way, a 10-point plan for the reform of this divisive legislation. This 10-point plan allows for businesses to grow while providing security for employees. It also cements the role of the independent umpire, the Australian Industrial Relations Commission. It is the future for industrial relations in this state — a future built on collaboration, not conflict, and built on mature dialogue, not childish games.

I expect to have a fairly vigorous meeting with Mr Abbott this afternoon and to come out of that meeting having educated him on what a modern industrial relations regime is all about. I hope that after this meeting we can work together on a truly constructive industrial relations package where no war is on the horizon.

Central City Studios: Docklands tender

Mr DOYLE (Leader of the Opposition) — My question without notice is to the Premier. I refer the Premier to his answer to my last question, and I ask: will he immediately release the Pricewaterhousecoopers probity audit of the tendering process to the Docklands film and TV studio?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. As I mentioned before, the great benefit of the Auditor-General is that he has investigated and examined, as he is required to do under the laws of Victoria and as he will be required to do in the future.

In this case, the Auditor-General has received all the relevant documents, including the probity audit reports. He made his assessment on that basis and still found that the preferred tender has been undertaken in accordance with the Victorian government's policy and probity guidelines. So the Auditor-General, having had all those documents available to him, has made his

recommendation and has confirmed, effectively, that those matters have been — —

Mr Doyle — On a point of order, Speaker, on the question of relevance, on 11 September last year the Premier promised he would release such an audit, and my question simply asked whether he will honour that promise.

The SPEAKER — Order! I do not uphold the point of order. The Premier is responding in a manner that is relevant, and I am not in any position to direct the Premier how to answer a question.

Mr BRACKS — The Auditor-General has had furnished to him every document required to make the assessment, and he has found that that assessment was done appropriately and in accord with the tender purchasing arrangements.

Hospitals: health care agreement

Mr ANDREWS (Mulgrave) — My question is directed to the Minister for Health, and I ask: will the minister advise the house on the current status of negotiations on the commonwealth-state Australian health care agreement and what the implications of this agreement are for the Victorian public hospital system?

Ms PIKE (Minister for Health) — I thank the honourable member for Mulgrave for his question. The Australian health care agreement is due to expire at the end of June this year. It is the largest commonwealth-state funding agreement in the history of this nation. Given the significance and importance of health to the Australian population and to the people of Victoria specifically, this should provide very fertile ground for discussions about how we can improve our public health system.

We know that public health in Victoria and Australia is facing enormous challenges. There has been a significant decline in bulk-billing; we have the growing demands of an ageing population; and, of course, we have technological advances. All of these things together are putting pressure on our public health system.

There is a fundamental expectation that every person in Australia should have reasonable access to a hospital and reasonable access to a GP. These expectations, the very planks of the Medicare agreement, are now being eroded. So we know we have challenges, but, of course, challenges always provide opportunities. Senior clinicians in the public hospital system, the Australian Medical Association and even groups that have been established under the auspice of the ministers'

agreement between the commonwealth and the states, all say that there is an urgent need for reform. There is a need for reform in areas such as the interface between aged care and acute care, reform in the better relationships that need to exist between GPs and emergency departments, reform in the area of the private health rebate, and certainly there is a need for a better funding deal for public hospitals. Nobody in this house would disagree with the need for a better funding deal for Victorian hospitals.

In November 2002, during our caretaker period, at the health ministers' conference the state and territory health ministers were advised by Senator Patterson to go away and come back with a package of reforms. That is exactly what the state ministers did. An official Australian health ministers' conference was then scheduled for Friday last week so the state ministers could hear from the federal minister about what was to be the response of the federal government to the reforms that were recommended. In an unprecedented move Senator Patterson simply did not show up at the meeting! This is absolutely unheard of. It clearly demonstrates that the federal Liberal government has no commitment to Medicare. It is happy for it to be starved to death, and it would write it off as a failure. It is incumbent on honourable members opposite to use their considerable influence on their federal counterparts to remind them that this is an issue that is absolutely critical to the health of our nation.

We have already taken the lead in Victoria. Our hospital demand strategy, our rebuilding programs, the injection of over \$1 billion into our health system and the hiring of extra nurses show all of the things that have been the hallmark of this government. But we know there is a lot more to do, and we have made commitments for further investment into health. Unfortunately, the federal government has put health on the backburner. In fact it was quite enlightening to hear that Senator Patterson's reason is that she was nervous about the New South Wales election. I think it is more the case that she was embarrassed, and she has very good reason to be nervous and embarrassed, because it was Peter Costello who was reported on 24 February to have said that there will be no new funds available to arrest the fall in Medicare bulk-billing. So there it is, the cat is out of the bag!

This is a very desperate situation, because we know that without adequate indexation of the Australian health care agreement and without the ongoing commitment to the absolutely essential reforms we are going to be in a very difficult situation in Victoria. Clearly, the federal minister is not taking this matter seriously. She is not concerned about the decline in bulk-billing, and the

federal Treasurer is pouring cold water over the whole idea. This is a once-in-a-five-year opportunity to do something substantial to really improve the delivery of health care and to make that fundamental choice about whether we can continue — —

Mr Ryan — On a point of order, Speaker, I draw your attention to the fact that the minister has been talking now for some 4½ minutes, and I ask you to ask her to finish and sit down.

The SPEAKER — Order! I uphold the point of order, because according to my timing she has actually been talking for 6 minutes. I ask the minister to be succinct and conclude her answer.

Ms PIKE — The Bracks government has shown its commitment to rebuilding our health system in Victoria with more money, more nurses and a major rebuilding program. What we need now is the federal government showing that same level of commitment.

Community safety emergency support program

Mr WELLS (Scoresby) — My question without notice is to the Minister for Police and Emergency Services. I refer the minister to the community safety emergency support fund, a fund which provides millions of dollars for vital equipment needed for the Country Fire Authority and the State Emergency Service, and I ask: can the minister explain why he signed off on this vital equipment in August 2002 but did not announce the funding until the first day of the election campaign, making it too late for brigades to purchase the equipment for the current bushfire season?

Mr HAERMEYER (Minister for Police and Emergency Services) — The community safety emergency support program (CSESP) is an initiative of the Bracks government that, for the first time ever, provides a source of funding to State Emergency Service (SES) and Country Fire Authority (CFA) volunteer units to obtain equipment, trucks and other things that are important for them to do the work that they do. In the past that has been neglected. It enables matching funding to be provided so that items of equipment may be provided quicker than they otherwise might be or so that items of equipment that might otherwise not be able to be purchased at all can be purchased. Money for the CSESP comes out of the Community Support Fund. I am pleased to advise the house that we are rolling it over for another \$10 million over this term of government so more SES units and CFA brigades can benefit from it.

Mr Wells — On a point of order, Speaker, on the issue of relevance, the point of my question is about how it sat on the minister's desk from August 2002 and was not announced until the first day of the election, making it too late for the bushfire season.

The SPEAKER — Order! I overrule the point of order. The minister has only begun his response; he has only been speaking for 1 minute.

Mr HAERMEYER — The community safety emergency support program is a great initiative for volunteer SES and CFA brigades, but it is a subprogram of the Community Support Fund. A process takes place. Firstly the CFA and SES set up a process whereby they evaluate submissions, which are ultimately put to me. I sign off on those submissions and they are then submitted for the Premier's signature and for the ultimate endorsement of the Community Support Fund. It goes through a proper process. I know that is something foreign to honourable members on the other side of the house, but it does have to go through a proper process. Those units and brigades are now in receipt of those funds, much to their own benefit.

Let me say that the CFA in particular — —

An honourable member interjected.

Mr HAERMEYER — 'The bushfires are nearly over', he says. Well, when I — —

Mr Wells interjected.

The SPEAKER — Order! The honourable member for Scoresby has asked his question!

Mr HAERMEYER — When I raised the issue of bushfires and the danger of this bushfire season in the house last year the Leader of the Opposition said it was dull. For an honourable member who sat in this house for seven years representing an area covered by the CFA who did not once see fit to mention the expression 'CFA' in this house over those seven years, this is breathtaking hypocrisy. For seven years he did not even know they existed.

The SPEAKER — Order! I ask the minister to return to answering the question rather than abusing the opposition.

Mr HAERMEYER — Not only has this government supplemented the CFA with community safety emergency support funding, but it has also provided the CFA with a \$120 million boost in terms of training, equipment and volunteer support, after seven

years of funding starvation by the honourable members of the other side.

In addition to that, this government has provided increased aerial support and increased resources through the Department of Sustainability and Environment in terms of additional firefighters. We have never been better equipped to deal with fires, and that is shown by the magnificent efforts of our fire services this fire season.

Commonwealth-state financial relations: reform

Mr STENSHOLT (Burwood) — My question is to the Treasurer. Will the minister please advise the house of any recent evidence which highlights the need for reform of commonwealth-state financial relations and in particular how Victoria is being affected by the current arrangements?

The SPEAKER — Order! That is a very broad question, so I ask the Treasurer to respond in a fairly narrow manner.

Mr BRUMBY (Treasurer) — I can advise the house that there have been some recent events which confirm the need for reform of commonwealth-state financial relations. Yesterday the Commonwealth Grants Commission released its 2003–04 annual update, which provides the latest breakdown of funding allocations between the states.

What it shows is that for the financial year 2003–04 Victoria will be subsidising the other states of Australia to the tune of more than \$1 billion, or \$220 for every man, woman and child across the state of Victoria. If you look at all of the states that contribute and are treated unfairly under this ramshackle, outdated system, you see the total subsidy paid to the other states by Victoria, New South Wales and Western Australia is \$2.8 billion. It is an intolerable, unfair system; it is an unjust system, and it penalises the people and industries of Victoria.

We believe this system is in urgent need of reform, and what we are looking for is some leadership from the federal government to reform this system, which works against the interests of Victoria and other states. It also means that for every \$1 Victorians pay in Mr Howard's GST we get back just 82 cents. That means Victoria will not break even under the GST agreement until 2007–08 at the earliest.

The fact of the matter is that when you analyse it at the end of the day in terms of broad commonwealth-state financial relations and specific agreements you find that

it is Victoria that is doing all of the work for the commonwealth. Victoria is the powerhouse, and we are not being paid appropriately for it.

I will give you a couple of examples. If you take drought for example, to date the Victorian government has paid out more than \$30 million in drought payments and, despite the full-page advertisements from the federal government, do you know how much the federal government has paid out? Three million! We paid out \$30 million; they paid out \$3 million — a ratio of 10 to 1.

For the Wimmera–Mallee pipeline, do you know how much we put in our forward estimates? Seventy-seven million. How much has the federal government put in its forward estimates? Seven million; a ratio of 11 to 1. For regional infrastructure developments we put in \$360 million; the federal government has put in what? Zero! For the Geelong bypass we have committed \$190 million, and how much has the federal government committed? Zero! For the Kyneton–Faraday section of the Calder Highway we have put in \$70 million, and how much has the federal government put in? Zero!

And of course there is the rail standardisation.

Mr Doyle interjected.

Mr BRUMBY — The Leader of the Opposition thinks the bushfires are dull and thinks the federal government robbing the state of Victoria is funny. Don't you? You think it is funny.

Honourable members interjecting.

Dr Napthine — On a point of order, Speaker, the Treasurer is now debating the issue, and I ask you to bring him back to the question.

The SPEAKER — Order! I ask the Treasurer to come back to answering the question, but I also suggest that if the Leader of the Opposition does not interject the Treasurer will be able to do so more clearly.

Mr BRUMBY — And of course, there is the rail standardisation, a matter close to the heart of the honourable member for South-West Coast; we have committed in forward estimates \$96 million for that project. The commitment of the federal government is another what? Zero!

This is a serious matter for the people of Victoria. We are being robbed in terms of Commonwealth Grants Commission funding to the tune of more than \$1 billion.

We have put reform proposals. We do not just say there is a problem, we have offered a solution. We have put reform proposals to the federal government and do want the federal government to provide the leadership to adopt those solutions.

If you look at the single agreements — whether it is, as I said, drought, whether it is the Wimmera–Mallee pipeline, regional infrastructure, the Geelong Western bypass, the Calder Highway or rail standardisation, or whether it is commonwealth-state health agreements — the commonwealth is not paying its due share. We are shouldering most of the responsibility and paying most of the bills, and it is about time the commonwealth put in to Victoria and helped the Bracks government meet the commitments that all Victorians want to see achieved over the next few years.

Broadmeadows Employment Project: grants

Mr HONEYWOOD (Warrandyte) — My question is to the Minister for Education Services, who is also the Minister for Employment and Youth Affairs. I refer the minister to her media release of 12 December 2002, in which she announced two grants, each of \$99 450, to the Broadmeadows Employment Project, an organisation set up by ex-federal member of Parliament, Andrew Theophanous, and I ask: on what basis did the minister approve these grants to an organisation which was unconstitutional and which is now the subject of a Victoria Police investigation for corruption?

Ms ALLAN (Minister for Education Services) — I thank the honourable member for his question, which is rather detailed and goes to the matter of employment programs provided in Victoria.

As the honourable member well knows, in its first term the Bracks government provided a range of successful job programs throughout the state, including the community jobs program, which saw over 6000 people placed across Victoria. The performances in that program were quite successful. We also had 43 providers of the community business employment program assisting people across Victoria — people the federal government will not fund — who need urgent assistance in this area.

We are going to build on the work we have done in our first term in government. As the honourable member has identified, we have continued to make a number of grants in the area of employment programs. However, as the honourable member has requested specific information, which of course I do not have available at

the moment, I will get back to him on the specifics to do with that matter.

Water: funding

Ms LINDELL (Carrum) — My question is to the Minister for Water. Will the minister inform the house whether the commonwealth has agreed to match Victorian government commitments on new water initiatives?

Mr THWAITES (Minister for Water) — I thank the member for her question. During last year's election campaign the Premier outlined a 10-year vision for the security of our precious water resource in Victoria. By contrast, we note that it is not only the opposition here in Victoria but also its federal Liberal and National Party colleagues who have no vision for Australia's water resource and who have failed to assist in the key task that we as governments have of preserving water.

There has been a lot of talking from the commonwealth about how important water is, but there has been precious little money — in fact, almost no funding at all. Last year, when the Bracks government implemented the new farm dams laws, there was no assistance from the commonwealth to ensure adequate support for that very important environmental legislation. But then we can see one of the most significant water projects in this state's history — the Wimmera–Mallee pipeline.

In December the Premier and I again visited sites that will be subject to the Wimmera–Mallee pipeline. We met with many people in that area who were very excited about the Victorian government's plans for the pipeline, but I have to say there was a good deal of anger that the federal National Party and the federal Liberal Party were failing to provide any real assistance on this very important project. They are prepared to talk about it — they talk about designs and talk about studies and plans — but where is the money for the pipes? Not a cent for the pipes! That just typifies the attitude of the federal Liberal and National parties. I hope the honourable member for Lowan and other members on the opposition side are able to exert some influence over their federal colleagues.

A more recent concern relates to the Snowy River and the very important project to restore environmental flows to the Snowy. We have already started in Victoria by committing \$25 million to a package of initiatives to see some 25 gegalitres of water go down the Snowy. But the commonwealth is now refusing to rule out putting a tax on the funds received by the joint government enterprise to restore environmental flows.

The commonwealth has indicated that it may tax that joint government enterprise. It has refused the very reasonable request from Victoria and New South Wales that, should there be a tax on the joint government enterprise, the money be rebated back to the enterprise.

Clearly that sort of action is delaying the implementation of the joint government enterprise. We call upon the commonwealth to immediately rule out taxing that joint government enterprise, or alternatively to agree to at least rebate the moneys for environmental flows.

This government has put its money where its mouth is when it comes to water. We have supported the projects and we have put resources into those projects; but until the commonwealth does its fair share, Victorians, the environment, farmers and communities will all miss out on the support that they need.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed.

Ms ASHER (Brighton) — Speaker, I commence by congratulating you on your election to high office. I think it is particularly significant to have women in senior positions in politics and in Parliament. I look forward to one of these days moving beyond the stage of firsts and seeing women in these positions as a matter of course so they are no longer commented on. I will, however, warn you that I suspect tougher standards will be applied to you, given that you are a first, and I wish you every success in the role that you are about to play. Women who take on firsts have on occasion to bear a heavy burden. I genuinely wish you well in your undertaking this role.

I would also like to express my personal appreciation of the previous Speaker. I think he was a fair, just and decent man, and I wish him particularly well in his retirement.

After being elected to office you, Speaker, took time to reflect on a parliamentary debate that occurred in the other place in 1922 on the Parliamentary Elections (Women Candidates) Bill, which allowed women to become members of Parliament. If the house will allow me the liberty of making a broad-ranging contribution on the address-in-reply I would like to make a couple of references to that debate and to reflect how far women have come since 1922.

I note the comments from the Honourable J. H. Disney in this debate, an alarmingly brief debate given the enormity of the bill. One of his comments that I like in relation to the long hours follows on from the quote that you, Speaker, used the other day. He said:

Personally, I think women are just as well able to sit long hours and take part in debates as men are. At any social function it is generally hard to get the ladies to come away, though the men are tired before the evening is half over.

I wonder if that applies to this place. The honourable gentleman then went on to say about what must have been a vigorous debate the previous night:

I think that if we had a few ladies here we should not have debates such as the one we had last night, which seem to be a bit unpleasant for the minister. Probably the presence of the ladies would have a steadying effect on the male legislators. When we are in trouble we usually run to women for advice.

That was then followed by an interjection from the Honourable R. Williams, who said:

When they are in trouble what do they do?

To which the Honourable J. H. Disney responded:

They do not get into trouble unless men are the cause of it.

That is a wonderful reflection on the house today. Indeed, the Honourable J. H. Disney went on to say — —

Mr Haermeyer interjected.

Ms ASHER — It is a reflection; it is said by a man about women. He went on to say that women would deal with different issues in Parliament than men. He claimed:

One of the first things women would endeavour to do if they were in Parliament would be to impose a tax on bachelors.

I have not yet seen any proposals for a tax on bachelors, but that, in fact, leads me into the Governor's speech, because I am concerned about how the government will fund all of its expenditure items outlined in the Governor's speech. If one looks at the performance of the Bracks Labor government in its first term of office, the hallmark of this government, even though we are in an era of high taxation, is that we saw a 30 per cent increase in expenditure — a very large increase in expenditure — compared with a 20 per cent increase in revenue. Any household knows you cannot spend more than you earn. Yet these are the stark figures of the first term of the Bracks Labor government.

The government was completely dependent on windfall gains of revenue, in particular from payroll tax — a tax on jobs — and from stamp duty. I note that the Bracks Labor government continually puts forward forecasts of

stamp duty revenue going down in an era of property market increases.

In my own electorate of Brighton, just to illustrate to honourable members how inequitable these property taxes are, a median-priced house in Brighton attracts a stamp duty tax of over \$40 000. In Brighton East, a median-value house is taxed at over \$31 000. It is on these revenue windfalls that the Bracks government has depended for its expenditure in its previous term.

I also note what is missing in the Governor's speech — any commitment to tax cuts. We are seeing tax collections at record levels in the state and in the Governor's speech there is no reference to any further tax cuts. We have some minor chipping away at the edges in tax, but no substantial tax cuts. Indeed, given my responsibilities as the shadow minister for manufacturing and exports, I know that the Australian Industry Group (AIG) has as its no. 1 request of the government, further payroll tax cuts. I am sure — —

Mr Haermeyer interjected.

Ms ASHER — We cut payroll tax in three successive budgets. Give me another question and I will answer that as well. I urge the government to look at payroll tax cuts in response to AIG's request for further payroll tax cuts in this budget.

I also note that one of the great challenges facing the government is with manufacturing. In Victoria we have 800 enterprise bargaining agreements (EBAs) due for negotiation either by the end of March or the end of June. I think there is a real threat to jobs in this state if these EBAs become unravelled as a consequence of union demands.

I have listened carefully to a number of the contributions by the first-up members of the Labor Party. Many times the public and the press say that the parties are moving closer and closer together. Every time I hear inaugural speeches from members of Parliament I think these are the areas in which we show the differences between the parties. I have heard much about poverty and disadvantage, areas of social policy obviously where both sides of the house want to see amelioration, but it is in the way we get there that the two parties differ so starkly.

Again I have heard from new members how they have solutions to poverty and to disadvantage, which primarily centre around government. My solutions centre around existing jobs. I am concerned about the jobs the 800 EBAs will be focused on — jobs in the automotive industry, the automotive components industry, the food industry and the like — being

maintained. I am concerned about the growth of jobs in the state of Victoria, where taxes like payroll tax clearly have an impact on the creation of employment. Probably the best way to help people remove themselves from poverty and to remove themselves from disadvantage is to have a world-class education system in the state system which allows graduates from state schools to compete in the job market.

I am concerned about keeping existing jobs in this state. We have seen a contraction of manufacturing jobs in this state since this government came to office. Again one of the things I think the government should have concentrated on in the Governor's speech is the provision and maintenance of existing jobs and the growth of jobs in this particular sector.

The government clearly has a strong mandate and I obviously understand that this factors in some difficulties for those of us on this side of the house speaking on the address-in-reply debate where the government clearly has a massive majority in both houses. I want to take up one of the mantras that the Labor Party ran during the last election campaign. I became sick of hearing how the Labor government was undoing the 'damage' of the previous government. It talked about cuts to education, to health and to the police budget. The latter is false.

Mr Haermeyer interjected.

Ms ASHER — It is correct that there were cuts to the education and health budgets in the early years of the Kennett government. If you listen to members of the Labor Party you would think this is something that was ideological: that members of the Liberal Party had as a matter of philosophy a desire to cut health and education. I wonder why those cuts were made? It is very important to remind the house why those cuts were made in 1992 and 1993, because it is only 10 years ago. The answer, of course, was that the state was broke. We had Cain and Kirner governments and a \$2 billion deficit on the current account and if you want to include unfunded superannuation liabilities, we had over a \$60 billion debt.

The net effect was that a large slab of the recurrent budget, instead of being spent on police, instead of being spent on hospitals, instead of being spent on schools, was spent on paying interest. There was no ideological passion on behalf of the government of which I was a part to cut. The last thing in the world any state government wants to do is cut schools and health, but the reasons why those cuts were imposed was the absolute negligence and incompetence of the Cain and Kirner Labor governments that preceded the

Kennett government, when great slabs of the recurrent budget had to be spent on servicing interest and diverted away from the vital services that state government is charged to deliver.

Good financial management enables governments to fund social programs. That is the importance of good financial management. It is not an end in itself, it is the capacity to fund the sorts of programs that people expect from their state governments. Economic reform does not exist in a vacuum, nor have I ever heard any Liberal Party member claim that it does.

Yet if you listen to members of the Labor Party you would think that they think that we think economic reform — economic good management and fiscal rectitude — is an end in itself. It is not. It is there for a social purpose. It is there to enable a government to have sufficient funds to fund schools, hospitals and police. I refer to the point at which I started in relation to the Bracks Labor government's performance in its last term: a 30 per cent increase in expenditure versus a 20 per cent increase in revenue. Everyone knows that you cannot run a household like that, and you cannot run a state like that.

The test for this government in its second term will be its capacity to deliver its services. First, its test will relate to timeliness. I note in the 1999 Governor's speech a raft of projects were listed, notably the airport rail link, which has not happened; the fast rail service, which has not yet happened; the so-called saving of Waverley park, which has been abandoned, like the fast rail link to the airport. These projects that were mentioned in the 1999 Governor's speech have not eventuated. So one of the government's tests will be its timeliness in delivering this program. It is a second-term government now. It cannot blame the federal government, even though it will try; it cannot blame the Kennett government, even though it will try; it is now a second-term government. In the second term can it deliver what it failed to deliver in the first term?

Most importantly, it is going to be the quality of services on which it is judged. At the moment it prides itself on throwing a lot of extra money into health and education, but in the end the public will judge this government on the quality of services. How long will the waiting times be in hospitals? They are longer now than they were when the government was elected to office. Can our kids in state schools read and write? Let's test them and see. In other words, will all this extra money, all these extra taxes that have been pumped into these services, yield an outcome?

It is my contention, and it is the contention on this side of the house, that the public is not particularly focused on the inputs; it is focused on the outcomes. Are we safe in our homes? Are we safe in our streets? Can our kids read? Can our kids write? Do kids from government schools get equal opportunities in the society in which we live? That is what I am concerned about. Do people get treated in hospitals? Are they waiting longer on trolleys? And the answer to that is, 'Since 1999, yes'. That is the test of this government. Can it deliver the services it promised to deliver in 1999, particularly to regional Victoria? It has not. Sure, it has pumped money into it, but can it actually deliver the outcomes?

The ACTING SPEAKER (Mr Ingram) — The honourable member for Bayswater has the call. I remind honourable members that this is the honourable member's inaugural speech and he should be heard in silence.

Mr LOCKWOOD (Bayswater) — Firstly, I congratulate the Speaker on her appointment to office. I am pleased to be part of this new era, and I am pleased to see you, Acting Speaker, in the chair too.

I wish to acknowledge the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to its elders. It is great to be here, but I am humbled by the experience; it is a bit awe inspiring.

I thank the Labor Party members and supporters who worked so hard during the election campaign. Of course I will remain grateful. I thank the voters of Bayswater for having confidence in me as their representative for this term. I thank my family, who have been helping out at elections for a number of years, especially my son Laurence and daughter Catherine, who have been regular sights at polling booths since they were knee-high. I also acknowledge my wife, Marie, for her unstinting support and my parents for their long-term support at elections.

I also acknowledge the former honourable member for Bayswater, Gordon Ashley, who was the first member to hold this seat. We were keen competitors over the last little while. Before Gordon other members of the ALP represented the area. The former seat of Wantirna encompassed Bayswater, Wantirna and Wantirna South and was represented in this place from 1985 to 1992 by the Honourable Caroline Hirsh, now a member for Silvan Province in the other place. The seat of Ringwood covered the suburbs of Ringwood, Heathmont and Ringwood East, now part of the Bayswater seat, and the Honourable Kaye Setches was

the member for Ringwood from 1982 to 1992. They represented their constituents well.

We may speak of a record majority here, but it has been a long road back for Labor in the east. There have been many who have stood and failed, but at last we have re-established our credibility in the east and have prevailed. This was no accident. It is due to hard work and a willingness to learn the hard lessons of the past. Facing up to our failures was an essential part of renewal and learning.

I will represent all the people in the Bayswater electorate regardless of whether they voted for me or not. No-one is excluded. I look forward to the challenge of getting to know every part of my electorate even better and standing up for it. I come from the outer east where things are a little different from the inner suburbs. The change from a country-style life to a city life has been more recent, and the village atmosphere of some suburbs has persisted longer — sometimes to our advantage, sometimes not. Some parts of the electorate were apple orchards a few years ago; some parts were developed a lot earlier, but on large spacious blocks with large numbers of canopy trees. Improving services is still a challenge, as is the acceptance of higher density development.

The electorate of Bayswater has a cross-section of people in a cross-section of suburban life, from ordinary working people to professionals to small business owners. There is a significant light to medium industrial area, significant vegetation, and idyllic bush areas; there are suburban homes on suburban blocks; and there are rows of units. The east prides itself on its leafy environment, and it is these pleasant surrounds that have attracted so many people there, which means the environment is important to us all. We must pay attention to the key aspects of our local environment because that plays its role in the global environment. Tree canopy, stormwater retention, greenhouse gas emissions, local creek and water quality are all significant. People need to be encouraged and educated about these issues, and the government has a key role.

I met many people during the election campaign last year. I met Alec, an aged pensioner still waiting on his elderly persons unit and concerned at the rent he was paying to a private owner. I met Brian in his suburban home; he was concerned about the public transport that he did not have in his neighbourhood. I met Elsie, who was concerned about mental health facilities for her son. These were some of the issues.

I also had the opportunity to share the concerns of many people running small businesses in the electorate.

There were those who are positive, like the traders of Studfield, who run excellent businesses and who live and breathe success. There are others who see nothing but limits on their success and talk themselves and their areas down. We need to help these businesses realise their own potential.

I was impressed with the dedication and work ethic of most business people, who are prepared to invest huge amounts of time and often risk their homes in order to be successful. I should also mention that I met the occasional exploiter in my travels, those few who push and bully their employees and their business neighbours in unacceptable ways. We need to be vigilant about those kinds of employers.

I support business because a strong economy creates jobs. A good job should be the best form of welfare. The east has been through a tremendous growth phase over the past 20 years. There are few greenfield sites left for development, and we now face the challenge of infill.

The area has many schools as a result of the growth and large numbers of young people in search of opportunity, recreation and a future. This is a challenge for us. Many parts of the east are lacking in facilities for young people, and this often shows up as graffiti and vandalism. We must address this alienation by engaging with local young people and addressing their needs as they see them.

The Mitcham–Frankston freeway is the key issue for my constituents. I note that earlier the honourable member for Scoresby was supportive of this great government project. It will bring great relief to the long-suffering road commuters in the area and, more importantly, it will bring a large economic return to the outer east and south-east of Melbourne. Transport infrastructure is a key factor in economic success, and we all look forward to the completion of the project in 2008, as was agreed with the commonwealth.

Having mentioned road transport I must also say that high-quality public transport is high on my agenda for the outer east. My electorate has four railway stations, so it is fortunate in that respect, but other parts of the east are not so lucky. In the recent past it was normal to have no public transport at all after 7.00 p.m. on weekdays and not at all on weekends. It is still normal not to have a bus after 7 o'clock.

I look forward to supporting the government's plan to encourage more people to use public transport, to making our services more frequent and to telling people how good and safe the service really is. I look forward

to the extension of the tramline along the Burwood Highway from Burwood East towards Knox, and I again thank the honourable member for Scoresby for his support on that issue earlier. I look forward to the further implementation of the smart bus services we see appearing in the outer east.

On the subject of fire protection, a subject on our minds of late, the electorate of Bayswater is serviced by both the Metropolitan Fire Brigade (MFB) and the Country Fire Authority. Both services do a great job, and it is worth noting that the southern part of the electorate is serviced by volunteers for much of the time. I have heard acknowledged in this place the magnificent efforts of our firefighters in the north-east of the state.

I would also like to acknowledge the MFB firefighters who staffed the suburban stations of the Country Fire Authority's outer suburban brigades. They filled in for the CFA volunteer firefighters and ensured that normal levels of fire protection were maintained locally. I thank them for that.

I represent parts of the cities of Maroondah and Knox, and as many will know, I have recently served a term as a councillor with Knox. The City of Knox has been a leader in local government for a number of years, and I am proud of my small part in those achievements.

A project I worked on at council level was the rejuvenation of the Bayswater shopping centre. It had become quite run down, had a high number of empty retail premises and was a threatening environment to some. The local council invested in the centre, as has the government via Streetlife grants, and I hope to continue my advocacy of the rejuvenation of this important and historic suburban township.

The approach I took was to get community members, traders and the council working together to figure out what shape the centre should be and begin working towards it. We all needed to share the problems and solutions so that we could achieve the goal of creating a new heart for the suburb of Bayswater. It will not be what it was in a historical sense, but it will provide that sense of community and participation that is so needed. At the centre of that heart is a successful retail and business centre. My approach was very much to roll up my sleeves and get stuck into the problem, along with everybody else.

I have been a member of the board of Eastern Regional Libraries for the past three years and am conscious of the very high usage of libraries and the constant cost pressures. There is always a need to improve the book

stock and a need to use technology to connect people to knowledge.

At Knox I was a staunch defender of council-provided children's services. Knox is one of the few local government authorities that still provides a preschool service. Investing in our children will pay dividends in later years. I very much believe in that. Investing in people is something a Labor government should always do.

There are 25 educational facilities in the electorate of Bayswater, including 11 primary schools, 6 secondary schools, 1 specialist school for autistic children, 5 Christian schools, and 2 LOTE schools. We also have the Adult Migration Education Service. I have in the past been an AMES tutor — a volunteer job I enjoyed immensely.

Education, I am sure we all agree, is extremely important. There must be ample opportunity to provide the children in the area with a solid educational basis. We must ensure retention in the later years. VET programs in this area have been a huge success and have provided new opportunities for many children.

I will be visiting all schools in my area, and I will understand their needs. Interaction to date has shown me that the major concerns are about maintenance. How they address these problems will be a challenge for the schools and their local members.

Learning is a lifelong thing, as is shown by universities of the third age in the area. There are over 800 participants in Knox alone, and it is still growing. They are a very participatory group in need of support. They are very keen to keep learning, and they do not want U3A to be seen as a service to keep senior citizens busy but as an important educational facility that has benefits for our wider society.

We are serviced in the outer east in Bayswater by the Eastern Healthcare Network, which is busily expanding its facilities to better service the region. We are looking forward to improved services at the Maroondah and Angliss hospitals and the new 60-bed facility to be built at Knox.

My working life for the past many years has been spent in information technology. I made the momentous change some years ago from being a bus conductor — a job I greatly enjoyed — to this relatively new field of computers and stayed there for a long time. I enjoyed my work in technology. I have seen enormous and rapid change in that industry, and I still marvel at it.

For a country like Australia technology has distinct advantages. We suffer from what Geoffrey Blainey called 'the tyranny of distance', which even modern airlines can only minimise; but technology can make us next door neighbours to everyone who is connected to the network. That network is extremely important to us. It follows that that network will be the basis of our economy in this century, if it is not already. It also follows that whoever controls the network and whoever controls access to it will have a huge influence on that economy.

I will finish up by saying that I became involved in politics quite simply because I believe in people. I believe that government has a role in our lives. We have to lend a helping hand to those who need it, those who fall by the wayside. Rather than leaving people floundering with their problems and consigning them to the scrap heap, we can provide opportunities to show them the way forward.

The people have put their trust in us as a government. It is an onerous responsibility, one in which I intend to play my part. I am here to work hard and produce a return for my electorate. It is the role of the government to implement the will of the people and, more broadly, to care for all its people and all their aspirations and make this state a better place. I thank honourable members for their attention.

Dr NAPHTHINE (South-West Coast) — I would like to begin by thanking the people of South-West Coast for electing me as their representative and as the first representative for the new electorate of South-West Coast. I would also like to thank the electors of Portland, whom I was honoured and privileged to represent and serve for 14 years prior to the recent election and redistribution.

Like all others members, and indeed all Victorians, I would like to place on the record my appreciation of everyone who played a role in the efforts to control the recent massive bushfires in the north-east and in East Gippsland. While we should acknowledge and support those efforts, I think we as parliamentarians and leaders in the community also have a real responsibility to closely examine all aspects of these fires and learn for the future. There must be a full and proper in-depth inquiry, and this must be in a forum where everybody, including Department of Sustainability and Environment (DSE) officers, Country Fire Authority (CFA) officers, Department of Primary Industries (DPI) officers and Parks Victoria officers can give full and frank information without the fear of retribution or intimidation.

I spent the last week of January in the Swifts Creek and Omeo areas. I subsequently returned a week later to visit the East Gippsland and Alpine shires, as well as Victorian Farmers Federation (VFF), tourism and community representatives in Ensay, Swifts Creek, Omeo, Myrtleford and Bright.

An honourable member interjected.

Dr NAPHTHINE — I was there fighting fires for a week. During my time in these areas several key issues were continually raised, and I firmly believe these issues must be properly and independently investigated. Many people raised the lack of government commitment to fuel reduction burning in our parks and forests. Many people also raised the impact of changed forest and Crown land management practices on fire risk. There were also issues raised with regard to the fact — and I believe it is an absolute fact — that in the past two or three years the former Department of Natural Resources and Environment (DNRE) failed to properly maintain fire access tracks in many of these areas. Fallen trees were not cleared, erosion and land slips closed tracks that were not repaired, and potholes were certainly not fixed.

There also needs to be an investigation into the fact that on 20 and 21 January there were a large number of spot fires due to lightning strikes. Many of these on both sides of the mountain were investigated and contained. However, despite five spot fires in the Razorback area being reported to the head office of DSE, and despite people in DSE in the north-east reporting those fires and seeking further resources to tackle them in their early stages, the advice was that there were no resources available — and I am advised that the advice also was to ‘Let them go. They will be all right’.

Those five spot fires at Razorback, I am advised, formed the nucleus of what later became known as the Bogong complex, which destroyed much of East Gippsland, including a loss of houses in the Omeo and Cobungra areas, across to Seldom Seen and Gelantipy, and they are still burning in East Gippsland. Those sorts of things really need to be investigated by proper independent process.

I would also like to express my concern that the government has been too slow with too little too late in response to the needs of farmers, businesses and local communities affected by the fires. I recall that in January 2001 the then agriculture minister, the Honourable Keith Hamilton, announced that the government would provide funding to farmers to repair boundary fences destroyed by bushfires following the

Stawell and Glenorchy bushfires in the previous December.

That was announced within a few weeks of those fires, and yet here we are weeks and weeks later and farmers in East Gippsland are still waiting for a government decision on assistance with boundary fencing. No immediate funding was provided to assist farmers bring water to replenish their supplies to feed stock. Many households used their water supplies to defend their house and their property and there was no funding or assistance and no program to bring water back to those areas. We have only seen a minuscule \$500 000 to help with the transport of fodder, and with the price of fodder and transport today, that is certainly being well and truly used up very quickly.

There has been a lack of consultation with local shires and communities. Indeed one of the issues raised on both sides of the mountain, both sides of the alpine area, was the fact that many of those areas, whether they be on the Omeo side of the mountain or the Bright-Myrtleford-Beechworth side of the mountain, was that tourism is vital to the economic rebuilding of those areas. People there wanted an immediate injection of funding from government for local tourism bodies to initiate tourism promotion campaigns to get people back into the areas for the Labor Day long weekend, when the Swifts Creek Cup is being run, and also into Bright, Beechworth and Myrtleford for the long weekend in March and at Easter.

During what should be the busiest time of year, in January, businesses took virtually no money. They lost significant amounts of money during the fires, and they want to rebuild their businesses. When I visited those areas business people said they want an immediate injection of money from government to those local tourism organisations in order to conduct their campaigns, which they are prepared and ready to run in order to rebuild those areas.

The government has announced a \$1 million bushfire relief fund. That is a positive announcement, but when I asked people who was running the fund and how people could access it, I was told that the processes are not yet in place. We do not want that money being tied up in red tape and bureaucracy so it cannot be spent now, when it is needed.

Recently I went to a service to commemorate the 20 years since the Ash Wednesday fires — I was involved in Ash Wednesday as a young veterinarian. One of the things that was talked about at the 20-year reunion was that a lot of the money that was donated to help people after Ash Wednesday still was not spent

months and months later because of the bureaucracy and red tape involved. That is the last thing we need in this situation. The government needs to cut through all the red tape and get the money out to where it is needed in the shires and communities and to the farms and businesses to let them get on with the job.

I now move on to the need for a multipurpose emergency helicopter service in my electorate in south-west Victoria. Such a service is very important for the south-west and could be used as an air ambulance, for search and rescue, fire detection and control, for State Emergency Service and police emergencies and a range of other activities. Unfortunately the recent tragic loss of life at sea off the south-west coast again highlighted the need for this service. A fisherman lost his life and another fisherman was severely injured and left at the bottom of a cliff at risk of his life for many hours. The earliest a helicopter could get there to provide any search and rescue or assistance was 2½ hours. If a helicopter was based in Warrnambool, as is proposed, it would have taken 12½ minutes. It may have made the difference between life and death. It certainly would have provided a much speedier rescue for the fellow who was injured.

I will quote from an article in the Warrnambool *Standard* of 18 February to show what local people said about that incident. It says:

Lives are being jeopardised while the south-west continues to wait for a rescue helicopter ...

A tragic boating accident near Peterborough at the weekend has highlighted the region's urgent need for its own service, Westvic Helicopter Rescue Service chairman John Robinson said.

An editorial in the Warrnambool *Standard* says:

The loss of a man at sea off Peterborough again underlined the perils of the coast and reinforced the need for a rescue helicopter to be based in the region.

The government continues to procrastinate over a business plan put forward by a community group that has worked tirelessly to secure a potentially life-saving aircraft.

Later the editorial states:

Other areas of the state have quick access to rescue helicopters, so why not the south-west and indeed western Victoria?

Other recent examples include meningococcal cases in Portland where patients were not transported to Melbourne as quickly as they should have been in that emergency. A Casterton man who had a cerebral haemorrhage had to endure a 6-hour trip in a road ambulance because no air ambulance service was

available. A surf skier off Port Fairy had to be rescued using a high-risk boat; it could have been done more efficiently and safely with a rescue helicopter. A female hiker with a broken leg on the Great South West Walk could have been rescued and returned to safety much quicker with a helicopter, and an injured seaman on a vessel off the coast of Portland had to suffer unduly because of the lack of that service. A critically ill child with a brain tumour was forced to travel from Portland to Melbourne by road because an air ambulance service could not get into Portland, where a helicopter based in Warrnambool could have done the job very efficiently.

There are over 170 medical emergencies a year where a helicopter would be of assistance. It is not just me saying that. In a letter dated 14 August the South West Municipalities Group said:

The group resolved to write to you, as a local member for the region, asking for your support to the state government, for a funded rescue helicopter service to be based in the western region of Victoria. Our councils believe that a locally based rescue helicopter would provide a vital service which could help to save lives of victims of serious accident situations.

Mr Reekie, the Labor candidate for South-West Coast at the last election said that a rescue helicopter could be a reality by 2003 and that he would be making it one of his key election pledges. He said:

If I'm elected I'm committing myself to arguing for this to be funded within the next budget period, which is 2003-04.

I would ask the government to honour the commitment made by its candidate to fund this service. Another quote from a prominent ALP figure in western Victoria is as follows:

It is totally unacceptable that other areas of Victoria, including Bendigo, the Murray Valley and the eastern part of Victoria are all serviced by a high-speed helicopter, but western Victoria is left without this facility.

That is a quote from Mr Richard Morrow, who has been a perennial ALP candidate for the federal seat of Wannon. I conclude with a quote from another prominent Labor identity with regard to the need for the rescue helicopter:

There is a need, there is no question about that.

That is a quote from the Premier, Steve Bracks, in a television interview in March 2000, about the south-west helicopter. Prominent Labor figures are saying it is needed; the local community says it is needed; medical evidence says it is needed — so I am calling on the government to fund this south-west rescue helicopter in the upcoming budget.

The other area I wish to address in the few minutes I have remaining is the urgent need for improved public dental services in regional and rural Victoria and particularly in the south-west. In 1999 the Labor policy included the following promise:

To cut the waiting times for both general care and dentures.

Unfortunately the government failed on both counts. The report of the Auditor-General in October 2002 is an absolute indictment of the Labor government's dealing with public dental services. The report shows a 21 per cent increase in waiting lists for general dental care. In rural areas that is 31 per cent. People now have to wait 22 months. These are people on health care cards, the disadvantaged in our community who cannot afford private dental services, and they have to wait 22 months for general dental care. In country Victoria they wait three and four years to get a filling in a child's tooth. That is an absolute travesty. It is a disgrace. The Labor Party, which promised to fix the situation, ought to hang its head in shame. It said it was going to reduce waiting times, but waiting times and waiting lists have actually increased. Dentures — —

Mr Hudson — That report is only a year in.

Dr NAPTHINE — October 2002! Have a look at it. Read it. For dentures there has been an 18 per cent increase in the waiting list and a 24-month wait. The Australian Dental Association in November 2002 said this:

Disadvantaged Victorian metropolitan and regional residents are waiting far too long for dental treatment ...

DHSV's annual report for 2002 advises that there were 218 952 people on dental waiting lists in Victoria as at June 2002, an increase of 35 000 over June 2001.

A massive increase in waiting lists. As at November 2002 the Eltham clinic had a waiting period of 39 months while Warrambool patients in my electorate had to wait 44 months. The Auditor-General's report on the community dental service found the system under stress and facing increasing demands. Given that Victoria has the lowest per capita funding in Australia for public dental services this should come as no surprise. There is no doubt that this government has ignored the needs of some of the most needy people in our community, who need access to public dental services. There needs to be a massive increase in recurrent funding and an increased effort to attract and retain dentists; and finally, there needs to be a commitment from this government to put fluoride in the water supply of those places in regional and rural Victoria that currently do not have it.

The ACTING SPEAKER (Mr Ingram) — I call on the honourable member for Evelyn to continue with the address-in-reply. I remind honourable members that as this is the honourable member's inaugural speech it should be heard without interruption.

Ms McTAGGART (Evelyn) — Acting Speaker, I ask that you pass on my congratulations to the Speaker on her election to that high office and wish her well in her appointment to the chair as the first woman Speaker in this place.

As I stand here in this chamber I am honoured to be part of this historic Bracks Labor government in representing the constituents of Evelyn. I acknowledge the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to their elders.

I came to live in Evelyn with my husband, Greg, 14 years ago. We were attracted to the small community environment and the beautiful backdrop of the Yarra Ranges. We had just purchased our first home and intended to start a family. Sadly, after just 18 months of marriage, Greg died suddenly. He was only 33. My whole world collapsed. A quiet, gentle man, his passion for the Labor Party and delivery of social justice and protection of his co-workers had a huge impact on my life.

One week after the funeral I discovered I was pregnant. The following months were very emotional and difficult, and without my friends and family I would not be in this place today. I gave birth to Matthew, a blond-haired, blue-eyed boy who is the image of his father. In order to look after my son I left behind me a demanding but fulfilling career in finance and treasury in the short-term money market. After many years on my own, living on a sole-parent pension, I decided to go back to work part time. I certainly understand first hand the dilemma facing sole-parent families trying to juggle physical, emotional, and financial commitments.

I was determined to get involved in local community groups and, with the state of Victoria in decline under the Kennett government, I decided to join the Lilydale branch of the ALP. I am proud to say that both I and the honourable member for Monbulk are members of that branch. I have been very lucky to find another wonderful man. Ken and I are now married and we have completed our family with two-year-old twin girls, Keely and Tamsin. Life is certainly very busy.

It was during volunteer work in a local special developmental school that I discovered a love for working with children with special needs. This

involvement led to working as an integration aide in a local preschool, which enabled me to meet many of the local parents and gave me an understanding of the local issues facing young families within the electorate of Evelyn. Most were fearful of increasing numbers in class sizes and the education system overall. The legacy of the Kennett government's cutbacks in education led to a growing lack of confidence in the capacity of government schools to deliver the quality education many knew they were capable of. Parents often expressed concern that the schools were continually asked to do more with less resources provided by the government. Shortfalls in funding were expected to be picked up by increased participation by volunteers and fundraising. The focus of schools was directed away from educational leadership to the focus of the corporate and commercial integrity of the school.

The restoration of funding to schools by Labor through successive state budgets has done much to restore the confidence of Victorians in our schools, the leadership of our principals and the professionalism of our teachers.

The legacy of the Bracks Labor government in education is a redirection of attention to where it has always belonged: in the education of our children.

It is only the third time in history that a Labor member has held the seat of Evelyn, the last being in 1982–85. I am very proud to say that I am the first woman Labor member. I would like to acknowledge my predecessor, Christine Fyffe, for her contribution to the people of Evelyn and wish her well with future endeavours.

Evelyn is a rural and metropolitan electorate located north-east of Melbourne. It covers an area of 277 square kilometres. The electorate features the towns of Lilydale, Chirside Park, Coldstream, Seville, Wandin North, Gruyere, Wonga Park and parts of Mount Evelyn, where I live. There are approximately 35 000 constituents on the electoral roll.

I consider myself lucky to live in a community with such a picturesque natural environment. The electorate encompasses parts of the Yarra Valley, which is known for the production of world-class wine, dairy foods and natural produce.

The electorate of Evelyn has changed considerably with the redistribution of boundaries. Outer eastern towns such as Warburton, Powelltown and Yarra Junction are no longer part of Evelyn. However, we welcome the leafy, rural-urban town of Wonga Park to our electorate.

I would like to acknowledge the original owners of Evelyn and the surrounding districts, the Wurundjeri people. These people were a subtribe of the Yarra Yarra or main Woiwurrung tribe. They were a semi-nomadic tribe who roamed the area in small groups.

The last chief of the Woiwurrung tribe was William Barak. He was born in 1813 at Brushy Creek, a tributary of the Yarra River, and he died at Corranderrk Station in Healesville in August 1903. Barak was a well-known tracker. He was called upon to help the police track down the Kelly gang. He was a dignified, respected leader and was proud of his race. A renowned storyteller, he told tales of Batman and La Trobe, along with tribal stories and legends of his people.

Lilydale is considered the centre of the district. The first settlement was in the late 1830s in the Coldstream area. The first settlers to the area were the Ryrie brothers. They selected land at Yering, where they grew various types of fruit and vegetables and produced wine by 1845. This area is now a well-known winegrowing district in the Yarra Valley producing excellent wine and exporting a wide variety of quality produce to the rest of the world. It also attracts many local, interstate and international visitors to our electorate.

The people of Evelyn value its heritage. Groups such as the Lilydale Museum and the Athenaeum Theatre are to be congratulated on their achievements in preserving our history and enabling us to access information from our past. I thank them for their assistance in researching the history for my district.

Evelyn has excellent education facilities, including the Lilydale campus of Swinburne University and a TAFE institute. The Swinburne Lilydale community is committed to encouraging collaborative links in regional groups. The campus is situated high on the hill overlooking Lilydale Lake. It is a small but vital campus providing valuable education opportunities for the people of Evelyn and the surrounding areas. The campus has nearly 2500 students: 50 per cent come from the local region; 80 per cent are under the age of 25 years; and 50 per cent are women. The university provides employment for over 120 people.

The electorate comprises 24 schools. I have had the pleasure of meeting principals, staff and students at several schools in the electorate, and they are to be commended on their commitment to education and their local communities.

To complement these learning institutions community houses, such as Morrison House in Mount Evelyn, provide excellent education facilities set in a small,

professional and friendly environment. Through Morrison House the Mount Evelyn Township Improvement Committee, METIC as it is known, was formed in 1998. METIC has provided an opportunity for business and community groups in Mount Evelyn to come together and work to develop a shared vision on local issues and projects.

A community link centre received funds from the Bracks government's Federation grant. The centre offers residents the opportunity to tap into the networks and resources of their town. The community spirit generated by these groups is to be commended. Under the Kennett government the local police station was a virtual ghost station with minimal police presence. The local community rallied together with protest marches and community forums seeking to ensure the establishment of an operational police station. I am proud to have been part of this process and can declare that the Mount Evelyn police station is now operational. The Bracks government can be proud of the commitment it has made to improving community safety.

During the campaign the constituents of Evelyn expressed their concerns on many issues in our electorate. One of the main problem areas is roads. There are many congested and unsafe intersections in the district. Currently there are several proposals at Vicroads under review. Also, public transport poses a great deal of anxiety among residents and school students. Outlying suburbs especially feel isolated and vulnerable as there are limited services available to them.

With the increased price in bottled liquefied petroleum gas residents have made me aware of the lack of access to natural gas in parts of the Yarra Valley. The Shire of Yarra Ranges has surveyed residents, and they are mainly in support of this infrastructure being provided.

The shortage of general practitioners and access to acute and emergency care is another concern. With the closure of hospitals in the area the access to out-of-hours medical assistance is of great importance.

The environment is very precious to our community. We should accept responsibility and endeavour to protect it and retain sustainability of our resources. There is also a need to protect our local farmers from the encroachment of urban development.

I will, over the next four years, endeavour to represent my constituents on these and other issues to the best of my ability.

I am looking forward to familiarising myself with all aspects of my community, including industries such as agriculture and horticulture, business groups, volunteer organisations, community service providers, educators and families. It is of great importance to me to be able to present to government these issues of social concern.

I sincerely thank my wonderful husband, Ken, and my children for their love and support through the campaign. Also special thanks to Ashley and Noreen Warren; Julie Warren; Cathy and Greg Sword; Kelly and Warren Delaney; Mark Tunstall; the campaign team, for their experience, guidance and commitment to me; my dear parents, Alex and May Heggen; and the McTaggart family, for believing in and encouraging me to achieve my goals.

In particular I thank Doreen McTaggart, my mother-in-law and a wonderful friend, whose strength, support and belief in the Labor Party have enabled me to reach this place. Through her long and committed association with the Labor Party in the Northern Territory, Doreen took me to the federal Labor Party campaign launch in 1996. I was in awe sitting among leaders such as Gough Whitlam, Bob Hawke, John Cain and Joan Kirner. I was particularly impressed to be in the company of my Labor hero, Paul Keating. These memories will remain with me always.

I would like to thank all the parliamentary staff for their support for me and the other new members as we enter this 55th Parliament of Victoria. I feel very privileged to be here as part of this government and to represent all of the constituents of Evelyn. Thank you.

The ACTING SPEAKER (Mr Ingram) — The honourable member for Hawthorn has the call.

Mr BAILLIEU (Hawthorn) — Thank you, Acting Speaker, and I commence by congratulating you on your position.

I first want to acknowledge the success of the government — —

Mr Ryan — On a point of order if I may, Acting Speaker, I do apologise to the honourable member for Hawthorn. There was an arrangement between the parties. If it is in order for the house and the honourable member would not mind, the honourable member for Shepparton has visitors.

Mr BAILLIEU — I understand. If the honourable member for Shepparton has visitors, I am happy to stand aside.

Mr Ryan — In his usual gracious fashion. I thank him very much.

The ACTING SPEAKER (Mr Ingram) — On the point of order, it seems that that has been suitably worked out. If the house does so desire, the honourable member for Shepparton has the call. As is the custom of this house, as this is an inaugural speech, I ask honourable members to give her due respect and hear this speech without interruption.

Mrs POWELL (Shepparton) — I would firstly like to congratulate the Speaker on her appointment as the first woman to become Speaker in the Parliament of Victoria. I would like to pass on those regards as I myself have the great honour of being the first woman to represent the National Party in the Parliament of Victoria and now have the unique distinction of being the first woman to represent the National Party in both houses of Parliament. I am both honoured and proud to take my place in this chamber to represent the people of the Shepparton district in the Victorian Parliament.

I had the privilege of representing the seat of Shepparton as a former member for North Eastern Province in the upper house from 1996 until the last state election in November 2002. During my time in the upper house I made many lasting friendships throughout the north-eastern area and gained considerable knowledge about our region. I believe I will be able to put that knowledge to good use in the interests of the Shepparton district.

My decision to move from the upper to the lower house was not made lightly, and many people have asked why I took that risk. I hope a summary of my background will make that clear.

My family — my father, my mother, my younger sister Frances and I — emigrated to Australia from Liverpool, England, in 1958. We stayed at the migrant camp in Preston, where my father worked on the Melbourne docks and my mother in the canteen at the migrant camp. As he was a fully qualified dental technician, my father eventually secured a position in Shepparton as a dental technician and relocated his young family there. The Preston migrant hostel has long since gone, but I still have the memories of what it is like to come to a new country with nothing but a desire to seek a better life and a better future in a wonderful new country.

I will be forever grateful that my father chose Shepparton in Victoria to live in. It is a wonderful place and has provided opportunities not only for our family but for hundreds of other migrant families. Today it is a

thriving multicultural community with almost 40 per cent of its population comprising people who are of either first or second generation non-English-speaking background. All of these people, like my own family, have been given an opportunity to start a new life in Australia.

It has been my privilege to be part of the Shepparton community, working in our auto electrical business for 17 years, as a councillor for the former Shire of Shepparton and president during the floods in the north-east in 1993 and the amalgamation of councils in 1994. I was appointed a commissioner with the Shire of Campaspe, and in 1996 I was proud to be elected to the Victorian Parliament as a member for North Eastern Province representing the National Party.

Situated approximately 170 kilometres north of Melbourne, Shepparton is known as the solar city because of its above average number of days of sunshine. It is the fourth largest regional city in Victoria and is the economic centre of the rich Goulburn Valley, the food bowl of Australia.

The Shepparton district covers an area of 1802 square kilometres and includes the urban centres of Shepparton, Mooroopna and Tatura and the smaller townships of Dookie, Tallygaroopna, Toolamba, Ardmona and Katandra West. My electorate has a population of 51 800 and has experienced population growth higher than the state average.

Mooroopna, with a population of 6750, is known as the Fruit Salad City from its annual February Fruit Salad Day, at which donated fruit is sold to raise money for local charities.

Tatura, with a population of 3000, is famous for International Dairy Week, the second-largest event of this kind in the world and the largest in the southern hemisphere. It attracts exhibitors, buyers and visitors, not only from all parts of Australia but from many countries right around the world to buy or show top breeds of dairy cows.

Shepparton's clean, green image is very important to the Goulburn Valley, which generates around 25 per cent of the total value of Victoria's agricultural production. The agriculture, manufacturing and transport industries are major employers in my electorate. Dairying is the largest industry across the region and has grown at the rate of about 10 per cent per annum in the last decade. The Goulburn Valley area has developed over the years into the most intensely farmed and productive dairying land in Australia. The major dairy processing and manufacturing companies

in my electorate include Tatura Milk Industries, Dairy Farmers Cooperative of Victoria, Snowbrand Tatura Dairies and Ducat's Foods. Suppliers within the electorate also produce milk for other companies, such as Murray Goulburn, Bonlac Foods Ltd, Nestlé, De Cicco, Jalna Dairy Foods Pty Ltd, Kraft Foods Ltd and Parmalat.

In a normal year the Shepparton electorate, being part of the northern region, produces more than 3 billion litres of milk. I am proud to acknowledge that our dairy farmers are the most efficient in the world.

Tatura Milk Industries is well known for the wide range of dairy products it manufactures. It employs 360 staff and has an annual turnover of \$270 million. Snowbrand Australia employs 35 people and has a \$20 million investment in its Tatura plant. The company packages infant milk formula, primarily for overseas South-East Asian markets but a small amount is also for the local Australian market.

The Shepparton district is well known as a vibrant fruit-growing region with approximately 4.6 million fruit trees in the region's orchards, and there has been a huge growth in the viticulture and tomato industries as demand has increased. The research institute at Tatura is a world-class facility and Victoria's largest agricultural institute. This institute was vital during a fire blight scare in 1997, providing testing and information to our fruit-growing industry. The institute helps the agricultural industry in my electorate protect its clean, green image.

The Shepparton district is home to some of Australia's largest food processing companies, including SPC Ardmona Ltd, Unilever Australasia and Campbell's Soups. SPC Ardmona employs over 4000 people during the peak processing season. The merger in 2002 of the two companies, SPC and Ardmona, has created a strong Australian-owned food business with annual sales exceeding \$450 million and exports to over 50 countries. SPC Ardmona is responsible for one of the largest food donation schemes in Australia, the annual Share A Can Day, which attracts 700 volunteers, and almost everything used on the day is donated. Share A Can Day, since its inception in 1997, has raised over \$4 million of produce for organisations such as the Victorian Relief Committee and Foodbank Victoria. This year it hopes to produce \$1.25 million worth of product, and the extra \$250 000 is intended for distribution to families in regional Australia who have been affected by the drought.

Campbell's Soups opened its modern food processing plant in 1961 at Lemnos just east of Shepparton. It

employs approximately 370 full and part-time staff and invests more than \$60 million each year into the region. Campbell's produces soups, sauces, juices and, since acquiring Arnott's Australia in 1992, produces Arnott's biscuits and snack foods.

Unilever Australasia at Tatura employs 130 permanent staff with the number increasing to 175 during the season. The factory manufactures wet sauces, including such famous brands as Chicken Tonight, the Five Brothers products and the popular Rosella brands, as well as tomato paste.

To complement our food industry, the transport industry plays a major role. Shepparton is provincial Victoria's largest truck sales and service centre and is recognised widely as the transport hub of regional Australia. There is presently planning for the establishment of a logistics freight centre which will better integrate road and rail transport.

Shepparton is also a major regional business and commercial centre, with more than 400 retail outlets consisting of specialty shops and major chain stores. There are many quality primary, secondary and tertiary education facilities, including the Dookie campus of the University of Melbourne, which specialises in teaching food and agriculture-related courses, and La Trobe University and the Goulburn Ovens Institute of TAFE, which both provide a wide range of academic and practical training courses.

The district is also well served with quality health services, including Goulburn Valley Health, a regional hospital that services a wide area, and the University of Melbourne's department of rural health, which provides training for doctors and health professionals in a rural community in an effort to attract and retain health professionals to country Victoria. One of the main concerns for the area is the fact that none of the doctors in the area bulk bill. This is something that must be addressed to relieve pressure on Goulburn Valley Health's outpatient service.

It is also important for a city to have a cultural identity, and Shepparton has much to offer. The Shepparton Art Gallery is renowned for its art collection and ceramic display. Shepparton has the highest population of Aborigines outside of Melbourne, and their history and collection of artefacts are on display at the Aboriginal Keeping Place.

The recreational and sporting facilities in my electorate are excellent. Ardmona Kids Town situated between Shepparton and Mooroopna is one of the largest outdoor playgrounds in Australia. I would like to pay

tribute to Geoff Allemand, who had the vision for the playground and made it happen.

The Shepparton district is normally a thriving agriculture and agribusiness region generating millions of dollars for the Victorian economy. Tragically, with six years of low rainfall and the water storages at a record low level, we are now facing a one-in-a-hundred year event; the worst drought on record.

The Shepparton irrigation system is vital for the future of my electorate. This season irrigators, who would normally receive 100 per cent of their water entitlement, are now only receiving 53 per cent. The cost of water, at times over \$500 a megalitre, combined with the cost of fodder for animals and the lack of fruit pickers for the orchards, is causing great hardship to our farmers and fruit growers. While we acknowledge the support the government has given to some, I was disappointed that the government, when asked by the National Party, would not pay for the water the irrigators would not receive. I urge it to reconsider paying the balance of water not received to Goulburn-Murray Water on behalf of our irrigators.

While this drought has caused considerable hardship for our farmers, the flow-on effect is now hurting our small business. Many are making decisions to retrench staff after their income has been drastically reduced. I urge the government to support small business by speaking to the banks and asking them to assist the small businesses in whichever way they can and not make it harder for small businesses to survive during these tough times.

I also wish to pass on my congratulations to the firefighters and volunteers fighting the fires in the north-east, many coming from the Shepparton district to help.

As the member for Shepparton I look forward to continuing the outstanding service given by my predecessor, Mr Don Kilgour, who has served the Shepparton electorate in this Parliament since 1991. Don was a tireless worker for his community and a much-respected member of this house. I would like to extend my sincere thanks to Don and his wife, Cheryl, for the support and assistance they gave to me, not only during my time as a representative of North Eastern Province in another place but also in my campaign to represent the Shepparton electorate.

I wish to also extend my thanks to an honourable member for North Eastern Province, the Honourable Bill Baxter for the unqualified support, guidance and friendship he gave me during the past six

years, particularly when I was first elected. Bill is held in the highest esteem, not only in North Eastern Province but also throughout Victoria.

We do not get elected into this place by ourselves. We need the support of others. I would like to thank a number of people who were instrumental in my success. Firstly, my campaign committee, particularly the campaign chairman, Mr David Piper, who worked tirelessly to ensure that I did become the member for Shepparton. I also thank one of my scrutineers and the chairman of the Shepparton electorate branch of the National Party, Mr Bill Bloomfield; Mr Peter Ross-Edwards, a former member for Shepparton and former Leader of the National Party, for his guidance and support over many years; and Mr Peter Ryan, the Leader of the National Party, for his strong support, even while fighting his own election campaign.

I thank Diane Bethell, my electorate officer, who has been with me for the past seven years. I constantly hear compliments about how good my office is to deal with, and that can be attributed to Diane.

To our National Party members and supporters: thank you for your confidence in me.

I give a heartfelt thankyou to my husband, Ian, and our two sons, Corey and Nathan. Ian and I have been married for almost 33 years, and he has always supported and encouraged me in everything I have done. We are a great team. We have been blessed with two wonderful sons, who have always made us proud. They support me wholeheartedly. Corey is a Qantas pilot in Sydney, and Nathan is in the hospitality industry in Darwin and has applied to join the Northern Territory police force.

Finally, I would like to extend my congratulations to all new members and hope they enjoy their time in this place and serve in the best interests of their people. I look forward to serving the people of Victoria and particularly the Shepparton district in this place and hope I do so with integrity, decency, honesty and commitment.

The ACTING SPEAKER (Mr Ingram) — Order! As this is an inaugural speech by the honourable member for Monbulk I remind honourable members that the custom of this house dictates that he be heard without interruption.

Mr MERLINO (Monbulk) — Thank you, Mr Acting Speaker, and congratulations on being appointed to that position. I would appreciate it if you could also pass on my congratulations to the Speaker on

becoming the first female Speaker of the Legislative Assembly.

I would like to begin by acknowledging the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to their elders. I would also like to thank the Government Whip for his work in squeezing me in today with my family here.

It is a pleasure to follow the previous two Labor speakers, the honourable members for Bayswater and Evelyn, the two next-door neighbours of my new seat of Monbulk. As the new member for Monbulk I want to acknowledge the previous two longstanding members, Neil Pope, a minister in a previous Labor government who admirably represented the Monbulk electorate between 1982 and 1992, and Steve McArthur who represented the electorate between 1992 and 2002. I wish Steve and his family all the best for the future.

My earliest political memory was the election of the Hawke federal Labor government in 1983. I was 11 at the time. The excitement in the family home at the announcement of the victory was amazing. My Uncle Joe popped open a bottle of champagne and I wondered what all the fuss was about. My interest in politics began at that moment, and it has never ceased.

I grew up, literally, with the Hawke-Keating governments. My hero was Paul Keating. He combined his positive vision for Australia as a confident, independent and mature nation in the region with his skills as a political warrior. After the True Believers victory in 1993 I was sold. At 21 I knew that the Labor movement was to be my life's work and I joined the party. Once I had made my decision I became involved in marginal seat campaigning almost immediately: the pointy end of grassroots politics. It was in those early days that I formed lasting relationships with the Blandthorn family — Ian, Anne and Lizzie — with Greg and Cathy Sword and with Ashley and Noreen Warren and Julie Warren.

After completing a Bachelor of Arts with Honours from Melbourne University and working in a factory for a while, I was fortunate to work as an electorate officer for Jan Wilson, a former Labor member for Dandenong North, something that the honourable member for Lyndhurst and I shared. Together with her husband, Eric, Jan was a stalwart of the community and one of my early mentors. The experience I gained in the interaction with residents and community groups, assisting in solving problems and helping people, gave me the confidence to be more active in my local community in the outer east.

I ran in the first local government elections in 1997 in the aftermath of the Kennett government amalgamations. I was elected to the Shire of Yarra Ranges in 1997 and re-elected in 2000 and was the youngest representative for that period. My six years on council were extremely rewarding and an interesting experience, particularly during my period as deputy mayor. It was a remarkable period not only because of the people I have worked with and for, but also due to the vision and focus of the shire. Yarra Ranges is a progressive council; it has embraced both philosophically and practically the concept of sustainability. Its decision-making and long-term strategies are based on economic, social and environmental considerations.

I want to take this opportunity to publicly thank the Shire of Yarra Ranges, including chief executive officers Eric Howard and currently Rob Hauser, the directors and especially the hardworking and dedicated staff who implemented the vision. I also thank my former councillor colleagues and wish them all the best of luck at the coming elections. I know first hand that when local government works in partnership with residents and community groups the impact that good councils have on local communities is immense. Local government is the closest link to the people. State and federal governments must work in genuine partnership with local government.

Nowhere is this more so than in my electorate of Monbulk. I will endeavour to ensure such partnership relationships in all my undertakings with the Shire of Yarra Ranges, the City of Knox and the City of Maroondah, which are all incorporated in my electorate of Monbulk. Monbulk is very much a reflection of the Shire of Yarra Ranges. Yarra Ranges is an interface council — as we have heard from previous inaugural speakers — one of a small group of councils located in outer metropolitan Melbourne that combine sections of urban development with large tracts of rural farmland. Interface councils also contain areas of highly sensitive environmental values. As such, issues including the right to farm, urban encroachment, environmental protection, water conservation, rural versus metropolitan funding, tourism, the provision of social and health services and fire safety, to name just a few, are particularly important.

I want to take this opportunity to acknowledge and thank the local CFA volunteers who have been fighting fires over the last several weeks. The electorate of Monbulk contains urban areas such as Boronia and The Basin in the City of Knox which still retain bushland characteristics, villages and townships in the Dandenong Ranges — an environmental icon of

Melbourne — and the horticultural and agricultural land in areas such as Monbulk and Sylvan. All of the matters that the shire confronts as an interface council are reflected in my electorate of Monbulk. I bring to this Parliament a deep understanding of these sensitivities and a commitment to all members of my community and to all interface councils.

I have come to this place a believer in community. Not only have I spent the last six years as a councillor with Yarra Ranges, I have also been the chair of the committee of management for a local community house, Morrison House, and been involved in the board of Eastern Regional Libraries, which was also previously involved with the honourable member for Bayswater.

A number of years ago, Morrison House, which services both the electorates of Monbulk and Evelyn, made a strategic decision to add community development to its traditional role of adult education and childcare. In partnership between the shire and the community I worked with Jan Simmons, the CEO of the house, and other community representatives in establishing a township development committee.

Our community development model was based on the Learning Towns concept — linking people with information and providing learning opportunities by understanding your community first through a community audit. Learning communities are healthy communities and successful communities because they seek to understand what the needs are before they act. I have learnt that the most important ingredient in community development is people. If you get a group of people together with a common goal and shared enthusiasm, anything can be achieved.

In 2001 the excellent work of Morrison House was rewarded with an Outstanding Achiever Award in the Adult and Community Education sector. Neighbourhood houses are great sources of support, education and information in our communities. However, by their very nature — as small, local organisations operating on shoestring budgets — the impact and potential of neighbourhood houses is often underestimated. I have five community houses in Monbulk — Selby, Kallista, The Basin, Coonara and Olinda — with Morrison House and Japara just outside the electorate.

Local government and working in the local community is part of my story. Another major part of my life has been the union movement. For the previous three and a half years I have worked as a national industrial officer with the Shop, Distributive and Allied Employees

Association, the SDA. Conservative commentators in the Liberal Party take great joy in pointing out the links between Labor parliamentarians and the union movement. My response — if the honourable member for Bass were here I would reiterate it for him — is, 'Point away!'. Rather than feeling discomfort and embarrassment, I am proud of my link to the union movement.

What is at the core of what we do in the union movement? What are the fundamental things that unions do? Unions fight for better terms and conditions for workers; unions protect and represent workers who are subject to abuse, unfair and unsafe practices, and unfair dismissals; unions represent men and women who otherwise would have very little industrial power; and unions together advocate for fundamental improvements to the lives of working families, whether it be the 8-hour day, safety net increases, childcare or maternity leave, or public holiday entitlements.

Take my union, the SDA. Its representation is largely young and predominantly female. Without the SDA retail workers in this country would be fair game. In their agreements the SDA has negotiated superior wage increases compared to awards, improvements in the junior rate structure, and extensions to periods of maternity leave. The SDA has been a key organisation in expanding and maintaining the industry superannuation fund.

My job in the national office was simply to negotiate enterprise agreements with employers, some of whom were fair minded while others made me thankful that there is still an active union movement in Australia. It was a satisfying thing to do because representing working men and women and negotiating for improvements on their behalf was the right thing to do. I have learned much from people like Joe de Bruyn and Ian Blandthorn, and I have left the SDA with a clear message in my head.

Recently Jim Maher, a legend of the SDA and the labour movement, took me aside and gave me a message he has given to many new members before me. 'Do not forget the workers', he told me. I will not forget the workers, Jim, and this government will not forget the workers, either. The recent announcement that Easter Sunday will be a non-working day and the Federal Awards (Uniform Systems) Bill 2002, which seeks to provide a fair safety net of award conditions for nearly half a million employees, are just two examples of this.

The Kennett government devolved responsibility for industrial relations from Victoria, handing it over to the

commonwealth. Like a vindictive child it ensured that hundreds and thousands of employees, as schedule 1A employees, would for years be shut out of the safety net system of award coverage. Only the SDA had the resources and the will to challenge this. The Australian Industrial Relations Commission recently approved the creation of a safety net award covering 17 000 retail employers, despite protracted opposition from the federal government. This precedent-setting achievement restores the rights of schedule 1A employees in the retail industry.

There are many things that I want to achieve as the member for Monbulk. As I stated earlier, the environment is an issue of vital importance in Monbulk. I do not believe you can be an effective representative for Monbulk without being a strong and genuine advocate for protecting and enhancing the environment of this beautiful area. The environment is close to the hearts of most people in my electorate, from children in primary schools to the vigilant members of environment groups such as Save the Dandenongs League and the Upper Yarra and Dandenong Ranges Environment Council.

The green wedge legislation and Melbourne 2030 is a major step forward in ensuring that the Dandenongs, the Yarra Valley and significant green areas throughout metropolitan Melbourne are protected from inappropriate development. The green wedge legislation will provide a much greater level of planning certainty for local communities. Significantly, the aims of the green wedge legislation and Melbourne 2030 are supported by the Shire of Yarra Ranges. As an interface council, it understands that these forms will ensure that farmland remains farmland and that the Dandenongs and the Yarra Valley are protected — not only for the benefit of the environment but for our tourism industry — from Puffing Billy, the villages and townships in the hills, to local wineries, restaurants and b & bs.

I look forward to working with the shire, community groups and local representatives to protect the environment and to promote a sustainable tourism industry.

I am a strong believer in never forgetting where your roots are, what you have experienced and why you are here. I will not forget working as a bricklayer's labourer, shop assistant and factory worker. I will not forget what I have learnt from working for a union, and I will not forget that this is a government of the Labor Party, a party for all Victorians including workers and union members.

The Bracks government continues to support community building in Victoria. Examples of this include the community jobs program, the community building stream and the Community Support Fund and funding through ACFE — Adult Community and Further Education. The establishment of a Department for Victorian Communities is a further positive step forward. The Bracks government understands the true value of people and communities in our society.

I passionately believe in community development, particularly the Learning Towns model. With regard to community houses I will be a strong advocate but I will also be encouraging them to fully explore their capacity for community development. Our society is dependent on vibrant, active and learning communities. Achieve this and you have sustainable communities, nurturing and supporting the members of communities just like families do.

It is to my family that I finally turn. My journey is my family's journey. I am who I am because of my family. My father, Bruno, was born on a tiny island off Sicily called Salina, days after the attack on Pearl Harbour. After a difficult upbringing he migrated to Australia in 1961 as a 19-year-old. As is common with migrants, he worked extremely hard to establish himself in his new home as a bricklayer. He married my mother, Mary, herself a daughter of a migrant Australian, in 1968 and together they had three children.

My father has a profound sense of fairness, a strong work ethic and an interest in politics sparked by the Vietnam war and the dismissal of the Whitlam government. My mother is fiercely loyal and protective. My brother, sister and their spouses and families have always been there for me.

I am blessed to have such a family and would not be here without them. It is family that gives us the strength and confidence to achieve. It is family that in times of tragedy and hardship wraps us in its protective wings.

In closing, Labor ideals of opportunity and fairness, developing local communities and supporting the family is what drives me. I thank my campaign team, branch members and supporters for their fantastic work and commitment, particularly my beleaguered campaign directors, Lizzie Blandthorn and John Raimondo.

Thank you to the people and communities of Monbulk for giving me the opportunity to represent you. It is a responsibility that I take extremely seriously. I hope that in the years ahead I earn the trust that you have placed in me and the Labor Party.

Mr BAILLIEU (Hawthorn) — I begin my response to the Governor's speech by acknowledging the government's success. I wish it well in its conduct and stewardship of the state, but it is a no-excuses government now!

I thank the former Speaker, the Honourable Alex Andrianopoulos. One of the first things I heard when I came to this place was that Alex was a decent man, and at the end of three and a bit years it is my conclusion that he is a decent man. I thank him for his assistance.

I note we are speaking under the new sessional orders and are confined to a 15-minute time limit. We saw last night when the Leader of the National Party addressed the Governor's speech what a sham that will be. In an incredibly compelling speech he proved the point that the 15-minute time limit will be a loss to the Parliament. I invite honourable members to consider what part of his speech they would want to see removed.

I thank the people of Hawthorn for again entrusting me to be their representative. I am humbled by that trust, and I will do my best to earn it. I also thank my staff, Sue, Di and Lizzie, my wife, Robyn, and the kids and my campaign committee, which worked so hard to see us through the campaign.

Address-in-reply debates provide an opportunity for new members to make their inaugural speeches and for others to reflect on the state of Victoria and their electorates, and I want to do just that. Today it is also an opportunity for shadow ministers to reflect on their portfolio responsibilities. Sadly there was precious little in the Governor's speech about ongoing commitments. It bears a remarkable resemblance to the speech in 1999; it seems that not much has changed and not much has been achieved. Nevertheless, the government has set out what it considers is a platform. I will come back to that in a minute.

I put on the record my concerns about a number of issues affecting my electorate of Hawthorn that I wish to see the government address. The first is the closure of the river walking track in Hawthorn, which has received some attention but which has still not been resolved after a number of years. The state government has offered no assistance to deal with the unilateral closure by a property holder of a walking track which has been in existence for more than 60 years, even though it is essentially administered by Melbourne Water. The council has requested assistance, Yarra People, an organisation of some professionalism and astuteness, has requested assistance, and I have requested assistance, but none has been forthcoming

from the government. I invite the government to take the opportunity to support the council and Yarra People in the legal action they are currently taking.

I refer to the destruction of Pridmore Park in Hawthorn, which abuts the Yarra River. A premeditated act of violence against the environment occurred during the election campaign, when Melbourne Water, without any notice or consultation, removed more than 200 trees from the Yarra banks of Pridmore Park — oaks, elms, willows, the works — and only afterwards apologised. Melbourne Water recently declared that it now has discovered that the root mass on the Yarra bank is so intense that it cannot plant anything there, and it cannot remove the root mass because the river banks would collapse. It has been an environmental disaster under the stewardship of this government, and we have heard precious little from the minister about it.

I also raise the issue of land tax and many of the other taxes that are operating under the state government. As I said before, the government is taxing the stuffing out of this state. I have had constituents in my office — members on the other side can laugh — in tears on the subject of land tax. I can give an example of a lady who has been in her property for more than 40 years whose state tax bill now exceeds her income by more than 50 per cent, because someone left her the property in a different construction. The land tax is pernicious and it is hurting, and the government needs to address it.

I put on the record the concerns in my electorate about the growth in apartment structures and the growth in traffic. There is growing concern that the atmosphere and the residential character of my electorate, including Hawthorn, Camberwell, Glen Iris and Canterbury, are changing for the worst. I put on the record my concerns about the impact Melbourne 2030 will have on Camberwell Junction and the Camberwell shopping centre. Residential groups are already forming to fight what they see as an inappropriate objective in Melbourne 2030.

I again put on the record my support for Swinburne University of Technology and the Swinburne College of TAFE, which operates so successfully out of the Hawthorn campus and which has been a delight to be part of.

This is a time to reflect on where we are at in Victoria. In my inaugural speech three and a bit years ago I said two or three things that I wish to refer to. First, I wish to focus on the capacity of this state to provide — which is one of our essential objectives. Are we in better shape than we were? Sadly I am of the view that we are not. Our budget position has declined, the forecast is worse,

and the expansion of expenditure without returns has not been in the interests of Victorian taxpayers nor of Victorians. The disastrous list of projects, including the money wasted on projects such as the MCG redevelopment, Seal Rocks and now the studios at Docklands, is testament to the waste that has diminished our capacity to provide in the state.

The second issue I referred to in my maiden speech was our strength to influence. I am sorry to say that our strength to influence our colleague states in terms of the national agenda and the international agenda has been much diminished under the Bracks government. Victoria has declined in its capacity and strength to influence. We are no longer a leading state; we no longer project as a leader state. Where national issues arise it is not Victorian ministers who take the lead. This is a government that has adopted the term 'downshifting' and has focused on the pursuit of the average, which is a masterstroke.

In my maiden speech I also referred to this chamber and the treasure that it is, to its importance and to its architecture. It is probably the pre-eminent historic-registered building in Victoria. As I said at the time, it was designed by Kerr and Knight and is a treasure. I concede that this is my view, but I believe we have trashed a treasure.

Honourable members interjecting.

Mr BAILLIEU — We will be comfortable with the chairs, but what has gone is a piece of Victorian heritage. A registered historic building has been trashed and butchered without any public consultation or viewing of the plans in advance and without any community awareness. That is fine — it is the right of the Parliament to do that — but in my view that is not what should have been done. We have lost the classic rectangular seating of this chamber; we have lost views from the public gallery; we have lost views across the chamber; and Hansard cannot see the chamber completely. There is an enormous loss — and that is just what we can see. It is a great shame. We will all be comfortable, and as I said last night, this will be the norm for new members. But we have destroyed a piece of Victoria's heritage inside four months, with no notice. That is the reality, and I feel embarrassed about it.

It is interesting to note that in my electorate there is a heritage house and the owners of that registered building have pursued modest changes. They have in turn been pursued and prosecuted by the government at the cost of hundreds of thousands of dollars, if not millions, and it has been an extraordinary persecution.

The Heritage Council report tabled yesterday celebrates the prosecution of two property owners who did not do the right thing by heritage laws in this state. One of those has suffered a penalty of \$100 000 on a personal basis. Here it has been an exercise of double standards, and it is a most unfortunate message to send to those with an interest in heritage and those with an interest in integrity and honesty.

When it comes to integrity and honesty I want to reflect on the last three years, because I have seen enough to persuade me that this government is not one that is comfortable with integrity and honesty. Looking back at the Reeves affair and the way it was handled, not only before it was revealed but afterwards, is a reminder. We have seen endless publicity stunts and camouflage from the government. We have seen deception at the grassroots level. During the election campaign I mentioned the deception over Ashwood College in Burwood, where a decision to sell part of the college was denied in all quarters. That is not the reality. The decision was made, and there is further to come.

I wish to turn also to portfolio issues. In the Governor's speech there is precious little reference to infrastructure. In the previous three years one of the government's boasts was its Infrastructure Planning Council, which took nearly three years to report — it took a while to assemble and then it took forever to report. One might have expected that in the government's agenda reflected in the Governor's speech there would have been reference to the Infrastructure Planning Council's commitments and to some of its recommendations, but there is precious little about those 45 recommendations — for instance, at the top of the list, where is the infrastructure planning advisory council that was the principal recommendation of the IPC?

I was interested in the remarks made by the honourable member for Mordialloc in her maiden speech when she raised the issue of the channel deepening. Channel deepening is probably regarded in business terms in Victoria as one of the most significant decisions to be made over the next three years, but there is no mention of it in the Governor's speech and no mention of it by the government. That is sad. It would seem the honourable member for Mordialloc is opposed to it in advance. We will see, but I would have thought the government would have seen fit to deal with that issue at least.

I want to turn to Melbourne 2030. As I have said before, Melbourne 2030 and its conception depends on the delivery of infrastructure, funding, community

awareness and the support of local councils. A lot of people say, 'Yes, we support it in principle', but I can tell honourable members that everybody is now saying, 'Yes, but we have a lot of problems with the details'. I have had a fascinating time with bureaucrats and stakeholders who say to me, 'Listen, this was just three years in the preparation. It took three years to prepare and the objective was not to offend anybody along the way, get to an election, see if we could get through it and now we will spend three years untangling it and trying not to offend anybody on the way'.

The promised consultation was abandoned, and now there is nothing but a reference in the Governor's speech to a consideration of 'how to implement this plan'. It is extraordinary that the government does not know how to implement its own plan because it never thought it through in the first place. As I said, there are those who are saying about it that it was three years in and it will be three years out. Some have been describing it as just a polite parliamentary plan, and a publicity plan at that. It has started to unravel at the edges, and I think there is a long way to go before we get to the other side of 2030. I wish the government would be more frank and release details. I trust those comments that have been lodged in recent weeks will be made public. I will be interested if they are not.

I conclude by acknowledging the passing from this chamber of many colleagues, a number on our side regrettably, and some on the other side. I have known many of them for a long time. As a party office bearer I assisted many in their election to this place. Many of them I regard as close friends, and I am sorry to see them depart, particularly the classes of 1992, 1996 and 1999.

I congratulate those new members who have come to this house, including on our side of the chamber the honourable member for Bass, the honourable member for Benalla, the honourable member for Swan Hill and the honourable member for Shepparton, who I am sure will represent their electorates extremely well in this chamber. I look forward to working with them and working with you, Acting Speaker.

Debate adjourned on motion of Mr WILSON (Narre Warren South).

Debate adjourned until next day.

OUTWORKERS (IMPROVED PROTECTION) BILL

Second reading

Mr HULLS (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

The Outworkers (Improved Protection) Bill is a key part of the government's commitment to ending the exploitation of clothing outworkers and is a significant step towards a uniform industrial relations system for clothing manufacturers.

The Outworkers (Improved Protection) Bill was an explicit policy commitment at the 2002 election. Accordingly, this government has a clear and unequivocal mandate to introduce, pass and implement this bill.

The Outworkers (Improved Protection) Bill aims to ensure that outworkers in the Victorian clothing industry receive their lawful entitlements and to provide a consistent regulatory regime for the industry across those states where the majority of clothing manufacture is undertaken — namely, Victoria and New South Wales.

The bill implements a number of the recommendations of the Family and Community Development Committee inquiry into the conditions of clothing outworkers in Victoria. The government has provided the Parliament with a considered response to all the recommendations of the committee.

It is difficult to determine how many outworkers there are in Victoria. Estimates vary markedly between 20 000 to 140 000 outworkers. It is estimated that Victoria accounts for approximately 40 per cent of the work undertaken by outworkers across Australia.

Clothing outworkers are typically migrant women. Their ages vary and many come from non-English-speaking backgrounds and have poor English language skills. They find it difficult to find other forms of employment.

Clothing outworkers are among the most vulnerable members of our community. They are often subject to low wages and long hours of work. In many cases, clothing outworkers suffer from chronic underpayment and non-payment of remuneration and poor workplace health and safety practices.

There is no suggestion that all retailers or all clothing manufacturers exploit outworkers or that all outworkers are exploited. However the most recent research into outworkers in Melbourne, conducted by Dr Christina Cregan of the University of Melbourne, indicates that there continues to be significant exploitation of outworkers in Victoria.

Dr Cregan's 2001 study, involving 119 clothing outworkers in Melbourne, found that the average hourly rate of pay amongst these workers was \$3.60 per hour and their average weekly wage was only \$300 per week. They work 12 hours per day for six to seven days per week.

The majority of the clothing outworkers involved in the study earned only \$5 per hour, well below the minimum hourly rate of \$11.35 provided for by the Australian Industrial Relations Commission in the Victorian industry sector wage orders.

Eighty percent of the clothing outworkers in the study reported that their wages were not paid on time and nearly 50 per cent reported instances of not being paid at all for work completed.

Dr Cregan's research confirms that clothing outworkers are among the most disadvantaged workers in Victoria.

Both the New South Wales and Queensland governments have implemented strategies to end the exploitation of outworkers. This legislative proposal essentially replicates the provisions relating to outworkers in the NSW legislation, thereby creating a consistent regulatory regime across the two major economies.

The proposals in the Outworkers (Improved Protection) Bill will be supported by an education campaign that will focus on community language media targeted towards the communities in which outworkers and their employers are located. The campaign will provide information to outworkers and their employers on their employment rights and obligations.

The government will also appoint bilingual information services officers. The officers will have an understanding of the particular cultural issues that face many migrant outworkers and will provide direct assistance and advice to outworkers and investigate legislative breaches and assist individuals in undertaking action to recover under and non-payment of wages.

Purpose of the bill

The principal purpose of the bill is to improve the protection for outworkers by ensuring they receive the same entitlements as employees and have access to a simple, low-cost way to recover unpaid wages and remuneration.

It proposes to increase voluntary compliance within the industry and to focus responsibility at the top of the production chain to ensure outworkers receive their lawful entitlements. It will achieve this through establishing principal contractor liability for the payment of outworkers entitlements and the establishment of the Ethical Clothing Trades Council to monitor and foster self-regulatory mechanisms in the industry.

Who does the bill apply to?

The Outworkers (Improved Protection) Bill will provide protection for all clothing outworkers in Victoria.

It will provide all outworkers in Victoria greater employment protection by ensuring they are subject to the same standards as employees in respect of long service leave and occupational health and safety.

It will also improve the protections for those outworkers not covered by a federal award or agreement and provide them with greater power to recover unpaid remuneration.

Clothing outworkers are defined as workers who pack, process or work on articles or material for another person from their home or other premises rather than in a factory.

It will establish an advisory body for retailers, manufacturers, employees and the community for the benefit of the clothing industry.

Outworkers as employees

One of the central issues for outworkers is whether they are employees or independent contractors. The parliamentary inquiry noted that often outworkers are led to believe they are independent contractors when in practice they are actually employees. In such cases an outworker may be called an independent contractor, but the actual practice of the employment relationship is that of employer and employee. The effect of this confusion means that outworkers are denied their employee entitlements.

The nature of work in the clothing industry and the circumstances of the employment of outworkers, indicate that outworkers should be considered as employees, rather than independent contractors.

The bill will define outworkers in Victoria to be employees for the purposes of the Outworkers (Improved Protection) Bill 2003, the Long Service Leave Act 1992, the Occupational Health and Safety Act 1985, the Public Holidays Act 1992 and for the Federal Awards (Uniform System) Bill 2003, almost before Parliament.

This is consistent with both New South Wales and Queensland, where outworkers are deemed to be employees for the purpose of industrial legislation.

By defining outworkers to be employees for the purposes of this industrial legislation, the uncertainty surrounding their employment status will be resolved and it will be clear that outworkers are entitled to all the protections afforded to other employees.

Recovery of payments

Currently outworkers are faced with complex and largely inaccessible mechanisms for recovering unpaid wages and other forms of remuneration. Outworkers are subject to complex enforcement procedures, prohibitive costs when taking action and lack an enforceable employment agreement.

In addition to these problems, complex production chains often make it difficult for outworkers to identify who their employer is.

The Outworkers (Improved Protection) Bill will establish a system for the recovery of unpaid remuneration that is simple to use and low cost.

The recovery of unpaid remuneration system established by the bill will operate in a way that unravels the complex chain of production to reveal those contractors in the chain who bear responsibility for the payment of entitlements to the outworker.

The provisions in this bill will replicate the NSW recovery of unpaid remuneration provisions, ensuring there is consistency across the states.

Under the recovery of unpaid remuneration process, an outworker makes a claim for unpaid remuneration by serving a statutory declaration, with supporting details, on the person that the outworker believes to be their employer. The claim must be served within six months of the completion of the work.

The person served with the claim, known as the apparent employer, may not be the person that the outworker directly deals with. The bill provides that the outworker may serve a claim on the person who they believe is their employer. In practice, this person could be anywhere along the production chain, from the intermediary delivering and collecting work to the principal manufacturer.

Once served with a claim for unpaid wages by an outworker, the apparent employer has 14 days in which they can refer the claim to the actual employer. If the actual employer cannot be identified or does not accept liability within 14 days, the person served with the claim is liable for payment of the outworker's unpaid remuneration.

Where an actual employer has not accepted liability and the apparent employer has paid the outworker for the claim, the bill enables the apparent employer to deduct the amount paid to the outworker from any money that the apparent employer owes to the actual employer. This will ensure fairness in situations where the apparent employer is higher up the production chain than the actual employer.

In the event that a claim for unpaid remuneration is not resolved through this process, recovery will be through the industrial division of the Magistrates Court. In such proceedings an apparent employer will be liable for payment unless they can show that the work was not done or that the amount claimed is incorrect.

The bill establishes an offence where a person uses intimidation to prevent, hinder or discourage an outworker from making a claim for unpaid remuneration. It will also be an offence under the bill to make a false or misleading statement in a referred claim or a notice regarding liability for a referred claim; and to refer a claim to a person where it is not known or there are not reasonable grounds to believe that the person is the actual employer of the outworker. The maximum penalty for these offences will be \$12 000.

Principal contractor liability

In addition to establishing a simple, low-cost process for outworkers to recover unpaid wages and remuneration, the Outworkers (Improved Protection) Bill establishes principal contractor liability in order to focus greater responsibility for outworkers' entitlements at the top of the supply chain.

Outworkers currently bear the burden when a contractor in the production chain disappears or refuses to pay an outworker after the work has been completed. There is no mechanism by which an outworker can

pursue unpaid remuneration from a person who is higher up the supply chain than their direct employer.

The principal contractor liability provisions in the bill will enable outworkers in this situation to claim the unpaid remuneration directly from the principal contractor. The provisions are the same as those already operating in NSW.

The principal contractor will be liable for any unpaid wages unless they have a written statement from the contractor that all wages to outworkers have been paid. The principal contractor will be able to withhold any money owed to a contractor until such a statement is provided, without penalty.

The principal contractor is not liable for payment of the outworkers remuneration where the subcontractor is in receivership or in the course of being wound up or, in the case of an individual, is bankrupt and payments made under the contract are made to the receiver, liquidator or trustee in bankruptcy.

Enforcement of a claim for unpaid wages on a principal contractor will also be through the industrial division of the Magistrates Court.

Ethical Clothing Trades Council

A key feature of the Outworkers (Improved Protection) Bill is the establishment of an Ethical Clothing Trades Council of Victoria. This council, modelled on the NSW Ethical Clothing Trades Council, will be the primary means of achieving voluntary compliance within the industry.

The council's chairperson will be a person with relevant knowledge of the clothing industry, and members of the council will include representatives of retailers, manufacturers, employees and the community.

The primary role of the council initially will be to enhance voluntary compliance by the clothing industry as a means of ensuring that outworkers receive their lawful entitlements. If voluntary compliance is unsuccessful then the council will advise the minister on the need for a mandatory code.

The council will enhance voluntary compliance by the industry through facilitating consultation with relevant clothing industry organisations and promoting self-regulatory mechanisms within the industry.

The council will promote industry agreements and codes such as the home workers code of practice, a self-regulatory code that seeks to regulate and monitor

the production chain from the retailer to the home worker.

It is welcoming to see the pioneering work being undertaken by the NSW council, which has brokered a landmark agreement between the Australian Retailers Association and the Textile Clothing and Footwear Union of Australia. The Victorian council will be required to consider the work of the NSW council, to further the consistency between NSW and Victoria.

The council will provide quarterly reports on whether outworkers are receiving their lawful entitlements and make recommendations. The council will also report on the activities of the industry with respect to the Homeworkers Code of Practice and other industry agreements.

During the initial 12-month period, the council will evaluate the effectiveness of the actions taken by the industry to improve compliance with the obligation to ensure that outworkers receive their lawful entitlements. At the end of 12 months the council will report its findings to the minister.

After consideration of this report, the minister may make a mandatory code of practice for the industry. A mandatory code would be made if it is determined that the current self-regulatory mechanisms are inadequate to achieve improvements in the level of compliance or that the persons engaged in the clothing industry are not attempting in good faith to negotiate improvements of extensions to those voluntary self-regulatory mechanisms.

If established, the mandatory code may require employers and other persons engaged in the clothing industry to adopt specified standards of conduct and practice with respect to outworkers. Failing to comply with the mandatory code without reasonable excuse will be subject to a maximum penalty of \$12 000.

The bill provides that the regulations may provide for an exemption to the operation of the code for specified persons or classes of persons.

It is incumbent on the clothing industry to take responsibility for ensuring that clothing outworkers receive their lawful entitlements and the Ethical Clothing Trades Council will provide them with every opportunity to take relevant action in this regard.

Information services officers

The bill provides for the appointment and powers of information services officers.

The clothing industry is typified by complex contracting practices that may mean that some contractors avoid liability for outworkers' entitlements. The Outworkers (Improved Protection) Bill will assist in reducing the level of exploitation currently experienced by many outworkers by enabling information services officers to effectively determine and facilitate compliance in the clothing industry.

The powers enable an information services officer to enter, without force, any premises where there are reasonable grounds for believing that outwork is being, or has been, performed or there are documents being kept that are relevant for the purpose of determining compliance with relevant industrial legislation.

The bill outlines the manner in which an information services officer should exercise their powers. Entry must be during working hours and an information services officer must cause as little harm and inconvenience as possible.

On entry, an information services officer will be able to inspect work, take samples, interview employees or require the production of documents.

Information services officers are not empowered to enter any part of premises used solely for residential purposes without the informed consent of the occupier.

The bill creates offences for actions that obstruct an information services officer in the exercise of their powers.

Right of entry for authorised union officers

Outworkers are often reluctant to take individual action against their employer for fear of reprisals, so they rely more heavily on the ability of the union to investigate and prosecute employers for breaches of their award.

Under the commonwealth Workplace Relations Act 1996, an industrial officer of a registered organisation has powers to enter premises to hold discussions with employees and to investigate suspected breaches of the award. Unions are then able to prosecute for any breaches of the award that they find.

The Outworkers (Improved Protection) Bill includes provisions similar to the current right of entry powers in the Workplace Relations Act 1996.

The provisions enable authorised union officers to enter during working hours and without force, any premises where outworkers work who are, or are eligible to become, members of the union or premises which are occupied by an employer or contractor bound by a

federal award or common-rule order that relates to outwork, for the purpose of investigating a suspected contravention of the act.

After entry, the authorised union officer may make copies of documents that are relevant to the suspected contravention, including time and pay sheets, inspect any work, material or machinery and interview any employees or outworkers who are, or are eligible to become members of the union about the suspected contravention.

Authorised union officers may also, for the purpose of investigating a suspected contravention require an employer or contractor to produce documents for inspection and copying at an agreed place.

Authorised union officers may also enter premises where outworkers work who are, or are eligible to become members of the union, for the purpose of holding discussions during meal times and other breaks.

An authorised union officer is required to show his or her permit prior to entry, if requested to do so. Entry to premises may only occur after the authorised union officer has provided the occupier of the premises 24 hours notice of the intention to do so. The union can apply to the court for an order waiving the requirement to provide notice to an employer.

There is no power for authorised industrial officers to enter any premises used for residential purposes without the permission of the occupier.

The industrial division of the Magistrates Court will issue authority permits on application by the secretary of the union. The bill provides for an employer, registered organisation or an information services officer to apply to the court for the revocation of a union officers permit if the authorised officer intentionally hinders or obstructs an employer, employee or outworker or otherwise acts in an improper manner.

The bill specifies conduct in relation to the powers of authorised union officers that attracts a civil penalty. A court may make an order imposing a penalty on a person who contravenes a penalty provision. The court may order that the penalty be paid into the Consolidated Fund or to a particular registered organisation or person.

The bill provides the textile clothing and footwear union with the power to prosecute an employer for a breach of the act and a common-rule order, to facilitate their ability to ensure that outworkers receive their lawful entitlements.

Review of act

The bill provides for the act to be reviewed by the minister within five years of commencement, or as soon as possible thereafter. The review would determine whether the policy objectives of the act remain valid and whether the terms of the act remain appropriate for securing those objectives. The report of the review will be tabled before both houses of Parliament.

A similar review is to be conducted of the New South Wales legislation by the NSW Minister for Industrial Relations.

Summary

The Outworkers (Improved Protection) Bill will provide overdue protection for some of the most vulnerable workers in Victoria.

It provides outworkers with a simple, low-cost way of recovering unpaid wages and remuneration.

It will empower information services officers to ensure compliance with the provisions in the bill and other relevant industrial legislation.

Importantly, employers in Victoria will face the same regulatory regime as their counterparts in NSW.

The bill will ensure that companies at the top of the production chain take responsibility for ensuring that outworkers receive their lawful entitlements. The Ethical Clothing Trades Council provides the clothing industry with the opportunity to make significant steps towards voluntary compliance.

The Outworkers (Improved Protection) Bill will take significant steps towards ending the exploitation of outworkers by providing them with higher standards of entitlements and afford them improved protection to ensure they receive those entitlements.

This bill creates a uniform system between Victoria and New South Wales, the two states that account for the majority of clothing manufacturing and will be of benefit to those in the industry currently dealing with two vastly different regulatory regimes.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 13 March.

FEDERAL AWARDS (UNIFORM SYSTEM) BILL*Second reading*

Mr HULLS (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

The Federal Awards (Uniform System) Bill has been developed after a comprehensive process of consultation with employer groups, unions, employers and employees. The bill is an important step in establishing a truly unitary system of industrial relations in Victoria, and will help restore the balance between the rights of employees and employers that are not covered by federal awards or agreements.

The bill was an explicit policy commitment at the 2002 election. Accordingly, this government has a clear and unequivocal mandate to introduce, pass and implement this bill.

This mandate confirms Victoria's adoption of a more conciliatory approach to industrial relations. Industrial relations should not be promoted as a battleground where parties fight until the last person standing claims all the spoils.

Unfortunately this view underpins the commonwealth's approach to its Workplace Relations Act. Victoria will continue to facilitate a fairer industrial relations approach which favours neither employers nor employees. We do not and will not prejudicially assume one side is always right and the other side always wrong.

The bill represents a key part of this government's commitment to fairness. Since 1996 the gap between conditions enjoyed by those employees protected by federal awards or agreements and those under schedule 1A of the federal Workplace Relations Act 1996 has steadily increased. The bill is designed to remove this artificial gap and ensure that all Victorians are entitled to similar minimum conditions of employment. This is good for employees, and it is good for employers.

In the face of a lack of commitment from the federal government to reform the Workplace Relations Act, and on the recommendation of the independent Industrial Relations Taskforce, the Bracks government introduced the Fair Employment Bill in November 2000. As members will recall, the bill received significant support, not just from unions and community groups but also from employer groups such as the Victorian Automobile Chamber of Commerce,

the Housing Industry Association, the Victorian Road Transport Association and the Master Builders Association of Victoria.

Despite the significant level of support it attracted, that bill was defeated in the Legislative Council.

Subsequently the Federal Awards (Uniform System) Bill 2002 was introduced and passed by the Legislative Assembly. In October 2002 the bill failed to pass the Legislative Council. We now have the mandate to pass this bill.

The bill will ensure that Victoria operates under a unitary system of industrial relations. This attempt to develop a unitary industrial relations system underpinned the 1996 referral of industrial relations powers to the commonwealth, pursuant to the Commonwealth Powers (Industrial Relations) Act 1996.

In 2000 the independent Industrial Relations Taskforce identified over 561 000 employees who were supposedly covered by the Workplace Relations Act but were treated differently from other employees also covered by the act. These 561 000 employees covered by part XV and schedule 1A of the Workplace Relations Act are only entitled to five basic conditions of employment. Award employees, on the other hand, are entitled to a statutory 20 minimum conditions.

The schedule 1A category of employee is a result of the abolition of state awards by the Victorian Parliament in 1992.

The bill will remove the artificial barrier between those covered by awards and those covered by schedule 1A.

The need for a unitary system

As members are aware, in 1996 the Victorian government utilised section 51(37) of the Australian constitution to refer a limited number of industrial relations matters to the commonwealth. This represented the first time any Australian state had referred an industrial relations power to the commonwealth.

In November 1996 Victoria enacted the Commonwealth Powers (Industrial Relations) Act 1996. This act then enabled the commonwealth to legislate to amend the Workplace Relations Act 1996 to include specific provisions relating to Victoria.

At the time the then shadow spokesperson and now Premier, the Honourable Steve Bracks, said:

The opposition supports in principle the concept of a single national system of industrial relations, and it always has. It can deliver benefits to both employees and employers by creating a uniform national framework for dispute resolution and the application of minimum employment standards that can be more easily complied with and enforced.

Despite the stated intentions behind the legislation, the Commonwealth Powers (Industrial Relations) Act 1996 did not see the establishment of a true unitary industrial relations system. A true unitary system could only exist if all Victorian employers and employees were subject to the same rules, under the federal Workplace Relations Act. This clearly was not brought about by the referral.

What the Commonwealth Powers (Industrial Relations) Act 1996 did was create a hybrid system. Victorian employers and employees, previously subject to the Employee Relations Act 1992, found themselves, from 31 December 1996, subject to a discrete part of the Workplace Relations Act 1996, part XV, as well as schedule 1A.

In its report published September 2000 the independent Industrial Relations Taskforce concluded that:

In practice and at law, the current system of industrial regulation in Victoria is not the unitary system as has been advocated by some parties. It is true to say, though, that all of Victoria operates under federal industrial law. But there are two completely different systems that operate for Victorian employees and workplaces under this federal law. This has been described as a dual system of industrial relations in Victoria.

Nor is the current system fair to employers and employees. The work of the Industrial Relations Taskforce exposed the disadvantage suffered by schedule 1A employees. Schedule 1A only operates with respect to Victoria and ensures that schedule 1A employees have the worst minimum employment standards of any Australian employee.

Employers too have suffered as a result of the 1996 referral. Schedule 1A employers have been disadvantaged because they lack proper information on their rights and responsibilities under the act.

Federal award and agreement employers have been disadvantaged because they have to compete against employers who may legally offer their employees lesser wages and conditions. That is, a policy premium is placed on the so-called race to the bottom for paying wages and conditions.

In 2000 the independent Industrial Relations Taskforce also found that while Victoria operated under a significantly deregulated labour market after 1992,

there has been no significant increase in jobs growth levels or decrease in unemployment levels compared with the national average or in relation to other states. This runs counter to the unresearched claims by some that the deregulation of Victoria's labour market has somehow given us an advantage over other states.

In 1999 the Australian Labor Party went to the Victorian people with a firm commitment to reform the state's industrial relations system. Our policy stated in part:

Labor supports a unitary national approach to industrial relations and will make the demand of the Federal government that the Workplace Relations Act is made fair for all workers. This should include the re-establishment of national awards with comprehensive standards.

Purpose of the bill

The main purpose of the bill is to refer to the commonwealth Parliament a further matter relating to industrial relations and to empower the Victorian Civil and Administrative Tribunal (VCAT) to make orders applying federal award conditions as common rules in Victoria.

The bill, in fact, has two stages.

Stage 1 involves a referral of further industrial relations power to the commonwealth so it can legislate to apply federal award standards (the 20 minimum conditions) to Victorian schedule 1A workers.

Stage 2 will be implemented if the commonwealth refuses to legislate to adopt the proposed referred power. It involves federal awards applying on application by common rule, under Victorian legislation. In other words, stage 2 will only be implemented if stage 1 fails due to a lack of cooperation on the part of the commonwealth.

I should take a little time to clearly articulate our government's preferred approach under this legislation. The fairest, easiest and least complex approach is for the commonwealth to accept Victoria's referral of the common-rule power. To do so would confirm the commonwealth wants a true, uniform industrial relations system in Victoria.

It is only if the commonwealth refuses the referral of the common-rule power that the remaining provisions in the legislation will be implemented.

Who does the bill apply to?

The Federal Awards (Uniform System) Bill will apply to persons whose wages and conditions of employment

are not covered by an award or agreement under the federal Workplace Relations Act. In other words, the bill will only apply to employers and employees covered by part XV and schedule 1A of the Workplace Relations Act.

There is a tendency, although an erroneous one, to assume that big business is covered by awards or agreements whilst small business is award free.

One hundred and eighty five thousand Victorian businesses with fewer than five employees are already covered by a federal award. This represents over 39 per cent of all businesses of that size. Fifty seven per cent of businesses with between 10 and 19 employees are covered by a federal award, and this rises to 60 per cent if you include those with both federal award and schedule 1A employees. Clearly hundreds of thousands of Victorian small businesses are already covered by a federal award and/or a certified agreement.

The bill will have no direct impact on employers bound by a federal award or certified agreement. It should be noted, however, that the Australian Centre for Industrial Relations Research and Training, which conducted research for the industrial relations taskforce, found that a number of Victorian workplaces continued to operate under a mixture of regulatory regimes. ACIRRT found that 2775 Victorian workplaces were regulated by both federal awards or agreements and schedule 1A. Fourteen per cent of workplaces with 20 to 99 employees had both federal award and schedule 1A coverage. Those workplaces will benefit from this bill, as it will rationalise the industrial relations regimes they are currently subject to.

Also worthy of consideration are the conclusions of the independent industrial relations taskforce, that:

Victoria has, compared to other states, a disproportionately large low-wage sector. Low-income earners also tend to be concentrated in small workplaces, in certain industries, and in rural and regional parts of the state. The taskforce identified links between this low-wage sector and Victoria's dual system of industrial relations.

Some 356 000 Victorian employees (approximately 21 per cent of the Victorian labour force) rely almost entirely on schedule 1A of the Workplace Relations Act 1996 for their conditions of employment. Schedule 1A employees have limited access to benefits that are standard among federal award employees.

Approximately 235 000 Victorian employees receive only the minimum rates under industry sector orders.

The geographical differences in workplace minimum rates are also pronounced. For instance, in non-metropolitan workplaces 22 per cent of schedule 1A workplaces fall in the under \$10.50 wage bracket compared with 8 per cent of workplaces with federal award coverage.

When compared to standards and employment conditions applying under federal awards and in other jurisdictions, employees who rely solely upon schedule 1A of the Workplace Relations Act 1996 receive fewer conditions and entitlements than other employees. For instance:

no personal and carer's leave or bereavement leave;

no entitlement to redundancy;

no entitlement to be paid for hours worked in excess of 38 per week; and

sick leave benefits are prescribed at lower levels in schedule 1A than they are in many federal awards.

Referral of power allowing VCAT to determine common-rule orders

The bill provides that VCAT may make a common-rule order on application by the minister, a registered organisation or a peak body in the relevant industry.

A common-rule order is an order made by VCAT, having the effect of binding all employers and employees in the industry concerned. The order establishes and relates only to minimum terms and conditions of employment. It is not a code on other employment matters. A common-rule order is limited to the 20 allowable matters defined in section 89A of the federal Workplace Relations Act 1996.

VCAT will make a common-rule order in relation to a particular industry if satisfied that there is an award in force, and the award would be binding on an employee if he or she were employed by an employer party to that award. VCAT is also required to determine the most appropriate award to apply, if more than one award covers the particular kind of work, subject to specified conditions.

VCAT may impose a condition, limitation or exception on a term or part of a term of an award in a common-rule order under certain circumstances. These circumstances relate to the term not being relevant to the employer/employee relationship or economic incapacity on the part of the employer.

Where the federal commission varies a term of an award, the common-rule order is varied accordingly with effect from the end of 28 days after the date of effect of the variation of the award. Notification will be generally provided to anyone bound by the common-rule order of a variation by the federal commission of an award.

The party notified may lodge an objection to the proposed variation of the common-rule order under certain circumstances. The variation is not enforceable against the objector until determined by the VCAT.

Information and compliance

There are two arms for compliance under the bill, the provision of information, and in certain circumstances, prosecutions for breach of the legislation.

In its report, the independent industrial relations taskforce identified a lack of information as a serious problem faced by employers and employees covered by schedule 1A. The taskforce report stated:

The issue of advice and education is important in dealing with schedule 1A workplaces. Employers in this sector are less likely to belong to an employer association at the same time as employees are less likely to belong to a union. It is this group of employers and employees on which the taskforce has had to focus in developing more innovative ways of dealing with employment issues ... the needs of schedule 1A employers and employees may well be different to that of many federal award workplaces. For instance, the vast majority of schedule 1A workplaces are categorised as small, the employees are generally less likely to be unionised, and the employers are less likely to belong to an employer association, than is the case in federal award workplaces.

From the public consultations and submissions received by the taskforce it is apparent that a new approach is needed to information and advice in this sector. There was a particular level of dissatisfaction with the current information provided through the Office of Workplace Services (the federal department) by both employers and employees. A different approach is clearly needed to address the individual needs of schedule 1A employers and employees. In summary, information and advisory services are critical to the success of good employment and industrial laws.

In 2001 Industrial Relations Victoria established a Workplace Information Unit. The unit provides educational and information services to schedule 1A employers and employees. However, the bill provides a more comprehensive service.

In 1996, when Victoria referred most of its industrial relations powers to the commonwealth, it also ceded responsibility for providing information and inspectorial services. The Victorian Wage Line service was abolished, and only a limited advisory service relating to long service leave was retained.

The bill provides for the appointment by the secretary of suitably qualified information services officers. Their primary function is to provide information about the operation of the legislation. They also have the function of ensuring compliance with the legislation.

It is important to note that the powers and responsibilities of the information services officers are similar to or no greater than those exercised by members of the federal Department of Employment and Workplace Relations inspectorate.

Right of entry for authorised industrial officers

Schedule 1A employees are often reluctant to take individual action against their employer for fear of reprisals, so they may rely more heavily on the ability of the union to investigate for breaches of their terms and conditions of employment.

In New South Wales and under the commonwealth Workplace Relations Act 1996, an industrial officer of a registered organisation has powers to enter premises to hold discussions with employees and to investigate suspected breaches of the award.

This bill will therefore enable an officer of a registered organisation holding a permit issued under the bill to enter workplaces, without force, during ordinary working hours where a suspected contravention of the bill has occurred or is occurring.

The proposed amendments will serve to make the Federal Awards (Uniform System) Bill more consistent with a unitary system of industrial relations, as union right of entry provisions are contained in the federal Workplace Relations Act 1996. The intention is to replicate provisions in the current Workplace Relations Act, as of today.

Before exercising their power of entry, the authorised officer must provide the employer with 24 hours notice.

There is no power for authorised officers to enter any premises used for residential purposes without the consent of the occupier.

The industrial division of the Magistrates Court will issue permits on application by the registered organisation. A permit-holder is required to produce their authority when exercising powers.

If an authorised officer intentionally hinders or obstructs an employer or employees in their working time or acts in an improper manner in the exercise of their power under the act, the Magistrates Court will be able to consider revocation of the permit.

The bill provides for a civil penalty where an authorised officer intentionally hinders or obstructs an employer or employees in their work or where a person deliberately hinders or obstructs an authorised officer in the exercise of their power or fails to comply with a requirement of an authorised officer in accordance with the act without lawful excuse.

Importantly, a permit-holder may not enter a workplace of less than 20 employees, where the employer holds a certificate of conscientious objection issued in accordance with the federal Workplace Relations Act, and none of the employees is a member of a union. This is consistent with the Workplace Relations Act.

Prosecutions, evidence and recovery of money

The industrial division of the Magistrates Court will hear prosecutions for breaching this legislation. A prosecution for an offence may only be brought by a person authorised by the minister, the secretary of the department or another person in the department authorised by the minister.

An employee who believes that they are owed money may take proceedings to recover money owing in the industrial division of the Magistrates Court. The proceedings must be started within six years after the entitlement arises. The court may charge interest on any money it finds the employee is entitled to.

Summary

The Federal Awards (Uniform System) Bill provides a logical step on the path to a truly unitary industrial relations system. It is important to stress that the bill does not represent the Fair Employment Bill under a different guise. The contrast between the two can not be starker. The Fair Employment Bill sought to establish a new Victorian industrial relations system, operating separately from the federal system.

What this new bill represents is an opportunity for all Victorian employers and employees to operate under a common set of minimum conditions of employment, not the hybrid we have at the moment.

It will mean that a minority of Victorian employees have the same basic entitlements that are enjoyed by the majority, under the federal Workplace Relations Act, legislation that I need not remind you is enacted by the current coalition government.

It will mean that for the first time since 1996, all Victorian employees will have an entitlement to enjoy conditions of employment that are fair and reasonable.

The bill also means that all Victorian employers operate on a level playing field. No longer will some employers be able to undercut others, just by virtue of the fact they are bound by a different section of the Workplace Relations Act. This will help ensure business confidence by providing consistent terms and conditions.

This bill represents the best opportunity this state has ever had to provide a fair unitary system of industrial relations in Victoria.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 13 March.

COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL

Second reading

Mr THWAITES (Minister for Environment) — I move:

That this bill be now read a second time.

In the lead-up to the recent state election the government reaffirmed its strong commitment to the environment and sustainability. The sustainable state policy outlines the government's forward plan for developing Victoria as a world leader in environmental sustainability by promoting changes to the way that we use energy, water and other resources central to modern lifestyles.

As part of this plan the government committed to reintroducing landmark legislation, that was passed by this house in the government's first term, to establish a Commissioner for Environmental Sustainability.

This bill to establish a Commissioner for Environmental Sustainability therefore fulfils a major sustainability policy commitment of this government.

The bill is a clear demonstration of the government's commitment to promoting and implementing ecologically sustainable development to ensure that the total quality of life can be improved for current and future Victorians. Importantly, through this bill, the government will enshrine in legislation the nationally agreed definition of ecologically sustainable development as set out in the 1992 national strategy for ecologically sustainable development.

Establishment of the Commissioner for Environmental Sustainability further builds on the government's commitment to promoting ecologically sustainable development, as the office will be a valuable source of advice to state and local government, industry and the community on environmental sustainability matters.

Through state of environment reporting, a key role to be undertaken by the commissioner, Victorians will be kept informed about the health of their environment and whether through the combined actions of government, industry and the community environmental gains are being made.

The government recognises that the business sector is paying more attention to its performance in meeting the broader economic, social and environmental objectives, or triple bottom line, not just its financial performance.

The government is requiring its departments to have an increased focus on triple bottom line objectives, particularly in the management of their own resources. Getting this balance right is one of the important criteria for good government in Victoria. As part of this increased focus by departments on the triple bottom line, they will be required to implement an environmental management system and report annually on their environmental performance.

Through annual strategic auditing of agency environment management systems the commissioner will keep the community informed about the rate of the government's progress in improving the environmental performance of its work sites, and how the environmental management systems compare with international best practice approaches and targets.

The recently established Department of Sustainability and Environment now has the primary responsibility for conducting public education programs that promote ecologically sustainable development and also to encourage the promotion and adoption of ecologically sustainable development practices. The commissioner will have an important role in auditing the effectiveness of these public education programs in relation to ecologically sustainable development.

The state of environment, environment management system performance auditing and public education auditing roles are further examples of the government implementing its commitment to being open and transparent and keeping the community informed.

I will now turn to the particulars of the bill.

Part 1 of the bill is where the definition of ecologically sustainable development has been enshrined. Until this

time, no other Victorian legislation has incorporated the principles of ecologically sustainable development that were agreed by the commonwealth and all state and territory governments in 1992 under the National Strategy for Ecologically Sustainable Development.

Part 2 of the bill establishes the Commissioner for Environmental Sustainability and the Office of the Commissioner. The objectives, functions, powers and accountabilities of the commissioner are also set out in this part.

The Governor in Council will appoint the commissioner for a term of up to five years. The commissioner will also be eligible for reappointment, as set out in clause 6. The commissioner may only be removed from office if there is a failure to carry out the duties of the office or if the commissioner demonstrates inefficiency or misbehaviour in carrying out those duties. If the commissioner is removed from office, the responsible minister must lay a statement of the grounds for the removal in both houses of Parliament.

Clause 7 highlights the four objectives of the commissioner. These are to report on matters relating to the condition of the natural environment in Victoria; to encourage decision making that facilitates ecologically sustainable development; to enhance knowledge and understanding of issues relating to ecologically sustainable development; and to encourage sound environmental practices to be adopted by state and local governments.

The commissioner has three key functions to undertake in delivering on its objectives. As set out in clause 8, the commissioner is to prepare a report on the state of the Victorian environment and conduct annual strategic audits of the implementation of environmental management systems by agencies and public authorities. The commissioner will also audit public education programs that promote the adoption of ecologically sustainable development practices and principles and provide advice to the minister on their effectiveness.

As the functions of the commissioner are proactive and facilitative, the commissioner will not require powers to enter premises and seize information. It will be important that agencies and public authorities support the commissioner in the provision of information. In this respect, clause 9 provides for the commissioner to make formal requests to agency and public authority heads for information required to undertake the functions as set out in the bill.

The commissioner will also be able to establish a reference group to provide advice on the undertaking of its functions and may also appoint committees to provide advice on specific matters.

In carrying out its functions the commissioner must have regard to a set of principles including the need to integrate economic, environmental and social considerations, the need to add value, the need to develop solutions and achieve improvement, and the need to be impartial, open, transparent and accountable. These principles in clause 10 are strong principles that the government is promoting in all that it does.

This clause also sets out a process by which the responsible minister may give specific directions to the commissioner. It is envisaged that the commissioner could be asked to investigate and report on specific matters that relate to ecologically sustainable development. Given that this investigatory role is not a core function of the commissioner, it is considered that it will be used sparingly. Where specific directions are given, the responsible minister must also table the directions in both houses of Parliament. This will ensure that any directions are transparent.

The commissioner will be able to appoint its own staff under clause 12 and engage consultants as necessary under clause 13.

Part 3 of the bill refers to the reports that the commissioner is required to prepare as part of meeting the functions set out in the bill.

One of the first roles that the commissioner will need to undertake once appointed will be to develop a framework for state of environment reporting in Victoria. In developing this framework the commissioner will consult extensively with state and local government, industry and the community. It is expected that the framework will identify the form and frequency of the reports and a mechanism for review of the framework.

As set out in clause 17, the framework is to be approved by the responsible minister. Once approved the responsible minister has 10 sitting days to table a copy of the framework in both houses of Parliament. A state of environment report must be prepared by the commissioner at least once every five years or more frequently if determined in the state of environment reporting framework.

The minister is required to table state of environment reports in both houses of Parliament within 10 sitting days of receiving reports. The minister then has 12 months to respond in Parliament to

recommendations, if any, that are made in the state of environment report.

Clause 18 sets out the requirements for preparing reports on the implementation of environment management systems by agencies and public authorities. This will include an analysis of the progress of agencies and public authorities in meeting objectives and targets for implementation. In the first instance only agencies will be mandated to report on their implementation in their annual report. However, given that there are a number of public authorities that have voluntarily implemented environment management systems, the commissioner will also be able to comment on their progress as well.

The responsible minister is required to table the report on environmental management systems in both houses of Parliament within 10 sitting days of receiving the report.

To ensure that the public has easy access to directions given to the commissioner by the responsible minister and the reports prepared under the bill, the commissioner is required to publish them on the Internet.

In conclusion, this bill is evidence of the government's commitment to facilitate a greater understanding, across all sections of the community, of ecologically sustainable development and to promoting the adoption of practices that encompass this approach.

An important aspect to Victorians taking this approach and encouraging others to follow is through the greater provision of relevant information such as the state of environment reports. The government is also prepared to lead by example by implementing environmental management systems and opening up its reporting on implementation to the scrutiny of the commissioner.

I commend the bill to the house.

Debate adjourned on motion of Mr PLOWMAN (Benambra).

Debate adjourned until Thursday, 13 March.

PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The purpose of this Bill is to make amendments to the Pay-roll Tax Act 1971 to provide employers with an exemption from payroll tax in respect of wages paid to workers taking adoption or maternity leave. The exemption applies to all wages paid to employed women taking maternity leave, up to a maximum of 14 weeks. The exemption also includes adoption leave for a period of up to 14 weeks, available to both women and men.

Honourable members will recall a bill was introduced into Parliament in 2002 containing these measures but lapsed when the state Parliament was prorogued prior to the election. Reintroduction of this proposal early in 2003 is in accordance with this government's commitment to ensure reform in this area.

The Victorian government is committed to encouraging employers and employees to strike a balance between family, work, and their ability to participate in community life. Striking the right balance will help build a better and fairer Victoria. The government's commitment is evidenced in our *Growing Victoria Together* statement and in our work/family/life strategy, which outlines key actions for the state government in this area.

The Victorian government supports a national 14-week paid maternity leave scheme. The exemption outlined in this bill is a demonstration of the government's good faith in this area. It adds substance to the government's commitment to support the introduction by the commonwealth of a national scheme, and it shows that we will do our part by providing Victorian employers with a significant incentive to voluntarily provide paid maternity leave.

I now turn to the particulars of the bill.

The bill provides a payroll tax exemption for paid maternity leave for women and paid adoption leave for men and women. To minimise any inflexibility in leave arrangements between an employer and employee, this leave can be taken before or after the birth or adoption of the child or in periods before or after the birth or adoption.

The bill provides that the exemption is available in respect of maternity and adoption leave paid from 1 January 2003. This is consistent with the government's commitment in 2002 to introduce the exemption from 1 January 2003.

The exemption is limited to wages payable in respect of a total maximum of 14 weeks full-time pay, or the equivalent. For part-time employees, the exemption is limited to wages payable in respect of a maximum

14 weeks part-time pay for part-time employees who take leave at less than their usual part-time pay. The exemption excludes fringe benefits, on the basis that excessive complexity would result if employers were required to apportion the fringe benefits component of wages over a 14-week period. The exemption also excludes sick leave and recreation leave.

Employers who claim the exemption in relation to maternity leave must obtain a medical certificate or statutory declaration in relation to the pregnancy of the employee or birth of the child. Similarly employers who claim the exemption in relation to adoption leave must obtain and keep a statutory declaration by the employee that an adoption order has been made or that the child is in the employee's custody pending such an order.

This bill sends an important message to the commonwealth that Victoria is serious about a national paid maternity leave scheme. The exemption also rewards employers who voluntarily provide paid maternity leave.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 13 March.

RETAIL LEASES BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The Bracks Labor government came to office in 1999 with a commitment to overhaul Victoria's retail tenancy legislation. Today we are delivering on this promise.

The purpose of the bill is to establish a new regulatory framework for retail tenancies that promotes greater certainty, fairness and clarity in the commercial relationship between landlords and tenants of retail premises.

Before detailing the key elements of the bill, I wish to briefly outline the broader context within which the legislation has been developed.

Retailing is a vital part of the Victorian economy. The industry is comprised of over 30 000 retailers, which are mostly small businesses. It employs over 330 000 Victorians, half of whom are young people. Victoria

has a diverse and vibrant retail industry, ranging from world-class shopping centres to specialist outlets in laneways. The strong presence of small businesses in the industry underpins Melbourne's reputation as the shopping capital of Australia. With most retailers choosing to lease a premises rather than buy a shop, the rent payable and other terms of a lease have a major impact on a tenant's business.

The government first came to office with a commitment to conduct a comprehensive review of Victoria's retail tenancy laws to better protect small and medium-size retail tenants by abolishing the 1000-square-metre rule, ensuring more effective disclosure statements, providing reasonable security of tenure and introducing a low-cost and responsive dispute resolution mechanism.

When the Retail Leases Bill 2002 lapsed with the calling of the election last year, the government made a commitment to immediately reintroduce the bill upon the return of Parliament.

The bill delivers on the government's commitments in full.

The government has listened, and now we are acting.

The review consulted extensively with the industry. It released an issues paper and discussion paper for comment, conducted a series of public forums and industry workshops and released an exposure draft of the proposed legislation.

May I take this opportunity to thank those people who contributed to the development of the bill by making submissions to the review or attending meetings. The feedback from these consultations has been critical to ensuring the government has developed legislation that represents a fair balance between the interests of tenants and landlords and is also legally sound.

If all parties to a lease adopted good and fair business practices, there would be little need for the regulation of retail tenancies. Unfortunately, this is not always the case. Governments across Australia have recognised this and have introduced retail tenancies legislation that establishes minimum requirements to promote fair outcomes. This legislation is intended to encourage an environment of fairness, so that landlords and tenants mutually benefit. The government has legislated to ensure that a party does not unfairly take advantage of its superior information and negotiating power to the detriment of the other party.

One of the key issues to emerge from the industry consultations is the need for improved education of

both tenants and landlords on the implications of a lease before it is entered into, to help prevent disputes arising during the term of the lease. The industry also emphasised the importance of seeking to resolve disputes in an informal, timely and cost-effective manner.

The Small Business Commissioner, which is being established under its own legislation, will address these needs.

The commissioner will have the power to arrange mediation between disputing parties to avoid formal legal action proceeding, undertake education campaigns and, if necessary, run test cases. The role of the commissioner is pivotal to the government's overall strategy of promoting a competitive and fair environment for small businesses.

The bill represents best practice retail tenancies legislation in Australia and harmonises laws by adopting a number of sensible provisions from other states.

I now turn to the key elements of the bill.

Certainty and clarity

The bill introduces major improvements to how the coverage of the legislation is determined, so that small and medium-size tenants are not unfairly excluded. As promised by the government, the 1000-square-metre rule — a provision that is unfair and creates legal uncertainty — has been abolished. The review assessed a range of alternatives and concluded that a prescribed threshold is a fairer means of determining coverage. The figure will be determined following final consultations with the industry.

The current provision that excludes public corporations works against small businesses that operate under a company structure. The bill introduces a more readily identifiable means of distinguishing between small and large companies by excluding listed corporations and their subsidiaries. The bill also corrects an anomaly in the current legislation whereby a franchisee who is a party to a lease is not protected if the franchisor also happens to be the landlord. These changes deliver on the government's commitment to ensuring that the public corporations and franchise provisions of the legislation do not unfairly exclude small and medium-size tenants.

The bill also provides greater protection for tenants who are on short-term leases, as they will be covered once the tenant has continuously been in possession for one year. This ensures that schemes such as 364-day leases

that are continually revised will be covered by the legislation. The bill maintains existing provisions regarding the type of retail activity that is covered by the legislation.

The government considers that the most effective way of minimising retail tenancy disputes is to ensure that the parties have sufficient information to make a sound business decision about entering into and renewing a lease.

The bill includes improved provisions that require the landlord to give the tenant a disclosure statement at least seven days before entering into the lease. Tough penalties will apply where a landlord fails to give a disclosure statement or provides one that is misleading, false or incomplete. The content of disclosure statements is to be prescribed by regulation and will include the improvements suggested by the industry during the course of the review. Notification requirements in regards to a tenant's option to renew are enhanced.

A major obstacle to informing landlords and tenants of their rights and obligations under retail tenancies legislation is that there is no systematic means by which to contact them. All jurisdictions except Victoria require leases to be registered. While the government has chosen to minimise the compliance burden on business by not adopting the interstate model of registering leases, the bill does require the landlord to notify the Small Business Commissioner of basic contact details of the parties to the lease within 14 days. This is a negligible impost on landlords, but the details will be invaluable for the commissioner to ensure that all landlords and tenants covered by the legislation have access to relevant retail tenancy information.

Fairness

The bill delivers on the government's commitment to deliver reasonable security of tenure for tenants. It provides that all tenants, not just first-time tenants as is currently the case, have a right to a five-year term. This reform brings Victoria into line with interstate regimes and is an important improvement in a tenant's security of tenure. However, this provision does not apply where a tenant seeks a shorter term and has been informed by the Small Business Commissioner about the implications of waiving their right to a five-year term.

A major initiative in the bill is the drawing down of unconscionable conduct provisions. The bill includes a non-exhaustive list of matters, based on section 51AC of the Trade Practices Act 1974, that may be taken into

account in determining whether a party has acted unconscionably. To ensure that these provisions are made relevant to the landlord-tenant relationship, the bill also includes additional factors that may be taken into account. These relate to rent negotiations, use of turnover information and fit out costs. It is not the intention of the bill to broaden the concept of unconscionable conduct, but rather to ensure that there is greater clarity as to how it may relate to retail tenancies. The unconscionable conduct provisions should encourage a cultural change and the adoption of good business practices. It gives tenants greater security, without imposing prescriptive requirements on landlords.

Certain actions by a landlord in managing the building can have a significant adverse effect on a tenant's business. The bill strengthens the current provisions relating to relocation of a tenant's business and introduces new protections to deal with alterations, refurbishments, demolition and damaged premises. Depending on the circumstances, the tenant may be entitled to reasonable compensation, a right to terminate the lease or an entitlement to be offered a new lease on the same terms and conditions. These reforms provide significant improvements in security to tenants during the term of the lease.

The bill contains important improvements in regards to the conduct of rent reviews. Under the current legislation, it is possible for landlords to purposefully delay the timing of a rent review in the expectation of a more favourable outcome. The bill addresses this unfair practice by providing that rent reviews are to take place as early as practicable within the time provided by the lease. If the landlord has not initiated the review within 90 days after the end of that time, the tenant may initiate the review.

Furthermore, where a specialist retail valuer has been appointed to determine a valuation of current market rent, the landlord is obliged to supply relevant information to the valuer. Penalties apply if the landlord fails to do so.

The bill also ensures that tenants are treated fairly in regards to outgoing. Landlords can currently pass on their land tax liability to the tenant as part of outgoing. However, land tax is an expense that bears little relation to the tenant's activities. In light of this, the bill provides that a provision in a new or renewed lease is void to the extent that it makes the tenant liable to pay land tax. In regards to existing leases, the bill ensures that tenants have a reasonable time to budget for land tax payments by requiring the landlord to give written notice to the tenant of the liability within 21 days of

receiving the assessment notice. The bill also gives tenants more certainty regarding management fees in shopping centres by generally limiting increases during the term of the lease to no more than CPI.

The new legislative framework will apply to new leases and renewals of existing leases. However, the bill ensures that tenants on old leases are not left behind and benefit from the government's reforms. The Retail Tenancies Act 1986 and Retail Tenancies Reform Act 1998 are amended to ensure consistency with procedural requirements under the bill. These provisions relate to matters such as the confidential use of turnover information, outgoing statements and notices for upcoming renewals and options.

The bill also extends the jurisdiction of the Victorian Civil and Administrative Tribunal to enable it to hear and determine disputes arising under or in relation to retail premises leases, whether or not those disputes arose under leases subject to the common law, the 1986 act, the 1998 act or the bill. This is of significant importance to tenants under pre-1998 leases, who currently cannot have disputes heard by VCAT.

Dispute resolution

The bill establishes the functions of the Small Business Commissioner in relation to retail tenancy issues. The Commissioner will have the power to investigate complaints, mediate retail tenancy disputes and undertake a range of other statutory functions. A dispute must first be referred for mediation before being the subject of proceedings before VCAT. Interstate experience suggests that this model will be effective in resolving disputes and therefore avoid the need for formal legal proceedings.

Furthermore, a tenant seeking relief against forfeiture must currently make an application to the Supreme Court. This imposes a significant cost burden on small tenants. The bill rectifies this situation by investing VCAT with concurrent jurisdiction in relation to relief against forfeiture, so that a tenant can choose to apply to either the Supreme Court or VCAT.

Section 85 statement

I wish to make a statement of the reasons why it is the intention of the bill to alter or vary section 85 of the Constitution Act 1975.

Clause 98 of the bill states that it is the intention of section 89(4) to alter or vary section 85 of the Constitution Act 1975.

Section 89(4) restricts the jurisdiction of the Supreme Court in regard to retail tenancy disputes so that disputes (with some exceptions) can generally only be justiciable before the Victorian Civil and Administrative Tribunal. This ensures that parties in dispute have access to a low-cost and timely forum to resolve disputes. A similar provision applies in the 1998 act.

In conclusion, the bill is a major reform package that delivers on the government's commitment to bring greater certainty, fairness and clarity to Victoria's retail tenancy legislation.

I commend the bill to the house.

Ms ASHER (Brighton) (*By leave*) — Just prior to moving that debate be adjourned, I ask the Treasurer whether the handwritten alterations to the bill at clause 99 on page 87 have been authorised by government, and if in fact they have been authorised by government, when members and indeed the public will get clean copies of the bill?

Mr BRUMBY (Treasurer) — I thank the honourable member for Brighton for the opportunity to clarify the matter. Instruction was provided to the Clerk this afternoon from parliamentary counsel that on line 2 of section 99(1)(a) of the bill the '20' should be '26', so it should read 'sections 17, 26 and 61'. That instruction was relayed from parliamentary counsel to the Clerk, and the copies distributed have been amended by hand. The answer to the question raised by the honourable member is, yes, the handwritten annotation is part of the bill.

Ms ASHER (Brighton) (*By leave*) — Can I inquire as to when members of this house, and indeed members of the public, will in fact be provided with clean and accurate copies of the bill?

Mr BRUMBY (Treasurer) — I am advised that the clean bill will be made available as soon as it is reprinted, and I would anticipate that that will of course be before the debate on the second reading and before the response of the honourable member for Brighton.

Dr NAPHTHINE (South-West Coast) (*By leave*) — I seek an assurance from the Treasurer that the correction will also be made to any electronic copies of the bill which would be currently posted following the second-reading speech.

Mr BRUMBY (Treasurer) — I thank the honourable member, and again I am advised by the Clerk that that will occur.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 13 March.

SMALL BUSINESS COMMISSIONER BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The purpose of the bill is to establish the office of the Small Business Commissioner.

It is with great pride that I introduce this bill into the house, because it is a testament to the Bracks government's commitment to small business. It delivers on a major commitment contained in the government's small business election policy, *Growing Small Business: Getting on with the Job*.

The Small Business Commissioner is an Australian first. With the passage of this bill, Victoria's small and medium businesses will have ongoing protection from being taken advantage of due to their size.

The activities of the Small Business Commissioner will be integral to building a business environment that promotes competitive, innovative and vibrant Victorian small businesses.

The Bracks government recognises the critical contribution of small business to the Victorian economy. There are over 270 000 small businesses in Victoria, which comprise 95 per cent of all businesses. Small businesses in Victoria employ a total of 811 000 people, which represents 43 per cent of the private sector work force.

A supportive business and regulatory environment is essential to encouraging small businesses to invest and create more jobs.

The government has listened to the concerns of many small businesses about the difficulties of competing in a market in the face of unfair conduct by their major competitors.

We recognise the need for a central point where small business concerns about unfair market practices can be addressed in a timely and low-cost manner.

We have listened to the concerns of retailers regarding retail leasing matters and have introduced a new regulatory framework that promotes certainty and

fairness in the relationship between tenants and landlords.

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.

The Bracks government has listened to small business and is acting to address their needs.

The bill establishes a Small Business Commissioner, who will be dedicated to promoting a fair and competitive market environment for small business.

The Small Business Commissioner will encourage the fair treatment of small business in the marketplace, promote informed decision making by small business to minimise disputes, investigate complaints about unfair market practices by other businesses and promote initiatives that ensure that small businesses receive high-quality service from government agencies.

The Small Business Commissioner will have the power to investigate breaches of industry codes of conduct that deal with small business concerns. For instance, the bill provides that the Small Business Commissioner will have the power to investigate breaches of the liquor code of conduct, which is currently being developed.

The bill provides the Small Business Commissioner with the power to intervene in proceedings under section 8A of the Fair Trading Act 1999, which relates to unconscionable conduct in business transactions. This enables the Small Business Commissioner to run test cases in support of a small business that has been the subject of grossly unfair conduct by another business.

The Small Business Commissioner will oversee the introduction and monitoring of small business service charters in all government departments.

The functions of the Small Business Commissioner will include ensuring that any proposal to introduce new regulations takes into full account its impact on small and medium-size businesses.

Monitoring small business access to government procurement processes will be another function of the Small Business Commissioner.

To ensure the integrity of the position, the Small Business Commissioner will be a statutory officer

appointed by the Governor in Council and will report to the minister on the impact that unfair market practices and government regulation is having on small business.

The Small Business Commissioner is required to submit a report to the minister annually and that report must also be tabled in Parliament.

The Small Business Commissioner will be resourced with officers from the Department of Innovation, Industry and Regional Development.

In conclusion, the bill is proof that the Bracks government is delivering on its commitment to promote a competitive and fair environment that helps Victorian small businesses to prosper.

I commend the bill to the house.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 13 March.

**HEALTH LEGISLATION (RESEARCH
INVOLVING HUMAN EMBRYOS AND
PROHIBITION OF HUMAN CLONING)
BILL**

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

Societies around the world are grappling with the speed of research developments and new technologies that are emerging. The discovery of new technologies poses questions about what should be allowed, what should not be allowed and what could be achieved if the technologies were developed. The potential to alleviate significant human pain and suffering is great. However, we also need to closely consider the mechanisms and safeguards that would allow this research to progress.

This bill is about providing an opportunity to explore the potential benefits of advanced research using embryos that would have been destroyed. The bill also ensures that the application of this research strictly prohibits human cloning and other unacceptable practices.

Victoria has been a leader in the field of regulation of assisted reproductive technology (ART) and the related field of embryo research, with the passage of the Infertility (Medical Procedures) Act in 1984, followed by the Infertility Treatment Act in 1995.

Victoria's research and scientific community also leads the way in the field of stem cell research. This has been recognised by the commonwealth government in their recent affirmation of funding for the first national biotechnology centre of excellence — the National Stem Cell Centre — here in Victoria. The commonwealth government has committed over \$43 million over five years. The Victorian government has also invested significantly in medical research infrastructure funding and in the biotechnology field.

One of the greatest potential applications of embryonic stem cell research is the generation of cells and tissues for therapeutic purposes. This may lead to the replacement of diseased or damaged tissue in a range of conditions, which may include Parkinson's disease, diabetes, liver and other organ failure, a variety of cancers, spinal cord injury and genetic conditions such as cystic fibrosis. These potential benefits will take some time to be realised.

The challenge for government is to find a way to provide legislative parameters that will guide the work of the biotechnology field which is rapidly changing and developing.

Following our history of leadership, Victoria has now become part of a commitment to implement nationally consistent legislation to prohibit human reproductive cloning and regulate assisted reproductive technology and related emerging human technologies. This commitment was made at the Council of Australian Governments in April last year.

The decision of the Council of Australian Governments requires legislation to be passed by the commonwealth and all Australian states and territories. The commonwealth government has now passed the Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002.

The Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill is Victoria's contribution to that national scheme. The bill will provide all Victorians with the reassurance that reproductive cloning cannot happen in Victoria. It will also provide reassurance that there is strict regulation of, and adequate public scrutiny of, permitted research on excess embryos that were produced for the purpose of infertility treatment.

It is important for Victoria to go forward with the introduction of this bill which will allow research that has such enormous potential benefit to proceed. Two years of consultation across Australia has contributed to the recommendations that have informed the

development of this bill. It is time for the Victorian Parliament to consider this issue in order to ensure that a decision can be reached to allow Victoria to make a significant contribution to embryonic stem cell research.

The major elements of the bill are:

Creation of embryos

Embryos can only be created to treat a woman undergoing infertility treatment. This bill prohibits the creation of embryos for research purposes.

Any fear that there will be a commercial incentive to create more embryos than a particular woman needs for infertility treatment purposes is therefore without substance.

Diagnostic investigations and non-destructive research on embryos

Currently in Victoria only non-destructive research on embryos is permitted. The infertility treatment authority regulates this research and can only approve research that does not harm the embryo.

This bill allows IVF clinics to undertake diagnostic investigations on embryos deemed unsuitable for transplantation provided that the investigations are for the treatment of a particular woman for whom the embryo was created.

Such investigations may assist to identify reasons why pregnancy is not achieved or maintained and may therefore increase the effectiveness of IVF treatment.

Research involving excess embryos

In Victoria embryos created for a woman are kept in storage until such a time as they are no longer required by her and her partner (if any). At present the maximum period of storage is five years, unless a longer period is authorised by the infertility treatment authority. At that time the woman (or couple) can choose to donate those embryos to another woman or to take the embryos out of storage and allow them to succumb. This bill creates another option — donation to research.

The bill permits destructive research on excess IVF embryos. This is a major decision that has been informed by more than two years of consultation at both commonwealth and state levels. The choice facing us is to simply discard these excess embryos or to allow the use of some of them for potential good. There is a responsibility to sufferers of conditions such as diabetes, spinal cord injury and Parkinson's disease to

at least explore the potential benefits that may be derived from embryos that would be destroyed anyway.

Although there is promising research work on adult stem cells for some of these conditions, the consensus of the scientific community is that research involving both embryonic and adult stem cells should proceed.

Once defined as 'excess', the woman (or couple) is able to consent to the embryo being used in research. Destructive research will only be permitted on embryos already existing at 5 April 2002. This is another safeguard to preclude the formation of embryos specifically for research.

Consent

The proposed bill requires the consent of all individuals who contributed to the creation of the embryo and the woman or couple for whom the embryo was made. These consent requirements have been documented in national guidelines — *Ethical Guidelines on Assisted Reproductive Technology*. These require that the consent of donor gamete providers and their spouses (if any) be obtained before an excess embryo may be used for research.

Consent has always been central to IVF practice in Victoria. The consent requirements of this bill add further requirements that will ensure all people contributing to the creation of the embryo give permission to it being used in research. For the majority of embryos this will mean the consent of the couple undergoing treatment. It may also involve a donor of sperm or eggs and their spouse (if any).

Embryo research licensing committee

All research on excess embryos will be regulated by the National Health and Medical Research Council (NHMRC) embryo research licensing committee. This national committee will be responsible for issuing licences to conduct research and reporting to Parliament and the Australian public.

The complex task of issuing a licence to conduct research on embryos will be governed by the following requirements:

the woman for whom each embryo was formed and her partner (if any) at the time the embryo was created have determined the embryo to be excess to their needs;

that each responsible person in relation to each embryo has given proper consent to the donation of the embryo;

that the activity or project proposed has been assessed and approved by a properly constituted Human Research Ethics Committee (HREC);

that the embryos were in storage at 5 April 2002 if the proposed research will result in the destruction of the embryos

In addition, the licensing committee must also have regard to the following:

restricting the number of excess embryos likely to be required to achieve the goals of the research;

the likelihood of a significant advance in knowledge as a result of the research which could not reasonably be achieved by other means — if other means (such as adult stem cells) had a realistic chance of achieving the result, the embryo research would not be approved;

any relevant guidelines issued by the National Health and Medical Research Council;

the Human Research Ethics Committee assessment of the application; and

any other matters as prescribed by the regulations.

The new licensing system will mean that if Victorian ART clinics wish to conduct research on excess embryos, they will be required to seek a licence from the NHMRC embryo research licensing committee to do so. This will be in addition to the licence to conduct ART clinical practice that is required from the Victorian Infertility Treatment Authority.

This will mean that separate parts of clinics' work will be licensed separately, but that there will not be dual licensing for the same activities.

Ban on cloning

The existing Infertility Treatment Act has banned reproductive cloning in Victoria. However, technology has moved on since it was drafted. This bill replaces the existing ban on human cloning by adopting the wording in the commonwealth legislation. The wording in the commonwealth act is adequate to cover foreseeable changes in technology and this will satisfy any community concern that the current provisions are not adequate.

Other prohibited practices

Other practices, which will be banned by the bill, include the practice of somatic cell nuclear transfer (SCNT), sometimes referred to as 'therapeutic cloning'. This practice is banned under the provision banning the formation of embryos by a process other than the fertilisation of a human egg by a human sperm.

The creation of hybrid embryos and commercial trading in human reproductive material is also banned.

Penalties

The penalties listed in the bill for cloning and other prohibited practices are significantly higher than those in the Infertility Treatment Act 1995. The higher penalties reflect current concerns in the community about the significance of cloning and the lack of support for such a practice.

Review

The commonwealth acts will be reviewed two years after the date of royal assent. The review will include an examination of the applicability of establishing a stem cell bank. The Victorian government will be consulted by the National Health and Medical Research Council in determining the persons who undertake this review. This will ensure that the Australian scheme of legislation keeps abreast of developments in this area of technology and reflects current community attitudes.

This bill is comprehensive. It protects as well as enables. It is a bill that will allow Victoria to continue to develop world-respected IVF clinical practice and contribute to embryo research.

I commend the bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Thursday, 13 March.

Remaining business postponed on motion of Mr CAMERON (Minister for Agriculture).

ADJOURNMENT

Mr CAMERON (Minister for Agriculture) — I move:

That the house do now adjourn.

High Street Road, Wantirna: duplication

Mr WELLS (Scoresby) — I would like to raise with the Minister for Transport a matter of grave concern regarding the duplication of High Street Road from Gallaghers Road in Glen Waverley through to Cathies Lane in Wantirna South. The action I seek him to undertake is to ensure that the duplication of this road is full and complete. An enormous traffic problem is going to develop because the duplication finishes 400 metres from the Cathies Lane, Wantirna South, area.

We have been told that because of the Scoresby freeway the duplication of High Street Road gets to the edge of the Scoresby freeway reserve, goes back to just one lane in either direction and then goes back to being two lanes on the other side of the freeway reservation, which is going to cause an enormous traffic problem.

There is a certain amount of confusion because during the campaign and lead-up to the last state election a constituent of mine rang the Premier on radio 3AW to clarify what was happening. The Premier said that someone would get back to this constituent to find out what was happening and whether it was going to be fully duplicated through to Cathies Lane or, as the opposition claimed, was going to stop at the 400-metre mark.

A representative from Vicroads called the constituent to say that what the Liberal and other opposition parties were claiming was incorrect and the High Street Road duplication would be complete. As the roadworks are coming to an end we find that what the Liberal and other opposition parties were claiming is 100 per cent correct. When people are travelling from Glen Waverley to Wantirna South it will be dual carriageway until the edge of the Scoresby freeway reserve and it will then revert back to one lane, and the reason is that Vicroads does not want to redo this work.

Because of the incompetence of the Bracks Labor government in relation to the Scoresby freeway, it will be a number of years before the freeway is built — or even started with the way the government is going — which means that this bottleneck will create an enormous number of problems. I would ask the Minister for Transport to take action to ensure that the duplication is complete.

When we look at it from the other point of view, the Scoresby freeway will actually be going over the top of the duplication of High Street Road. Duplicating it now will mean better traffic flow and it will in no way affect the building of the Scoresby freeway.

Police: Bacchus Marsh station

Mr NARDELLA (Melton) — My adjournment matter is for the Minister for Police and Emergency Services. The action I request is for the minister to confirm or deny the accuracy of delays in the construction and upgrading of new police stations and prisons, and to take action to reassure the communities of Bacchus Marsh and other localities regarding the true position of construction of their police stations.

A report in the *Sunday Herald Sun* of 23 February by journalist Chris Tinkler refers to a number of police stations, including one at Bacchus Marsh in my electorate, as being behind schedule. I make it very clear that the construction of the Bacchus Marsh police station is not behind schedule. It was scheduled to be operational in February 2003, and it became operational — although members of the opposition say it has not even started, but they do not even know where Bacchus Marsh is! — on 18 February this year. It has been completed and is operational.

It is important to thank the previous honourable member for the region, now the honourable member for Gisborne, for her initiative in having construction work commence at the Bacchus Marsh police station. Last year I had a tour of the facilities with the minister, local community members, Mayor Comrie and Cr Russell. We met the local police officers, who are terrific officers. They know their communities and work under stressful conditions and in a dangerous environment, as we have discovered through the events of this week. The new police station is a fantastic facility for the town and for the police officers, and comes on top of the additional police allocated to Bacchus Marsh by police command after the government increased police force numbers by 800 during its last term.

I remind the house that the police force and the facilities were run down under the previous Liberal government in police personpower, staff, equipment and facilities.

Mr Wells interjected.

Mr NARDELLA — I asked for action before, if the honourable member had been listening. The article showed up two major flaws. The opposition major projects spokesperson, the honourable member for Warrandyte, was wrong. We all expect that from the shadow minister. The second flaw is that Chris Tinkler, the journalist, should undertake a revision course in Journalism 101 and learn about checking applications and press releases, especially from the opposition. The article refers to a number of other police and corrections

upgrades which were either complete or on time. I ask the minister to investigate that for us.

Children: head lice

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Health relating to head lice at schools and preschools. I have received approximately 70 letters from concerned parents, schools, kindergartens, Department of Human Services case workers and school principals requesting a change to head lice inspections for schools. I have also met with many concerned parents. I would like the minister to take action and review the regulations regarding the inspection of students and the management of head lice in schools.

An article in the *Herald Sun* of 25 February states:

Now that the kids are into their school routine, many parents may find they are fighting an insect that threatens to take over the household — lice.

The blood-sucking intruders can create big problems.

The wingless insects that live, breed and feed off the human scalp, crawl from head to head and are most commonly found among schoolchildren and their families.

Honourable members know that while head lice are not an agent for infectious disease, they are included in schedule 6 of the Health (Infectious Diseases) Regulations 2001.

The previous regulations of 1990 contained a provision enabling a medical officer, a health surveyor of a council or registered general nurse employed by a council to inspect any child in a school or children's service centre for head lice without parental consent. This power is no longer available under the new regulations.

I have received many letters and I will quote one from Joanne Healey, who says:

I am writing to you to express my concern with the current regulations ...

I have three daughters that attend a Horsham primary school, who now go to school every day with the fear of being infested with head lice. Their fear does not stem from stigma but from the effect it has on their normal routine. They become upset, anxious and angry if I wish to check their hair for fear of me finding something.

There are many other letters. I have plenty of time, so I will read another one! That letter goes on to say:

The current regulations do nothing for the mental wellbeing and happiness of the children attending our schools, nor do they give parents any reasonable expectation of not having to treat children every week.

I would have thought that schools made up part of our community and fail to see why they cannot tell parents, when head lice are found in a grade, that their child may have been in contact with head lice.

There have also been many press articles in the *Wimmera Mail-Times*, one under the heading 'Lice petition seeks change', and another under the heading 'Campaigner: lice regulations fail'. Also, there has been an editorial titled 'Head lice: sense or sensitivity?'. It really is critical of the current regulations. I call for action from the minister.

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

Bushfires: Hillside and Caroline Springs brigades

Mr SEITZ (Keilor) — I raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is for the brave people in our fire service, particularly the Country Fire Authority (CFA) members of Hillside and Caroline Springs stations who have participated in fighting the big fires this time round, and the Metropolitan Fire Brigade people who have supported them as a back-up system.

I would like to congratulate them on the professional manner in which this crisis in the state has been handled, and the way that people from my electorate, particularly the CFA and Metropolitan Fire Brigade members, have worked together and cooperated. Once again Hillside station members went to the New South Wales fires and assisted as volunteers.

It is a great pleasure for me to ask the minister for some way to reward these people and recognise their services, not so much individually but to consider something that can be presented in particular to those new stations to show that personnel from those stations have participated in these tremendous community efforts, supporting the community and volunteering to help out in other regions.

Having been around at the time of the Ash Wednesday fires, which came very close to us particularly at Mount Macedon and to people I knew personally, I saw the effect of that and can still vividly remember going up there to help people with the evacuation and all the confusion that was occurring at the time. We learnt a lesson from that, as did all the emergency services departments, so that they are now acting very smoothly and correctly. It is sad that we unfortunately had that fatality yesterday. It was a very unfortunate ending to an already sad story of fire damage when one considers Ash Wednesday in particular and the woman on

Geelong Road who got out of her car instead of staying in the car for safety, with the sad result that she and her two children perished.

This time around the CFA has been carrying out education programs within community groups, communicating with people on what action to take and what not to take. They should be commended for that. I know that volunteers do not usually want to be given individual certificates or recognition, but their station should be recognised for sending volunteers away to places where they have done tremendous work on behalf of the rest of us, and to help our less fortunate Victorians who were engulfed by the fires.

Broadmeadows Employment Program: administration

Mr HONEYWOOD (Warrandyte) — I wish to raise a matter with the Minister for Employment and Youth Affairs. After the embarrassment she suffered in question time today by having to revert to reading from a prepared script on a general employment information program freely available on her own department's own webpage, I request that she now take action to deal with the specifics regarding the Broadmeadows Employment Program.

The first is: given that the Supreme Court of Victoria has found BEP's committee of management to be unconstitutional for two years, will she now review her departmental guidelines for funding illegal organisations? Second, will the minister now demand a full independent investigation into BEP's management and require a refund of taxpayer funds as part of the action? Third, will the minister ascertain how \$4100 of the Broadmeadow Employment Program's employment funds found their way to the Upfield Soccer Club? And fourth, the 18 backdated, so-called Broadmeadows Employment Program members include the new federal Labor member for Calwell, Maria Vamvakinou — and I am advised that she used to be employed by the former president of the Broadmeadows Employment Program, Dr Andrew Theophanous.

Another member of BEP is also coincidentally a key member of the same Upfield Soccer Club. So you have got an executive member of the Broadmeadows Employment Program coincidentally a member of the Upfield Soccer Club, which just so happens to have \$4100 given to it by a program that is meant to be going to employment of young people rather than to supporting a soccer club.

This whole BEP administration is clearly a Labor Party front group that would make the honourable member for Keilor proud to put in front of his bingo club and other activities that support his electorate.

I call upon the minister to come into the chamber to answer the specific question of why it is that \$200 000 of state government money has gone to an unconstituted group that no less an authority than the Supreme Court of Victoria has found, only last week, to have been unconstitutional for two years. This is nothing more than a way in which Labor Party money is recycled to mates.

Planning: Nillumbik supermarket

Ms GREEN (Yan Yean) — I raise a matter for the urgent attention of the Minister for Planning. The minister is, I know, aware of an application made to Nillumbik shire by the Roman Catholic Property Trust on behalf of Coles for a supermarket in Diamond Creek Road, Plenty. The application has caused widespread concern in the local community amongst traders and local residents due to the inappropriate siting on an already busy road adjacent to St Thomas's primary school.

The action I seek from the minister is to call this matter in for her decision. I will now detail why I make this request. The Nillumbik community is aware that the state government has released a planning blueprint, *Melbourne 2030*. This groundbreaking document details retail centres, and they are listed. In the Nillumbik and Banyule areas these activity centres are listed as Diamond Creek, Greensborough and Eltham. They are well supported by the local community and are serviced by public transport, roads and car parking.

In the last year or so it has been apparent that there had been a transcription error in the new Nillumbik planning scheme when it was adopted. There was a discrepancy in this planning scheme between a diagram and the narrative pertaining to the land in Diamond Creek Road. It was never the intention of the Nillumbik shire, nor the understanding of local residents, that this type of development would be allowed on the site. However, two applications for supermarkets were submitted to Nillumbik council for such a development. One was from the Aldi organisation and one from the Roman Catholic Trust on behalf of Coles.

As I said earlier, these applications have caused widespread consternation in the local community. I know this from doorknocking hundreds of households in the area of Plenty and Greensborough in both the

Sunrise and Apollo Parkways localities. It was the issue most often raised.

The residents of Plenty established a community organisation called PRARE — Plenty Residents Against Retail Expansion. PRARE presented a petition to the council containing around 800 signatures.

The proposed supermarket development applications are for a total of 6300 square metres of retail space, larger than the whole retail area of Diamond Creek township and twice the retail area of Eltham.

A report into retail space commissioned by the Nillumbik Shire Council shows that residents in Nillumbik and Banyule have more square metres of retail space per head of population than any other area of Melbourne. My colleague the honourable member for Eltham has also been lobbied by his local community in St Helena and the Eltham traders.

I know that, like me, he is opposed to the development. I commend Aldi for withdrawing its application in recognition of the concern in our local community. Unfortunately it seems the backers of Coles have no intention of withdrawing, so I see no clear alternative to the minister calling the matter in.

Manningham Road, Bulleen: traffic control

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the attention of the Minister for Transport regarding the relocation of traffic lights on Manningham Road near Bulleen Plaza. I am advised by the Manningham City Council that there have been three accidents at the intersection of Egan Drive and Manningham Road.

I have raised this with the minister on previous occasions and have written to him, but with no success. I raised the matter during the adjournment debate on 23 August 2001, and it took the minister until 13 June 2002 to respond to my adjournment matter. The minister has turned the practice of not responding to correspondence into an art form.

Vicroads has also not been very helpful, and that is why I am raising the matter again with the minister and asking him to revisit my request and provide appropriate funding to place the traffic lights near Bulleen Plaza.

The Manningham City Council wrote to me, stating in its letter of 22 February 2002:

We confirm your previous advice that this site is unlikely to attract full funding as a potential black spot ...

Manningham council also wrote to Vicroads, but despite numerous telephone calls by the council it did not respond. The council again wrote to Vicroads, saying:

We confirm our previous email advice of 7 December 2001 and 5 February 2002 that council and the traders will contribute to the cost of the signal installation in order to secure Vicroads contribution to this project. To date, council has not received a response to council's requests for advice as to the level of funding required of council and the traders, or the likely time lines of assessment of this application.

In order to minimise disruption to trade and to the community, preferably the signal installation works would be undertaken early in the 2002/2003 financial year. In order to meet these time lines, your urgent attention to this matter and advice is requested.

That took a few months, and finally Vicroads responded advising that there was no money available. The council has gone back to the traders, who have agreed to pay a third of the cost of the approximate \$160 000. The Manningham City Council and the traders are happy to put in a third each, and they want Vicroads to put in a third.

Will the minister again visit my request to investigate and provide funding to relocate the lights close to Bulleen Plaza? This will ensure the safety of the students of the local primary school nearby, as well as a number of senior citizens who also use the crossing.

Anzac Day: bus services

Mr ROBINSON (Mitcham) — It is a pleasure to join the adjournment debate. I also have a matter for the attention of the Minister for Transport regarding the responsibilities he has assumed in the past few years for providing free buses to the Anzac Day dawn service at the Shrine of Remembrance.

I am seeking the minister's agreement to provide this valuable service again in 2003. I am pleased to have been associated with the service since it was set up under the Bracks government. The reason for my association is that it came to my attention in the mid-1990s that it was impossible for someone in the suburbs of Melbourne to reach the Shrine of Remembrance in time for the Anzac Day dawn service if they were relying upon public transport. By the time you took the first train and the first tram to get down to the shrine, the dawn service was finished.

The Minister for Transport kindly agreed to my request in 2000 and from that time we have seen this idea grow into a great success. In the first year the service operated only about 130 people participated, but last year we had some 1400 people from across Melbourne

attending the shrine. It was a great success, with 37 buses filled to capacity. The service was advertised extensively through the local papers and at train stations, and they had to close off bookings a couple of days beforehand.

I need to acknowledge the assistance over the past few years of the Returned and Services League and the Victorian Bus Proprietors Association, and last year the rail franchise operators. In addition, it is difficult for me, as I am sure some honourable members would understand, because I have to acknowledge the assistance of the Collingwood and Essendon football clubs.

Honourable members interjecting.

Mr ROBINSON — They all come out — February premiers! Here they go again, just another year of disappointment ahead for Collingwood. It will be a year for the Demons this year, there is no doubt about that at all!

I hope the Minister for Transport is able to arrange funding for the service this year. It is worth pointing out that over the past few years the service has not cost a great deal; I think it has operated for about \$10 000 to \$20 000 each time. That is terrific value for money when you think about what it can deliver. I acknowledge and accept that there are parking restrictions and traffic management problems around the shrine on Anzac Day morning — any member of the house who has attended the dawn service would vouch for that. However, I believe it would be possible for some 40 buses to be accommodated again this year. As I said, it is a very inexpensive way of allowing many people from across Melbourne to attend this very significant event in the life of the city.

Stanley: storm damage

Mr PLOWMAN (Benambra) — I wish to raise an issue for the attention of the Minister for Agriculture. On 26 November 2002 the small community of Stanley was blasted by a storm, the likes of which had never before been experienced by that area. Not only was the wind so extreme that it twisted out trees that were up to 12 and 15 feet in girth but the hail — up to 4 centimetres in diameter — fell at such a velocity that it stripped the trees and then lifted the bark off the limbs. Stanley is renowned as an apple growing area, and the storm wiped out an estimated 84 per cent of this year's apple crop. The crop damage was valued at about \$8 million, with an economic multiplier effect for the district of about \$12 million.

The run of bad luck did not stop there for Stanley, as the town experienced some of those fires. One started in Stanley and burnt right up to the edge of the town, destroying a lot of privately owned pine plantation and private property. The double tragedy that beset Stanley has meant that the public's attention has shifted from the damage to the apple orchards and the people involved with them to those who suffered fire damage and the tragedy that has occurred since then.

However, the impact of this storm will undoubtedly have the greater effect on the economic life of that community. That community and the growers are seeking assistance from the Minister for Agriculture. A small deputation was to meet with the minister this afternoon. I understand that the minister was not available, and therefore I take this opportunity to ask the minister to review the disaster that struck those apple growers and caused this severe loss. It is not just for this year's production but is affecting up to three years production.

The assistance that the community is actually asking for is the provision of assistance similar to that being offered under the drought assistance package, being compensation to growers of a third of their lost income for a 12-month period up to a maximum of \$20 000 and the provision of assistance with protection from such events, like the part funding for hail net protection systems. Both of those would be of enormous value to this community — it would help it get back on its feet and would certainly help the growers in the future.

Aquatic facilities: Maribyrnong

The ACTING SPEAKER (Ms Barker) — Order!
The honourable member for Footscray has about 2½ minutes.

Mr MILDENHALL (Footscray) — I raise a matter for the attention of the Minister for Sport and Recreation, through the Minister for Planning. I ask the minister to confirm that the government would be most unlikely to give priority to the construction of a second major aquatic centre in the Maribyrnong municipality.

It was a great occasion last year when the Premier announced major funding from the Community Support Fund as part of the funding for a \$17.5 million, 50-metre regional indoor aquatic centre. Despite the ideal location beside the Highpoint shopping centre — the principal activity centre of the western suburbs — local Greens and right-wing Independents have been arguing for the additional rebuilding of the present Footscray Swim Centre, some 3 kilometres away, under

the crude and simplistic slogan of 'Save the Footscray Pool'.

This proposal is financial lunacy. The current Footscray Swim Centre loses over \$900 000 per annum and has lost over a third of its patronage over the past five years. For the new centre to be financially viable the remaining customer base from the old centre must be relocated to the new centre. To rebuild the old centre would cost at least \$13 million and would add at least \$450 per rate assessment, and it would condemn both centres to substantial operating losses, thereby threatening their very viability.

I ask the minister to clarify to these dreamers that in the context of the financial implications and the fact that Maribyrnong has already received the largest ever grant for a municipal pool, it would be most unlikely that additional funding would be provided for a second aquatic centre. These Greens are all care but no responsibility. In a council area with high levels of poverty and already high municipal rates it is the height of financial and social irresponsibility to argue for this unnecessary duplication. These people are truly the financial and policy fairies at the bottom of the garden. To argue for two major aquatic centres within 3 kilometres of each other and connected by an 11-minute tram trip is totally unnecessary and is a crude attempt to garner votes in the coming municipal election.

The ACTING SPEAKER (Ms Barker) — Order!
The time for raising matters on the adjournment has expired.

Responses

Ms DELAHUNTY (Minister for Planning) — The honourable member for Yan Yean raised quite a difficult issue. It is really about the conjunction of two matters, one being the refusal by the Nillumbik Shire Council of a proposal by Coles to build a supermarket on Diamond Creek Road following objections from local residents and businesses. The council also commenced a strategic review known as amendment C20 to rezone the land from business 1 to residential development and local convenience, shopping only.

Coles has asked for a review of the council's position at the Victorian Civil and Administrative Tribunal. On advice from the department I believe it is appropriate that this application be considered in the context of the proposed amendment C20, the strategic review amendment, which will when it is completed establish a strategic framework for future use of the whole area.

I am proposing that an advisory committee consider the proposal of the Nillumbik Shire Council to rezone that land along Diamond Creek Road and consider therefore in that context the merits of the application by the Coles supermarket. As the honourable member quite rightly raises, the location of mixed-use developments is a strategic issue for Melbourne 2030, the government's blueprint for managing the growth of Melbourne over the next 30 years. I think it is appropriate and fair — everything is a balance in planning — that this advisory committee examine the Coles proposal in the light of Melbourne 2030 and in the light of the agreed usage of that land.

I congratulate the new member for Yan Yean on her inaugural speech and her advocacy for her constituents so early in her term.

Mr CAMERON (Minister for Agriculture) — The honourable member for Benambra raised a matter with me concerning fruit growers in the Stanley district, and the fact that they had a considerable storm last year. As he said, there was a meeting this afternoon. Unfortunately I got called to a ministerial meeting, but there was a meeting between the head of the Victorian Farmers Federation horticultural group, Colin MacCormack; some of the affected people; and my acting chief of staff, Dr Worrall, where there was a discussion about what assistance the department may give.

You may be aware that the traditional assistance from the state department has been around extension and whether there was anything that could be done around R and D. Those matters are being considered. Equally there was discussion around whether there can be an exceptional circumstances application, and consideration and assistance will be given regarding that, although it is recognised that that is a considerable hurdle. Nevertheless, that was the outcome of the discussion. I understand it was amicable, and we will be pursuing those matters.

Ms PIKE (Minister for Health) — I thank the honourable member for Lowan for raising this rather scratchy issue at this time of the day!

It is true that head lice can be extremely frustrating for both schools and parents — and that head lice show no favourites. They do not transmit any infectious diseases and do not really cause any serious health problems, but managing them within the community and respecting the change in attitudes and issues around parental authority et cetera are very complex issues.

The public health people advise me that the most effective way of treating head lice is to regularly check for them by getting one of those fine toothcombs, conditioning the hair and checking for them on a weekly basis. The problem is that when you have broad-based campaigns in schools there are just not the resources to travel through a whole school with such regularity. Sometimes in the past those compulsory school-based inspections have really stigmatised kids and meant that they have had to be separated out, which has in many ways led to further frustration.

To assist families the Department of Human Services has revised its process and is tending to focus on education and the empowerment of families. It now has an information and awareness strategy call 'Scratching for Answers'. That information kit has been made available — —

Mr Honeywood interjected.

Ms PIKE — It probably was in your time, Phil. Those kits have been distributed throughout primary schools and children's services, as well as through councils, right throughout Victoria.

In the past doctors and councils were given the power to examine children for head lice without parental consent. But I think people would understand that there has been a lot of change in community expectations and attitudes around what the authorities can do to our children. In the end, empowering parents and getting them involved is really a far more effective strategy. Certainly under the revised Health (Infectious Diseases) Regulations 2000 it was determined not to continue those kinds of activities without parental consent.

However, there are some mechanisms available to schools that I am happy to advise the honourable member about. Council staff and other health providers can conduct broad-based checks for head lice, but the school needs to have a mechanism whereby it obtains parental consent — say, at the beginning of the year — by way of an authorisation form et cetera so those routine kinds of inspections can be undertaken. So that capacity is there.

Returning to the original point, the best and most effective mechanism to deal with this is to educate and empower people — to give people the information and really assist them in checking their kids' hair on a weekly basis so that nits really can be controlled in schools.

The question was whether we will review the process. There is not a decision to have a specific review at this point in time. However, I certainly will be encouraging

the department to consider this as part of its ongoing public health review as it looks at strategies and their effectiveness. Clearly if there are major outbreaks of head lice and the current strategies are ineffective, they will have to be reviewed.

Having had this matter drawn to my attention I will also draw it to the attention of the department and ask for a specific response in the context of the communities within the electorate of Lowan.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Keilor raised the issue of recognition for emergency services volunteers in particular for the work they have done in the recent fires that have afflicted the north-east of the state as well as Gippsland.

He made particular reference to the Caroline Springs–Hillside brigade of the Country Fire Authority, which straddles both his electorate and my electorate; and I have to say it is a great credit to its members. They form a fairly young brigade on the outskirts of Melbourne and have travelled a long way into some fairly unfamiliar territory. They have, along with volunteers from many other parts of the state, done an absolutely magnificent job. We have had volunteers from places like Mildura — as flat as flat can be — going out there into alpine country, helping those people protect their communities and their farms and homes from these very terrible fires.

It has been a real team effort. It has not just been the Country Fire Authority brigades; the State Emergency Service units have also provided a great deal of support. There have been a lot of volunteers from there, and there have been career people from all of the emergency services — the SES, the CFA, Victoria Police, the Department of Sustainability and Environment and Parks Victoria.

As I said yesterday, some 25 different agencies are involved, and we want to make sure that everybody is recognised — not just the people who dealt with the fires but also the people who provided background support, the people who stayed behind, particularly those who stayed in some of our most fire-prone areas elsewhere in the state to ensure that we did not have major break-outs there and leave those areas exposed with unsatisfactory fire cover. They all made an enormous contribution, and they all need appropriate recognition.

The government has undertaken an appropriate consultation process, as it has committed to doing with the volunteer associations at both the CFA and the SES.

We currently have a charter with the CFA volunteers and are developing one with the SES volunteers to ensure that they will be consulted in all matters that affect them. The honourable member can rest assured that we are working on an appropriate form of recognition for all of the people involved.

As I said, it is not just for the people who have been on the fire front; although certainly a great deal of credit goes to the people who were on the fire front and particularly the members of the Caroline Springs–Hillside brigade to which the honourable member referred.

The honourable member for Melton referred to an article in the *Sunday Herald Sun*. He expressed some concern about the progress of the Bacchus Marsh police station. The article he referred to is one that was planted by the Deputy Leader of the Opposition. Under the heading ‘Major assets \$500 million short’ the article states:

Projects well behind schedule included the expansions of Loddon prison in Castlemaine and Barwon prison in Lara and new police stations in Preston, Richmond, Croydon, Kew, Belgrave, Bacchus Marsh, Ocean Grove, Moe, Seymour, Maryborough and Gisborne.

The first thing I need to point out is that the Loddon prison expansion and the Barwon prison expansion are now complete, and we are just about ready to move prisoners into those facilities.

Mr Honeywood interjected.

Mr HAERMEYER — The honourable member mentioned the Bacchus Marsh police station. If he had bothered to watch the news tonight he might have seen it in the background, because there was a police officer operating out of that police station. It has in fact been completed for some time.

This government has undertaken the largest police station construction program in the history of this state. Unlike the people opposite who were committed to closing 34 police stations across the state, the government is actually embarking upon a record police station building program worth some \$280 million. It committed to 67 police stations in its first term, more than two-thirds of which are already complete, and it has committed to a further 68 police stations in its second term of government. Without doubt there is a small number of police stations where, for siting reasons, those police stations —

Mr Wells — Siting reasons!

Mr HAERMEYER — We might also look at Maryborough because there was some deliberate obstruction from a Brighton resident by the name of Mr de Fegely, who went out of his way to try to obstruct the location of the police station in Maryborough. And, of course, we all remember the former member for Berwick and his role in frustrating the construction of the Endeavour Hills police station.

But of these police stations the honourable member for Melton mentions, let me say that the Kew-Boroondara police station project was completed and has been operational since September 2002 — the original contract completion date was October 2002 so it was delivered early; the Belgrave police station had a completion date of June 2003, and it is still expected to be completed in June 2003; Bacchus Marsh police station — already open, project on budget and on time; Ocean Grove police station — currently on time, on budget; and Moe police station — currently on time, on budget. These police station constructions would not even be occurring if these people opposite were still in power. Even if they were committed to building them, they would not have any police to put in them because they were cutting the guts out of the police force.

As I say, this government is committed to the biggest police station building program in this state's history, and that includes a new \$650 000 police station in Warrandyte — and, I might add, I actually bothered to check — —

Mr Honeywood — It burnt down, that's why!

Mr HAERMEYER — What have you been doing? What have you been up to?

The ACTING SPEAKER (Ms Barker) — Order! The minister responding to the matters raised and not to the honourable member for Warrandyte on the other side of the table.

Mr HAERMEYER — The honourable member for Warrandyte has not made one single representation to get that police station built, so with a record like this he is wrong, wrong, wrong! If the honourable member for Warrandyte says it is fine outside, I suggest that anybody wanting to take his advice should look outside the window before they leave their broolly behind.

Mr Honeywood — On a point of order, Acting Speaker, this is the first adjournment debate under the new sessional orders, and my point of order is that the honourable members for Bulleen and Scoresby raised a matter for the Minister for Transport, I raised a matter for the Minister for Employment and Youth Affairs, and we have 14 minutes to go. The Minister for Police

and Emergency Services has sat down, therefore this whole new open and accountable second-term government will not be providing answers in an adjournment debate to questions from the opposition.

The ACTING SPEAKER (Ms Barker) — Order! I have heard enough on the point of order from the honourable member for Warrandyte. I was just about to remind the Minister for Police and Emergency Services as minister at the table to respond to the matters raised by those other members.

Mr HAERMEYER — I apologise, Acting Speaker. The honourable member for Scoresby raised a matter for the Minister for Transport regarding a road project in Wantirna South, and I will draw that to his attention.

The honourable member for Lowan raised a matter for the Minister for Health.

The ACTING SPEAKER (Ms Barker) — Order! That matter has been dealt with.

Mr HAERMEYER — That matter has already been dealt with.

The honourable member for Bulleen also raised a matter for the Minister for Transport, as did the honourable member for Mitcham. I shall draw both those matters to the attention of the Minister for Transport.

The honourable member for Footscray raised a matter for the attention of the Minister for Sport and Recreation in the other place, and I will draw that to the attention of the minister.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Warrandyte also raised a matter for the Minister for Employment and Youth Affairs.

Mr HAERMEYER — The honourable member for Warrandyte did raise a matter for the Minister for Employment and Youth Affairs, and that will also be drawn to the attention of the minister.

Motion agreed to.

House adjourned 6.49 p.m. until Tuesday, 18 March.

