

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

18 September 2001

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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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(*Assembly*): Mr Delahunty, Ms Duncan, Mr Ingram, Ms Lindell, Mr Mulder and Mr Seitz.

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(*Assembly*): Mr Speaker, Ms Gillett, Mr Nardella and Mr Richardson.

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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Temporary Chairmen of Committees: Ms Barker, Ms Davies, Mr Jasper, Mr Kilgour, Mr Loney, Mr Lupton, Mr Nardella,
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The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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The Hon. D. V. NAPHTHINE

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The Hon. LOUISE ASHER

Leader of the Parliamentary National Party:

Mr P. J. RYAN

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Mr B. E. H. STEGGALL

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Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Tuesday, 18 September 2001

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 2.06 p.m. and read the prayer.

BUSINESS OF THE HOUSE

Standing and sessional orders

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

That so much of standing and sessional orders be suspended today so as to allow:

- (1) precedence to be given to motions:
 - (a) of condolence to the President and people of the United States of America; and
 - (b) for agreement to a consequential address to His Excellency the Governor.
- (2) at the conclusion of the consideration of the motions the house shall proceed with question time followed by formal business and other business as set out in the notice paper.

Motion agreed to.

UNITED STATES OF AMERICA: TERRORIST ATTACKS

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

That the following resolution be agreed to by this house —

We, the Legislative Assembly of Victoria, in Parliament assembled, express our deepest and sincere condolences to the President and people of the United States of America at this time of great suffering caused by appalling acts of terrorism. In recording these sentiments we express the unanimous feeling of the people of the state of Victoria who are shocked and outraged by such senseless acts of violence.

This is the first such motion to be brought before the Victorian Parliament since the assassination of President Kennedy in 1963. At that time this Parliament expressed its shock and sorrow at the cruel loss of one man. Today we express those emotions again, only magnified on a scale we hoped we would never see. These acts of senseless terrorism against the people of New York, Washington and Pennsylvania have deeply affected us all.

In sending our condolences we hope to let the American people know that their grief is shared and that the pain they are feeling is felt here in Victoria. Because the events of last week unfolded so publicly — for many of us, literally in front of our eyes — and we

were constantly exposed to it, it was somehow easier to imagine ourselves, our families and our colleagues in place of those who have been killed and injured. That feeling is the beginning of shared grief and shared loss and a profound sense of loss, which it will be hard to restore.

We will never know the exact nature of the pain being experienced, but we can imagine it. We can imagine not just the terrible shock of last week's events but the long grief ahead for many thousands of people. For each of those who died there are many more who are now enduring a terrible existence. It is to them we send our deepest sympathy.

I know that I speak for all Victorians when I express our sorrow at the death of thousands of civilians, office workers, airline passengers, rescue workers and other innocent people who were just going about their daily working lives not suspecting anything of this magnitude could ever happen.

For each of us there will be one or two details we focused on among the many, many details we were exposed to over the last week — the last telephone calls from passengers on board the airliners; the staff of the hospital emergency departments waiting for the injured to arrive, when the injured were outnumbered by those who had died; or the hundreds of rescue workers who are among those being recovered from the wreckage in New York.

We focus on these details because they help us to comprehend what is almost incomprehensible in scale and in cruelty. Again it was President Kennedy who said that even in crisis we have choices — about our behaviour and about how we respond.

Whoever is found to be responsible for these horrendous events, and however the world community responds, it is vitally important that we reflect on the kind of responses we each make and ask ourselves what kind of future we want.

We want to prosecute those people who have perpetrated these preplanned, senseless and cowardly acts of terrorism. But in doing so we do not want our faith in each other to be splintered. I am confident that we will continue to show each other tolerance and understanding. Every community in Victoria — Islamic, Jewish, Catholic, Protestant and Orthodox — condemns these terrible events that have occurred in the United States of America.

I believe the best response here in Victoria is to strengthen our great traditions of tolerance and harmony while standing shoulder to shoulder with the

people of the United States in finding those who perpetrated these dreadful acts of terrorism. In this way we will deny terrorism its moral victory and deny its ability to spread distrust and hatred around the world.

I have met with representatives of the Islamic and Jewish faiths and the Anglican, Catholic, Lutheran and Uniting churches, as well as the Churches of Christ, the Salvation Army, the Assemblies of God and the Coptic Orthodox Church. They spoke with one voice about their terror, their anguish and their concern about what has happened in the United States of America.

They joined with us as Victorians, I am pleased to say, in inviting all members of their faiths to attend a multifaith gathering this Thursday at the Rod Laver Arena to demonstrate our shared anguish and anxiety for the people of America. We will be joined as well by the representatives of Victoria Police, the Metropolitan Fire and Emergency Services Board, the Country Fire Authority, the Metropolitan Ambulance Service and the State Emergency Services. It is an opportunity for us Victorians to share the sorrow we feel and to show our compassion for those suffering in the United States of America and the compassion we have for each other.

In passing this motion of condolence for the people of America we express our condemnation of the terrible events of the past week and our shared grief at their consequences around the world.

Dr NAPHTHINE (Leader of the Opposition) — I rise to support the Premier in expressing profound horror, shock and sorrow at the events of last Tuesday, 11 September. On behalf of the people of Victoria and the Liberal Party I extend my deepest sympathies to the people of the United States and those around the world who have lost people near and dear to them in these terrible acts of barbarism.

The sheer scale of the acts of terrorism committed just over one week ago has shocked the world. We condemn not only those acts but also all acts of terrorism wherever they are committed in this world.

Right now thousands of workers and volunteers are struggling in an attempt to rescue anyone who is still trapped under the wreckage of the World Trade Centre in New York. Our thoughts and prayers are with them in that task. The photos and footage of the faces of those men and women convey their shock and their outrage at what has happened not only in their city and their community but also in our world and our community.

No-one will ever forget the time they first saw the photos and the footage of those planes crashing into

those two magnificent buildings. No-one will ever forget the vision they saw of people leaning out of those skyscrapers, of people jumping and falling to their deaths — the most horrific vision I have ever witnessed in my entire life. As we watched in our lounge rooms we could see the sheer terror and the real agony on the faces of those people as they faced certain death. While we sat in our lounge rooms we could not help but feel compassion towards them and feel helpless as we watched in terror as they suffered as they did. Then the world watched as the buildings collapsed, taking with them many thousands of people.

We cannot allow the situation in New York to overshadow the importance of the people in the Pentagon who died as the plane crashed into that building, or indeed the people who were in the airliners. It now appears that the final death toll will be more than 6000 people, of whom approximately 72 are Australians, and I understand at this stage approximately 13 are Victorians. Our sympathies go to the families and friends of all those people, particularly to the families of the Victorians and Australians affected by this terrible tragedy.

This act of terrorism will affect not only the families of those people but our entire community. We must make sure that the effect, which is horrific and serious, is turned into something positive rather than being allowed to create even greater terror and inhumanity in our society.

This was not just an attack on buildings or on people but an attack on the United States of America, a nation which has stood for the values of peace, freedom and tolerance. The United States of America has on more than one occasion defended our liberal democratic values even when it was not under direct threat. This was an attack on New York City, which, along with many cities in Australia, is one of the most multicultural societies in the world. For over a century New York City has stood out, as symbolised by the Statue of Liberty, as a beacon of hope for the dispossessed, the oppressed and those escaping tyranny and trying to create new hope and opportunity for themselves.

We must never forget in this period when we are responding to terrorism that this was an attack on the values we hold dear. We must never forget that the best way to respond is to defend and be more determined to uphold those important values of freedom, liberty, democracy, tolerance, peace, understanding and basic human kindness in our society. We must be resolved to turn this great negative into a significant positive.

Our thoughts clearly go to the victims and their families. And our thoughts go also to those who responded to the emergency. In particular we recognise the selfless efforts of the firemen and policemen who went to the scene of the first incident and who, despite the obvious danger they faced and their awareness of the danger, proceeded to do their work professionally and without any fear for their own lives. Unfortunately more than 300 emergency service workers lost their lives as the buildings collapsed. They were people going up the stairs when other people were going down the stairs to escape. They were also people like Fr Mychal Judge, a chaplain of the New York City Fire Department, who was carried out of the rubble. He was killed because he went back to provide comfort and support to his colleagues in his role as chaplain of the fire brigade.

We must never forget those children who were in schools, which stayed open because nobody came to pick them up. Those children were not sure whether their parents would be returning at all. As the Premier said, we all have our own images of individuals and families who have been affected by this tragedy. They are symbolic of the tragedy that has occurred right across the United States — in New York, at the Pentagon and the plane crash in Pennsylvania. All those images we must never forget. We must use them to become more convinced of the need for the resolve to stand up for what we believe in. We must not allow these acts of terrorism to cow us or to in any way take us away from the important issues that those firemen were fighting to uphold.

People were going about their ordinary work because they felt confident of a country that was committed to giving every individual opportunity, irrespective of their race, religion or gender. We want a world like that — a world that will not give in to terrorism, that will not give in to barbarism and that will not give in to these sorts of horrific acts of violence. These acts of terror have certainly damaged us and affected us all. But as I have said, it is important that we make sure that some good comes out of it.

I believe that as members of the Parliament of Victoria we can do our bit. We can ensure that the people of Victoria get the opportunity to sign the condolence books that have been made available through electorate offices and that they have a way to express their support and sympathy for the United States and the victims of this terrible tragedy.

I would suggest to the Premier that Victoria may see fit to establish a suitable memorial in response to the tragedy, similar to our memorial to the death of a

former President of the United States, John F. Kennedy. The memorial could signify a number of things. It could signify our support for and understanding of the families of those people who lost their lives and make particular mention of those Australians and Victorians who lost their lives in this tragedy. It would also be an important symbol to say that the lives that were lost in this terrible tragedy were not lost in vain. The lives that were lost have given the world a greater resolve to fight terrorism wherever it occurs in this world. I think a suitable memorial would act as a focus for that.

In conclusion let me say again that our sympathies go out to the families and friends of those people who tragically lost their lives. Our support goes out to those working as rescuers and those working to identify the perpetrators of these terrible crimes. Our resolve must be to continue to oppose and combat all forms of terrorism across the world and to ensure that we stand up and be counted for the values we hold so dear, the values the terrorists were trying to knock down and the values we must uphold. Those values are freedom, democracy, tolerance and peace.

Mr RYAN (Leader of the National Party) — I rise on behalf of the National Party to support the motion moved by the Premier and supported by the Leader of the Opposition. It is only a week ago that at least 6000 lives were lost on American soil as a result of those dreadful acts of barbarism about which we have all seen, read and heard so much.

People from something in the order of 40 nations across the world, including 72 Australians, died. I regret to say that these despicable acts have changed forever the way we will live our lives. They have wrought change in a way that none of us would have chosen, but they occurred nevertheless. Make no mistake, these events of a week ago were an attack on us all. This is not just an issue to be confined to the shores of America and to what happened so tragically there. This is something that is relevant to us all. I know we will retain forever the images of what we saw over the course of those few days last week, particularly the sight of those aircraft flying into those towers.

I was at home watching the television when the first report of the first tower being struck came on and was watching as the second plane flew into the second tower, as, I am sure, were many others around the world. We all saw the loss of those buildings, the fireball, the subsequent fires in the buildings, the way the buildings imploded and fell in on themselves taking those poor souls with them and the sight of those people in their many forms, not only those who were in the building but also those in the streets.

We have heard so much these last few days about the calls that were made from two of the hijacked aircraft to loved ones; the extent of the deaths and the injuries; the survivors and the stories they have been able to tell; the acts of remarkable heroism of those involved in the fire services and the police, some of whom escaped the first incident and then went back into the buildings to try to save those who were still there and in the course of doing so lost their lives; the consequent tragedies that have befallen the many families of those involved — the loss of loved ones and friends; and the way it has grown exponentially, so that literally millions of people around the world have suffered the outcome of this dreadful event.

We will make more planes and rebuild the buildings, but tragically lives have been lost and people are gone. Their greatest sin was that they went out the front door of their homes that morning never to return. It is something that is ingrained in our minds and will be forever. The question arises as to why. In a sense it is a fruitless intellectual exercise to ask why, because given our society and the way we live the answer does not matter. Given the way we are and the people we are proud to be, whatever answer might be given will be utterly irrelevant and will fall far short of any possible rational, reasonable explanation. The fact is that this event occurred. It should never have happened, but it did. It is terrorism on a scale that we have never seen in our time.

Inevitably the grief followed by anger have given over to rage. In many senses that is perfectly understandable. When the President of the United States talks about war having been declared, regrettably it is an appropriate term for those who have perpetrated this most awful of crimes. These people deserve to be hunted down and dealt with in the same way as they would have happen to others. It is a fair call. In saying that I would hope upon hope that those countries that harbour the people who are guilty come to their senses and heed the warnings given to them. There is a massive distinction to be made here — a war for a cause is one thing, but a war in circumstances where we have nation against nation is an extension of that fundamental principle, the first principle. They are related in this current context, but they are two different things. Like many other people, not only those within this chamber — the parliamentary representatives, the staff who work here and the people who have come here this day, but also Victorians at large, I abhor the use of the word ‘war’. My brother served in Vietnam, and I know what it is like to wake up in the morning wondering whether he is still with us. The last thing we want is to have a dreadful outbreak of hostilities that leads to war on a scale that we have historically known. Equally, I say

again that it is imperative that those who have been directly associated with perpetrating these crimes be dealt with in the way they have so callously dealt with those poor folk in the United States.

It is appropriate that we spare a thought for the many people who have come to Australia from so many other parts of the world, because the vast majority of them — of whatever background — share our abhorrence for these acts. I ask those who might have thought otherwise that they temper their thinking in dealing with migrant groups, in their many forms, to ensure that in Victoria — in this great state of ours, this wonderful multicultural community of which we are so proud — we can justifiably say that we were able to look after members of the community who come from differing backgrounds in a way that behoves us in the current state of affairs. As parliamentarians I believe we also have a responsibility in ensuring this.

That responsibility is shared by those we work with and those who are here today as well as other Victorians. It is a time for squaring the shoulders. It is a time for lifting the chin. It is a time to be able to talk about the things we hold dear in communities throughout this state. As I said at the outset, no-one ought be in any doubt that this was an attack upon us all. We have a direct responsibility to make sure that we are not cowed by these events and that we are able to pursue our daily lives in a manner that does justice to the way of life we have developed so richly and have enjoyed over many years.

On behalf of the National Party I support the motion before the house. I express the sympathies of my party and, if I may, the sympathies of all Victorians for those in America who have been injured or killed as a result of these dreadful acts as well as their families and loved ones. I spare particular thought for the US Consul General, David Lyon, who is a gentleman known to all of us. I read reports in the weekend papers about the dreadful anguish he has suffered personally. To him I extend those same sympathies.

Mr SAVAGE (Mildura) — I support this motion, and I know my Independent colleagues support my sentiments. I add my sincere condolences to this motion. Like most Australians, one week ago today we watched transfixed as events unfolded in New York and Washington. We watched with disbelief and horror as a peaceful city came under direct and brutal terrorist attack. We watched as thousands of innocent men, women and children were killed in an attack of utter and senseless brutality.

From this Parliament our hearts and sympathies go out to the victims and to the citizens of the United States of America. America has been a true and loyal ally of Australia. In this time of crisis we must show our compassion and resolve. We must also temper the immediate reaction of seeking vengeance and seek only justice.

In conclusion I reflect on the lives of the 72 Australians who are missing or were killed. Like every member of this house, I endorse the condolences for the people of America.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

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

That the following address to His Excellency the Governor be agreed to by this house:

We, the members of the Parliament of Victoria, in Parliament assembled, respectfully request that Your Excellency will be pleased to communicate to the Governor-General the accompanying resolution for transmission to the President of the United States of America.

Motion agreed to.

QUESTIONS WITHOUT NOTICE

Ansett Australia: financial crisis

Dr NAPHTHINE (Leader of the Opposition) — Will the Premier advise the house specifically how many times through the last month he spoke directly to the Labor Prime Minister of New Zealand and the chief executive officer of Ansett Australia to seek their support for action to save Victorian jobs, or did he once again grandstand and simply do nothing?

Mr BRACKS (Premier) — It is useful for me to go through this and put it on the record in Parliament. I did not communicate with the Prime Minister of New Zealand, but I would have to check my records exactly in relation to the head of Air New Zealand, Gary Toomey. I probably spoke directly to him around seven or eight times, several times in my office but also several times by phone call.

Mr Leigh — You knew for weeks you said!

Mr BRACKS — That's right. The shadow Minister for Transport has still kept his job. You are one of 66 per cent of the Liberal Party who have portfolios

now. It is amazing! The old ring of confidence; the protective seal around the Leader of the Opposition.

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc!

Mr BRACKS — In addition to that, I dealt with Dr Cheung, the head of Singapore Airlines, on numerous occasions, once in my office and several times by phone, as recently as yesterday, to reconfirm whether or not Singapore Airlines had some interest in relation to this.

Mr Doyle interjected.

Mr BRACKS — In relation to the interjection from the leadership aspirant, the honourable member for Malvern, I met with Dr Cheung before I wrote to the Prime Minister some one month ago warning the Prime Minister of this occurrence. I met with Dr Cheung one month before.

In addition I had several discussions with the head of Qantas, Geoff Dixon. The key issue is that the responsibility for regulation and oversight of the airline system in this country is with whom? Who is responsible? The federal government is responsible. You should be ashamed of your federal counterparts! The National Party minister, Mr Anderson, will have as his legacy as the federal transport minister, 'I presided over the demise of Ansett'. The National Party and coalition transport minister, Mr Anderson, knew absolutely that what he took out of cabinet to New Zealand some one month ago was a flawed proposal. It would never fly, it would never get off the ground, because Singapore Airlines would never relinquish its interest in Air New Zealand. He knew that; he is culpable. He still proposed an arrangement that would never work, and the fact that we are in this mess is due directly to the coalition government, which this crowd here supports absolutely!

Mountain cattlemen: grazing rights

Mr RYAN (Leader of the National Party) — Will the Minister for Environment and Conservation advise the house whether it is the intention of the government to remove the grazing rights of mountain cattlemen in the Victorian high country?

Ms GARBUTT (Minister for Environment and Conservation) — I would like the Leader of the National Party to listen very carefully, because obviously he has not been listening at all. Of course, this is an opposition which does not listen. It did not

listen when it was in government, and that is why it is in opposition now. This government consults as part of its decision making. The government has said time and again, and I have explained it many times, that it will not be changing leases without consultation, without agreement and without the alpine cattlemen volunteering. I hope that is now clear and that the Leader of the National Party has heard it.

Ansett Australia: tourism

Ms BEATTIE (Tullamarine) — I refer the Premier to the failure of the federal government to respond to the impact of the Ansett crisis on Australia's tourism industry. What action is the Bracks government taking to come to the aid of Victorian tourism?

Mr BRACKS (Premier) — I thank the honourable member for Tullamarine for her question. I understand the amount of work she has undertaken since the collapse of Ansett in representing her constituents, particularly those in the Sunbury area, as so many people from that area work at the airport. She has told me that these people are not only the major breadwinners in families but sometimes the spouses and even the children, as generations of families have worked at Ansett. The honourable member understands that, because she represents the seat of Tullamarine and so much of the Ansett work force. I also thank the honourable member for her presence yesterday at a round table meeting of industry and interested parties about this matter.

I have much pleasure in announcing today that as a consequence of the significant downturn in the tourism industry across Australia and particularly in Victoria, the government will be contributing some \$10 million of new money to the tourism effort in the state. This \$10 million of new money is in addition to the extra \$4 million included in the budget that the Treasurer presented in May. It lifts the amount of state government spending on the tourism effort in Victoria by some 30 per cent. This is very important, because at the round table of industry leaders held yesterday the Australian Hotels Association reported that in the previous 24 hours there had been some 3500 hotel bed cancellations. More disturbing than that is the fact that these cancellations are accelerating and will continue to do so until corrective action is taken by the federal and state governments.

This government is keen to unconditionally put up an extra \$10 million to assist and support the industry in three areas. The first is in cooperative marketing with international airlines which want to market their destinations in both Melbourne and regional Victoria

and which want to market themselves as part of that process. Secondly, the government wants to assist, promote and increase the award-winning Jigsaw campaign, which has been so successful in encouraging tourism from interstate and overseas. Thirdly, the government will allocate some of the \$10 million to regional tourism, because regional areas have also been hard hit by the international downturn in air travel, which has been compounded by the Ansett closure and the tragic events in the United States of America. Those events have led to less air travel and the cancellation of holiday bookings, conferences and business events. The tragedy in the United States and the demise of Ansett will have a profound impact on the tourism industry in Victoria and the rest of Australia.

We are putting up \$10 million. We are lifting the tourism effort by 30 per cent. As happened with the pilots dispute, when the then federal government put in \$26 million of new spending to assist and support the industry to recover, we will support tourism in Victoria. What is needed nationally is complementary money to our \$10 million. We know members of the industry will back us up with their support, assistance and financing. What we need, and what the tourism industry is calling for this very day in Canberra and will be meeting with the Prime Minister about tomorrow, is a \$50 million package around the country. We will put up our extra \$10 million to promote Victoria as part of the effort to minimise the effect on the thousands of add-on jobs affected by the closure of Ansett, by the downturn in the airline industry and by people cancelling those things they were previously doing and to ensure that the tourism industry has the capacity to rebound.

There is no doubt that the tourism industry will rebound. Last time, after the pilots dispute, it took some two years. We have put this package in place to accelerate that so that the downturn in tourism activity is less and we are insulated and the downturn has less effect on regional and metropolitan tourism. I am very pleased and proud to announce today that we are contributing \$10 million over and above the budget to the tourism industry in those three targeted areas. We want to work for the tourism industry to ensure that we minimise the impact of both Ansett and the downturn as a result of the tragic events in the United States of America.

Ansett Australia: replacement airlines

Dr NAPTHINE (Leader of the Opposition) — I refer to the failure of the state Labor government to secure Virgin Airlines headquarters for Melbourne and the recent unfortunate collapse of Ansett Australia, which was headquartered in Melbourne, and I ask: will

the Premier now reinstate the \$4.7 million he cut in the last state budget from the \$7.7 million program to attract new airlines to Victoria?

Mr BRACKS (Premier) — The reality is that we have been working to get new business in Victoria. We will continue to do that. I am not sure what the Leader of the Opposition is referring to, but I can say that the industry attraction program is attracting a record number of new entry starts in Victoria. We are continuing to work on a replacement for Ansett. We have been the hardest working state government in the country on that and will continue to add our maximum efforts to that objective.

Ansett Australia: financial crisis

Ms DUNCAN (Gisborne) — I ask the Minister for State and Regional Development to inform the house what action the government is taking to address the impact on the aviation industry of the federal government's failure to prevent and resolve the Ansett crisis.

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Gisborne for her question today and also for the great support she has shown the government in the efforts we have been making to minimise the impact of the Ansett demise in Victoria. I make this point at the outset: as we came into question time today we were all thinking, 'What is it that the opposition might raise today?', but one of the most extraordinary things I have seen in politics for a long time is that, after the demise of a national air carrier that carries passengers nationally and internationally and operates under federal government aviation policy, today we have seen a state opposition trying to say that this was the state government's fault. You are hopeless; you are hopeless!

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order and the minister to address his comments through the Chair.

Mr BRUMBY — This would have to be a — —

Mr Smith interjected.

Mr BRUMBY — You missed out! You're one of the few!

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. The honourable member for Glen Waverley should not interject in that vein. The minister should ignore interjections and address the Chair.

Mr BRUMBY — Here they are: 66 per cent of the Liberal Party are either shadow ministers or parliamentary secretaries, but 100 per cent of the National Party are.

This is a disaster of the federal government's making. This is something which the federal Minister for Transport and Regional Services, the federal minister responsible for aviation, has known about for months and months. When Minister Anderson went over to New Zealand and said, 'Oh, boy, have I got a deal for you!', it was this state government that said, 'You're a mug. Back the Singapore Airlines proposal at 49 per cent, otherwise you will have two airlines on their knees'. We told them what to do. The Premier wrote the letter. Here they are today defending an incompetent transport minister who ought to be sacked immediately by his Prime Minister. His only claim to fame in the years he has been responsible for aviation will be that he brought Ansett Australia — —

Mr McArthur — On a point of order, Mr Speaker, I draw your attention to the question, which asks the minister what action he and the Victorian government intend to take on the issue. I suggest to you the minister is not addressing the question, but is debating the issue.

The SPEAKER — Order! I uphold the point of order and I ask the minister to come back to answering the question.

Mr BRUMBY — As I just indicated, the state government advised the federal government that it should tell New Zealand to accept the Singapore Airlines 49 per cent offer. We did that months ago. Since then we have seen the demise of Ansett Australia caused by the incompetence of the federal government. Since that event have we seen one single new policy initiative by the federal government to resolve this crisis? No. Absolutely none! Who is out there supporting them for doing nothing? The Leader of the Opposition! In terms of the initiatives taken by the state government the Premier has announced today — —

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc has been called a number of times. I will not call him again.

Mr BRUMBY — The Premier has announced today a \$10 million initiative to restore confidence to

the tourism industry. There has been no initiative at a federal government level; there has been no initiative by any other state in Australia. The only government which is providing leadership in the area is the Bracks government. Yesterday the state government called on the federal government to release a \$50 million national — —

Dr Napthine interjected.

Mr BRUMBY — You don't think they should do anything?

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order! I ask the Leader of the Opposition to cease interjecting.

Mr BRUMBY — In every national turndown or crisis of this type, the federal government responsible for aviation policy has moved in with national initiatives. As I have said, that occurred after the pilots dispute in the late 1980s and after the Gulf War in the 1990s. We are about to see thousands of people across Australia without jobs in the tourism industry yet the Leader of the Opposition says, 'The federal government should not do a thing to stop it'. That is what you just said today. We will make sure — —

Dr Napthine interjected.

Mr BRUMBY — Is that right? I don't think so. I think you're on your knees.

The SPEAKER — Order! I ask the house to come to order. I ask the minister to address the Chair and to ignore interjections.

Mr BRUMBY — We have asked the Leader of the Opposition whether he thinks the federal government should do anything to alleviate the pain being felt across Australia in the aviation and tourism industries, and we have all heard his answer. It was no.

Dr Napthine interjected.

Mr BRUMBY — That is what you said.

Dr Napthine interjected.

Mr BRUMBY — You got yourself into this mess, my friend!

The SPEAKER — Order! I will not permit even a senior minister like the Treasurer to continue to debate across the chamber. The forms of this house require

that he must debate in the third person and through the Chair.

Dr Napthine interjected.

The SPEAKER — Order! The Leader of the Opposition shall desist from interjecting in that vein. He is not helping proceedings at all.

Mr BRUMBY — In addition to the tourism initiative, yesterday the Premier and I, the Minister for Major Projects and Tourism, the Minister for Consumer Affairs and the Minister for Industrial Relations met with representatives of industry sectors that have been affected by the Ansett crisis. These included representatives of the tourism industry, Melbourne Airport and major industry groups, including the Victorian Employers Chamber of Commerce and Industry and the Australian Industry Group, because the implications of this are widespread throughout the economy.

At that meeting there was widespread support for the proposal to call on the federal government to lift its game by providing \$50 million nationally. We have since added to that with \$10 million. Last Friday the Victorian government also put in place a consumer hotline. We were the first state to do that. In the first 6 hours we received more than 3500 calls to that hotline. We are the only state to do it, and we received calls not just from right across Victoria but from right across Australia.

In addition to these things, as I have said, the Premier and I have met with a number of potential investors in the airline industry, and I met with the administrators on Sunday. The government continues to facilitate potential investment in the aviation industry.

Honourable members interjecting.

The SPEAKER — Order! I remind the minister of the need to be succinct and ask him to conclude his answer.

Mr BRUMBY — We have put in place a range of initiatives. We are taking at a state government level the sorts of initiatives that ought to be taken at a federal government level. We will continue to put pressure on the federal government to show some leadership in this area. No other state is taking the initiatives that have been taken by the Bracks government — that is, the round table, the \$10 million initiative, the consumer hotline and the facilitation of industry investors. The Bracks government is providing real leadership to try to get investment and confidence back across Victoria and across Australia.

Water: rural charges

Mr SAVAGE (Mildura) — My question to the Minister for Environment and Conservation concerns the 4 per cent rate of return on head works charged to non-metropolitan water authorities but not to metropolitan authorities or customers who buy bulk water directly from rural water authorities.

When will the government terminate this policy, which discriminates against country people living in towns such as Hopetoun, Ouyen, Underbool, Speed, Tempy and Patchewollock and against industrial customers who are forced to buy their water from non-metropolitan water authorities?

Ms GARBUTT (Minister for Environment and Conservation) — The honourable member for Mildura and members of the government would be very well aware of the government's commitment to rural and regional Victorians, and of course to financial responsibility. The previous government left the water authorities in a mess and totally ignored rural and regional Victoria. This government has laid the foundations for a very financially responsible and viable water sector. For rural and regional Victorians we have abolished the catchment management authority tax — a hated, unfair tax. We have reduced prices for sewerage schemes, including those in many of the towns the honourable member has mentioned.

We have in place a process with the water authorities to set fair and responsible water prices. The 4 per cent rate of return is a problem left to us by the previous government — and it was in place under the previous government. This government recognises the equity issues involved and the need to fund the various functions that are paid for out of that, including ground water management, dam safety and recreation around the storages. On that issue we will continue to work with the water authorities as part of the government's water pricing process, and we will turn the situation around.

New Zealand Prime Minister: police helicopter

Mr WELLS (Wantirna) — I ask the Minister for Police and Emergency Services to advise the house who in the government authorised the use of the police helicopter to allow the New Zealand Labour Prime Minister to break a union picket line on her Air New Zealand aeroplane and how much the use of this chopper cost the Victorian taxpayer.

Mr HAERMEYER (Minister for Police and Emergency Services) — I have to say I am

flabbergasted! We have a major national airline collapse and a police enterprise bargaining dispute, and the honourable member for Wantirna asks me about who flew the New Zealand Prime Minister from Tullamarine airport to Essendon Airport.

Victoria Police has the responsibility to provide safe passage for any visiting foreign dignitary, as the New Zealand Prime Minister was. It was an operational decision for Victoria Police. The police flew her from Tullamarine airport to Essendon Airport to ensure that she could catch a military aircraft from Sale back to New Zealand. What an absolutely ridiculous waste of a question!

Drugs: youth services

Mr VINEY (Frankston East) — I refer the Minister for Health to the Bracks government's successful drug advertisements, which aim to reduce drug abuse and link young people to drug treatment and rehabilitation — an issue of substantial concern in the Frankston community. I ask the minister to outline the latest action the Bracks government is taking to increase access to drug rehabilitation services for young people.

Mr THWAITES (Minister for Health) — The Bracks government's drug advertisements have been extremely successful, both in discouraging drug abuse and in encouraging young people to pick up the phone and ask for help. In the first six weeks of that campaign some 1700 calls were made to the drug line. Interestingly, a large proportion of that group were young men, a group that has in the past has been very hard to contact.

The Bracks government is providing more drug treatment services to meet this increased demand. Today I am very pleased to announce the first long-term rehabilitation centre in Victoria for young people with chronic alcohol and drug problems. The new 15-bed residential rehabilitation centre will give intensive support to young people for up to nine months. The new centre will be built using some \$3 million of state government funding. It will be in Mount Pleasant Road, Eltham, in a secluded bush setting. Victoria is the first state to set up a centre specifically for the rehabilitation of young people, not just those with heroin abuse problems but also those with problems associated with alcohol, cannabis and other illicit drugs.

Drug detox — getting young people to withdraw — is very important. But for some of those young people we also need to have a rehabilitation service, a follow-up

for this service. This new service, which will be run by the Youth Substance Abuse Service, will provide for the first time in Victoria such a specialised facility — something that the Bracks government is doing and something that was sorely needed. Because this new facility will take some time to build we are setting up as a matter of urgency an interim rehabilitation service in Yarrambat near Hurstbridge. That service will be taking on young people, 15 to 20 clients at a time, commencing over the next month.

I should say that just over a year ago, in June 2000, waiting times for youth residential detox were an average of 11.5 days. Since then as a result of the action we have taken there has been an 84 per cent decrease in waiting time, so the waiting time is now 1.8 days. This additional rehabilitation service will provide further assistance to help young people get off drugs.

When we came into office we faced a major social problem in drugs, but as a result of the action we are taking — —

Honourable members interjecting.

Mr THWAITES — There is certainly much to be done, but we are turning the situation around in a way that everyone in this place ought to support, instead of making puerile interjections.

Minister for Education: office expenditure

Mr HONEYWOOD (Warrandyte) — I refer the Minister for Education to a freedom of information (FOI) request into the entertainment expenses of the minister's own office, which took seven months to process, not 45 days, and ended up showing lavish spending in Melbourne's best restaurants being written off as meetings with her own public servants. Further, given that this FOI request covered just an eight-week period and was just a mere snapshot of the expenditure of the minister's office, I ask the minister to now table all of her office entertainment expenses from 1999 and make them available to the parliamentary library by close of business tomorrow.

Ms DELAHUNTY (Minister for Education) — Parliament will be aware that when this government came into power we abolished credit cards for ministers and ministerial staff. Under the last government we remember the millions of dollars that were spent on credit cards by ministers, ministerial staff and leaders of statutory authorities. The honourable member for Warrandyte requested through FOI the expenses of the minister's office over a three-month period. We provided that information. As I recall it was a total of around \$1600, which involved the minister and

advisers. We compare that with a similar three-month period when the honourable member for Warrandyte was an education minister — for the same period when he was a minister in government, where we spent \$1600, that man spent \$37 000!

Honourable members interjecting.

Ms DELAHUNTY — The recently demoted shadow Treasurer said, 'A different period of time'. It was exactly the same time as when she was a minister in government.

How could any minister and his advisers spend \$37 000 in three months? Thousands of dollars were spent on charter flights; thousands of dollars were spent on hospitality.

Dr Napthine — On a point of order, Mr Speaker, the minister is now debating the issue. She should come to the point of the question: will she table the information in the library, or is this honest, open and accountable minister trying to hide something?

The SPEAKER — Order! I will not allow the Leader of the Opposition to merely repeat the question. However, I ask the minister to cease debating the question and to come back to answering it.

Ms DELAHUNTY — Yes, charter flights, travel, hospitality, and some inexplicable but exorbitant expenditure on new phones and communication devices, which we are looking forward to investigating.

As this government does not allow credit cards to be used by ministers' advisers or ministers, every expenditure is checked according to the guidelines and reimbursed if it meets those guidelines. My office has met those guidelines. We will continue to rein in the exorbitant expenditure that we inherited in government. We are turning things around in education.

Public transport: fare evasion

Mr ROBINSON (Mitcham) — I refer the Minister for Transport to the impact of the former Kennett government's flawed automatic ticketing system on fare evasion and I ask: in view of the latest information concerning the level of fare evasion, will the minister inform the house of what action the government is taking to protect transport revenue?

Mr BATCHELOR (Minister for Transport) — All members of this house would be aware that the previous government privatised the revenue collection system of Melbourne's public transport in 1994, when it signed up with the Onelink consortium. The contract

ties the hands of the former government and this government right through until, I think, 2006.

Since 1994 Victorian taxpayers and public transport customers have faced a series of very serious problems. They have included: people not being able to buy the sorts of tickets they have liked, like daily tickets on trams; ticket machines not working properly; and significant levels of fare evasion.

Recently my department was asked to prepare some estimates of the level of fare evasion on Melbourne's public transport system. It was interesting to identify the source of that request. It actually came from the Liberal Party, from the honourable member for Bennettswood in preparation for the shadow cabinet reshuffle that took place. I do not know whether he checked it out with the shadow minister at the time, but as events turned out the shadow Minister for Transport was not reshuffled. I thank the Leader of the Opposition for that.

I guess the honourable member for Bennettswood did not take into account the fact that the honourable member for Mordialloc would threaten to resign if he were reshuffled. Nevertheless, it is interesting to get this information about the extent of fare evasion on our public transport system. Based on advice supplied by the department, which was based on advice given by the private operators, in mid-last year fare evasion on our trams, trains and buses ranged between 5 per cent and a staggering 23 per cent. This has a huge impact on the revenue flowing through to the private transport operators, because under the franchise agreements it is their revenue stream, which is of great concern to the government.

The shadow minister knows where the blame lies. He recently admitted that Onelink simply did not deliver the goods in relation to the timing of the contract or the arrangements that had been entered into. He even boasted that he was on the committee that chose the contract and was a key part of the decision-making process of the previous government. We are concerned about this high level of fare evasion and the impact it is having on the operation of public transport. We have set up a joint ticketing task force to work with the private companies. The bulk of this money does not come through to the government but goes through to the private operators. Notwithstanding that, we are concerned to ensure that fare evasion does not bleed the system dry.

We have also introduced a range of other initiatives to make it easier for people to buy tickets and harder for them to avoid travelling without tickets. I remind the

house that we have introduced 100 roving conductors to work on the trams and 100 roving safety officers to work across the train network, particularly after dark. This government is strongly opposed to fare evasion. We want people who use public transport to do the right thing: we want them to buy a ticket, and we want them to use it. We want the private transport companies that now run our system to maximise their fare box revenue so they can grow and become successful businesses; and we want them to be able to invest in the future of our public transport system and ensure the expansion of the network over time.

The SPEAKER — Order! The time set down for questions without notice has expired and a minimum number of questions have been dealt with.

Mr Ryan — I raise a point of order, Mr Speaker, which I regard as being of great gravity. In raising this point of order I seek your action, Mr Speaker, to censure the Leader of the House and have him apologise for those matters that I am now about to put before the house.

I refer to a media release issued by the office of the Minister for Transport on 23 August. I table that release for your consideration, Mr Speaker. It goes directly to the issue of the impartiality of the Chair, and given the significance of the Speaker's role in this place it is absolutely vital that you give it your attention. This release is headed 'Leigh's Scoresby antics trigger friendly fire in Parliament'. The release recites in part National Party Acting Speaker Don Kilgour and *Hansard*. It states in part:

... conservative colleague launching an extraordinary attack in Parliament ...

...

... severely chastised by National Party MP and Acting — —

Honourable members interjecting.

The SPEAKER — Order! The government benches will come to order!

Mr Ryan — It states in part:

... severely chastised by National Party MP and Acting Speaker of Parliament, Mr Don Kilgour ...

Further, it states:

... official record of Parliament, *Hansard* ...

In raising this point I refer to *May*, which under the heading 'The Speaker as Presiding Officer of the House of Commons' says in part:

Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognised.

What has happened is a blatant breach of that very important convention. It is imperative that the position of Speaker is conducted on an impartial basis. If I may say so, there is complete confidence in this house insofar as the Speaker's discharge of this obligation is concerned, and from that it flows that it is equally important that the people who fulfil the important role of Acting Speaker when they are called upon to do so — whether they be from the National, Labor or Liberal parties, or indeed either of the two Independents who fulfil that role — are also able to be seen as fulfilling the role impartially. This is something that goes to the absolute core of the function of this place.

Mr Speaker, I urge you to the view that it is bad enough when a release of this nature comes from a parliamentarian at large, but it is worse when it comes from a minister of the Crown and even worse when, as in this case, it comes from the Leader of the House, who controls government business through this place and who has a pivotal role insofar as the discharge of business is concerned.

When this happens, Sir, it is a matter that begs your interference. I ask you to consider the terms used in this release, to deal with it as you may see fit and to make sure that we do not have a repeat of what I regard as appalling conduct by the Leader of the House.

Mr Batchelor — On the point of order — —

Mr Cooper — You should apologise!

Mr Batchelor — It is your shadow minister who needs to apologise. It is his behaviour — —

Mr Cooper interjected.

The SPEAKER — Order! The honourable member for Mornington!

Mr Batchelor — It was the outrageous behaviour of the Leader of the Opposition that triggered outrageous behaviour by the shadow Minister for Transport. My press release acknowledges the impartiality of the Acting Speaker, the honourable member for Shepparton, at that time. I urge you, Honourable Speaker, to have a look at the transcript for the whole of the debate, and you will find that during that period of time the honourable member for Mordialloc was constantly interjecting and interrupting to such a degree that the Chair acted in an impartial way and sought to

provide protection for me as the Minister for Transport from the completely irrational and erratic behaviour of the honourable member for Mordialloc.

In coming to your decision on the matter that has fallaciously been brought to your attention by the Leader of the National Party I ask you to rule that it is a gross abuse of points of order. It is an attempt to use an important part of the procedures of this house to make a cheap political point. At all times I accepted the impartiality of the Chair, both at and since that time. If you compare the *Hansard* record with what is put in the press release, you will see that both coincide.

The SPEAKER — Order! The Leader of the National Party has raised a point of order about whether there has been a reflection upon the Chair by the Leader of the House in the issue of a press release dated 23 August this year. I am not in a position to make a ruling on this issue now. I will examine the documentation the honourable member referred to as well as examine the *Hansard* record, and I will rule at a later stage.

PERSONAL EXPLANATION

Mr SAVAGE (Mildura) — On Tuesday, 21 August this year, during the condolence motion for the former Deputy Premier, the Honourable Bill Borthwick, I indicated that he had flown dispatches from Churchill to Tito in Yugoslavia. This information was based on an obituary in a daily newspaper. I have since been advised that this information was not accurate. Bill Borthwick flew with the Royal Air Force in Yugoslavia and supported the partisans, but not as a courier for Churchill or Tito.

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

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

Your petitioners therefore pray that:

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

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

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

By Ms ALLAN (Bendigo East) (8 signatures)

Maroondah Highway: traffic control

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

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

that the citizens of Coldstream are concerned for public safety and users of the Maroondah Highway through Coldstream;

that current traffic demands upon this major highway are unacceptable for the standard at which it exists, particularly during the peak holiday periods;

that the visual appearance of this major highway through Coldstream is unacceptable as an entry into one of Victoria's premier wine and tourist regions;

that the duplication and streetscape improvement of Maroondah Highway from Warburton Highway to Melba Highway is required as a high priority to meet traffic volumes and community safety concerns.

Your petitioners therefore pray that the Parliament of Victoria examines the safety of this roadway and provides funding and works for its improvement.

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

By Mrs FYFFE (Evelyn) (286 signatures)

York Road–Wray Crescent, Mount Evelyn: traffic control

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

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

that the citizens of Mount Evelyn township are concerned for public safety and users of the intersection of York Road and Wray Crescent, Mount Evelyn;

that traffic signal works and safety improvements are required as an urgency for this declared main road intersection.

Your petitioners therefore pray that the Parliament of Victoria examines the safety of this intersection and provides funding and works for its improvement.

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

By Mrs FYFFE (Evelyn) (1345 signatures)

Libraries: funding

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

The humble petition of the undersigned citizens of the state of Victoria respectfully requests:

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

that the Victorian government increase funding to public libraries for the purchase of books;

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

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

By Mr LUPTON (Knox) (866 signatures)

Laid on table.

Ordered that petitions presented by honourable member for Evelyn be considered next day on motion of Mrs FYFFE (Evelyn).

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

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 9

Ms GILLETT (Werribee) presented *Alert Digest No. 9 of 2001* on:

- Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill**
- Business Investigations (Repeal) Bill**
- Commonwealth Games Arrangements Bill**
- Commonwealth Powers (Industrial Relations) (Amendment) Bill**
- Drugs, Poisons and Controlled Substances (Amendment) Bill**
- Essential Services Commission Bill**
- Gene Technology Bill**
- National Parks (Marine National Parks and Marine Sanctuaries) Bill**

together with appendices.

Laid on table.

Ordered to be printed.

BLF CUSTODIAN

52nd report

The SPEAKER presented report given to him pursuant to section 7A of BLF (De-recognition) Act 1985 by the custodian appointed under section 7(1) of that act.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Drugs, Poisons and Controlled Substances Act 1981 — Documents pursuant to s 12H — Poisons Code:

Standard for the Uniform Scheduling of Drugs and Poisons No. 16

Amendment No. 1 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 16

Notice regarding the amendment, commencement and availability of the Poisons Code

Financial Management Act 1994 — Report from the Minister for Agriculture that he had received the 1999–2000 annual report of the Northern Victoria Fresh Tomato Industry Development Committee

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

Ballarat Planning Scheme — Nos C34 Part 2, C41

Banyule Planning Scheme — Nos C13, C14

Bass Coast Planning Scheme — No. C2 Part 2

Baw Baw Planning Scheme — No. C16

Bayside Planning Scheme — No. C19

Brimbank Planning Scheme — Nos C20, C24, C29, C35

Frankston Planning Scheme — No. C11

Greater Dandenong Planning Scheme — Nos C2, C5

Greater Shepparton Planning Scheme — No. C14

Hume Planning Scheme — Nos C8, C22

Monash Planning Scheme — No. C17

Nillumbik Planning Scheme — Nos C3 Part 1, C5 Part 1

Strathbogie Planning Scheme — No. C10

Stonnington Planning Scheme — No. C2

Victoria Planning Provisions — No. VC12

Whitehorse Planning Scheme — Nos C21, C23

Whittlesea Planning Scheme — Nos C8 Part 1, Part 2, C18, C23

Yarra Ranges Planning Scheme — No. C18

Property Leasing Limited — Report for the six months ended 31 March 2001

Statutory Rules under the following Acts:

Building Act 1993 — SR No. 82

Conservation, Forests and Lands Act 1987 — SR No. 86

Dangerous Goods Act 1985 — SR No. 85

Drugs, Poisons and Controlled Substances Act 1981 — SR No. 84

Livestock Disease Control Act 1994 — SR No. 81

Road Safety Act 1986 — SR No. 83

Tobacco Act 1987 — SR No. 87

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule No. 80

Ministers' exemption certificates in relation to Statutory Rule Nos 81, 82, 83, 84, 86, 87

The Constitution Act Amendment Act 1958 — Statements of functions conferred on the Electoral Commissioner, dated 22 May 2001, 7 August 2001 and 11 September 2001

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

Electricity Industry Acts (Further Amendment) Act 2001 — Section 5 on 6 September 2001 (*Gazette G36, 6 September 2001*)

Gambling Legislation (Miscellaneous Amendments) Act 2000 — Sections 21 and 22(1) and the remaining provisions of Parts 3, 4, 5 and 6 on 28 August 2001 (*Gazette G34, 23 August 2001*)

Statute Law Amendment (Relationships) Act 2001 — Sections 4, 5 and 7 and items 2, 3 and 6 of Schedule 1, Schedule 2, Schedule 3, item 2 of Schedule 4 and Schedule 5 on 23 August 2001 (*Gazette G34, 23 August 2001*)

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill
Essential Services Commission Bill
Commonwealth Games Arrangements Bill
Gene Technology Bill

BUSINESS OF THE HOUSE

Standing and sessional orders

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That so much of standing and sessional orders be suspended on Thursday, 20 September, so as to allow on that day —

- (1) Question time to take place at 9.30 a.m.; and
- (2) At the conclusion of question time the house shall proceed with formal business and other business as set out in the notice paper.

Motion agreed to.

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, pursuant to sessional order 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 11.30 a.m. on Thursday, 20 September 2001:

Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill
 Drugs, Poisons and Controlled Substances (Amendment) Bill
 Business Investigations (Repeal) Bill.

In moving this government business program I wish to place on the record by way of explanation for the benefit of members of the house that this motion and the motion about the suspension of standing and sessional orders that was previously carried are designed to allow this chamber to finish its parliamentary work on Thursday in order that

honourable members may attend the multifaith service that will be held at the Rod Laver Arena.

There have been considerable discussions between the parties and with the Independents, and there was an overwhelming desire on the part of the organisations and the individuals they represent for an opportunity for members of Parliament to participate in the multifaith service as an expression of our condolence and sympathy with the American people.

It was felt that the most appropriate course of action would be to rearrange the parliamentary business program. In effect we are bringing forward question time on Thursday to the commencement of the day. By dint of the resolution we will be putting in place the mechanism for the guillotine to be applied at 11.30 a.m., if that is required. It is likely that we will be able to organise the winding-up of the business program in an orderly fashion. It is likely too that the second-reading speeches that would normally be given on Thursday will, by leave, be given on Wednesday night not only to further facilitate the smooth flow of the works program for the Parliament but also, and more importantly, to enable us to participate in the multifaith service.

This move has the solid support of the opposition, the National Party, the Independents and of course the government. I would like at this stage to thank those on the other side with whom I and other members of the government have discussed this matter over the past couple of days in order to sensibly rearrange and reorder the parliamentary business to achieve that participation and join in that condolence. We hope the multifaith service is well attended, as I am sure it will be, not only by members of this Parliament but by all members of the community.

Mr McARTHUR (Monbulk) — The Liberal Party will support the motion concerning the business of the house. As the Leader of the House has pointed out, there has been a good deal of discussion over recent days to try to come to a sensible working program that deals with the business before the house in a reasonable way that also allows all honourable members to attend the multifaith service on Thursday if they choose. I certainly hope most honourable members do so. As the Leader of the House has pointed out, there is a very small legislative program this week involving only three bills, one of which is very short, consisting of only one clause, and repeals a spent act.

They should easily be dealt with in the time allowed in the schedule. As the Leader of the House has mentioned, time is normally set aside for

second-reading speeches on Thursdays. We have already had discussions about by-leave approval for the second reading towards the end of the normal business day tomorrow evening of the eight bills, I think, that were given notice of today. Hopefully both the second-reading speeches and the bills will be printed and ready on time, and if that is the case we will be in a position to do that. It looks as though the Whip's job depends on that!

If it all proceeds smoothly, we will all be able to do that tomorrow evening and go on with a much shortened version of the normal Thursday. We will have the prayer, question time at 9.30 a.m., formal business, 90-second statements and then perhaps for a small time deal with whatever legislation remains, and then we will move fairly quickly to the adjournment by, say, 11.30 a.m. or thereabouts, which would allow all honourable members plenty of time to get to the Rod Laver Arena by 12.30 p.m. I understand that the Parliament House staff are also being catered for on Thursday if they wish to attend the memorial service. If that is the case, it is a good idea.

As we all know, this has been occasioned by a tragic and unfortunate set of circumstances which none of us would wish to happen. It is testament to the good sense of the people in this place that we have been able to come to arrangements which allow us to deal with the business before us but which will also allow us to take note of and recognise the important events elsewhere in the world, and to mark them appropriately.

I have just been advised that was a question rather than advice. It was, 'Are the Parliament house staff being catered for?'. Will they be entitled to attend the memorial service on Thursday if they wish? Perhaps that is something the Presiding Officers and the Clerks might consider in the interim, because I imagine a number of parliamentary staff would appreciate the opportunity. Some of them have been serving members of various forces and organisations, and I am sure they would like to take part in the service as well. It is a sensible program and I am sure the house will deal with it effectively.

Motion agreed to.

MEMBERS STATEMENTS

Solectron Technology Pty Ltd

Mr PERTON (Doncaster) — Over the course of this year we have heard news of closure after closure in Victorian industry — Nokia Research, Arnott's, Vectus in Ballarat and Nestlé in Maryborough. In May we

were all dismayed to hear that key electronics manufacturer, Solectron, planned to close the doors of its Wangaratta plant with the loss of 220 positions. The company also announced that jobs would be transferred to Sydney. What people do not know is that only four months before that closure the Minister for State and Regional Development, John Brumby, travelled to San Jose with the stated objective to 'alter perceptions that the state was losing business'. In fact he made a statement to the *Australian Financial Review* that his message to companies would be simple: 'If you are considering information and communications technology (ICT) investment in the Asia-Pacific, Victoria is the place to be'.

On 4 December in San Jose the minister met with a Leslee Coleman, a female executive of the Solectron company. As a result of the minister's failing to provide additional material under freedom of information guidelines, we do not know who else he met with. It is clear, however, that the minister failed in his stated objective to alter perceptions that the state was losing business. He failed in his stated objective that ICT investment should be in Victoria. He failed the people of Wangaratta and the people of Victoria by losing this important plant to Sydney and Singapore.

SPC and Ardmona Foods: merger

Mr KILGOUR (Shepparton) — I congratulate the board of directors of two important companies in my electorate, SPC and Ardmona, on the decision that was made last week to merge the two companies. The merger of these two very large players in the fruit canning industry, subject to shareholder and Australian Competition and Consumer Commission approval, will create a giant in the Australian food industry, one that will be better able to compete on a global scale. It is something that many of us in the Goulburn Valley have been hoping for and looking forward to for many years.

Hopefully the merger will also enable the company to better compete with the cheap and subsidised imports on the domestic market, and this can only lead to further growth and economic development in the Goulburn Valley and indeed right across northern Victoria.

The economies of scale that are created by a merger such as this are enormous and can only be good for the industry in the future — that is, good for the Goulburn Valley and good for its people. Growers should be happy that their processors will now be able to open up new world markets and push deeper into those that have been developed over the 80-year history of both organisations.

I congratulate Chris Riordan, from SPC, and Ross Turnbull, from Ardmona, the chairmen and directors of each board; and it is great to see people like David Taylor, who will be steering the company to a bigger and better future. We have a wholly Australian-owned food company competing with the major players of the world, and that can only be good news.

Living Not Existing report

Ms CAMPBELL (Minister for Community Services) — Congratulations to all those involved in the preparation of the report entitled *Living Not Existing — Flexible Support and Housing for People with a Disability*. I direct particular recognition to Cath McNamara, the project worker, as well as to the membership of the Disability Support and Housing Alliance, which prepared this excellent report.

The project steering committee met monthly and provided guidance, direction, information and support to the project worker. The group comprised a cross-section of advocacy funding and support service provider organisations, namely: Disability Justice Advocacy; Action for Community Living; Housing Resource and Support Service; AIDS Housing Action Group; Paraquad Victoria; Independent Housing Resource Service; Melbourne Citymission; Transport Accident Commission; Australian Ventilator Users Network; ARBIAS; and the disability services division of the Department of Human Services.

Accolades go particularly to Sue Whiting and Melinda Smith, who eloquently informed us of their personal vision of living, not existing, and not only of the benefits of providing appropriate housing and attendant care but the impact that would have on social life. *Living Not Existing* was made possible through funding from the Stegley Foundation, the Sidney Myer Fund and the Lance Reichstein Foundation.

I put on record my support to those involved.

Taxation: increases

Mr CLARK (Box Hill) — I raise concern about the high taxation levels being imposed under Labor governments and threatened by Labor oppositions across Australia.

Last week the recently elected Western Australian Labor government, in its first budget, broke its election promise not to increase taxation. It increased the top rate of payroll tax from 5.56 per cent to 6 per cent and imposed a special 2 per cent land tax on principal places of residence with land valued over \$1 million —

in that respect, following a lead set by the New South Wales Labor government.

In Victoria, the Bracks government has increased the tax burden on Victorians by hundreds of millions of dollars since coming to office, despite the so-called lower tax package announced by the government in April. In this year's budget alone, excluding the taxes abolished under the commonwealth's new tax package, Victoria's tax take is budgeted to increase by more than \$447 million.

To make matters worse, while the property market booms thanks to the Howard government's low interest rates and enhanced first home buyer's scheme, this year's budget is actually based on a fall of 8.7 per cent in stamp duty on land transfers. With every passing day, every dollar of stamp duty the government receives above this forecast level is a windfall dollar being added to the tax burden already imposed on Victorians.

For voters everywhere the message should be clear — you can't trust Labor with money, and a vote for Labor is a vote for higher taxes!

Ukraine: independence

Mr LANGUILLER (Sunshine) — On 24 August 1991 the Ukrainian government declared its independence from the Soviet Union. This declaration of statehood was achieved peacefully and democratically. On this 10th anniversary of Ukraine independence I welcome this opportunity to offer my warm greetings to the Ukrainian community of Victoria.

In the 10 years since achieving independence Ukraine has undergone many transformations. The framing of a new constitution, the holding of democratic elections and the implementation of economic reform have been major steps along the road to the country's rebirth.

As Europe's second-largest country Ukraine has a rich reserve of natural resources, but the greatest natural resource is the Ukrainian people. Victoria is blessed with a strong and confident local Ukrainian community of more than 5000 people who have a long and proud history in this state, having in 1998 celebrated 50 years of settlement in Australia. The Ukrainian community has made a great contribution to Victoria's cultural, social and economic life, especially in public service, education and the arts. I personally thank the community for its active participation in Victorian society.

This government is committed to supporting our culturally and linguistically diverse communities. We view diversity as one of the state's greatest strengths. With the government's support and encouragement, our diverse communities continue to flourish in Victoria. On behalf of the Victorian government and Premier Bracks, I offer my sincere congratulations to the Ukrainian people on achieving 10 years of independence. I am sure that all Victorians will join me in acknowledging this significant milestone.

McKenzie Street, Wonthaggi: traffic control

Ms DAVIES (Gippsland West) — Tomorrow I will table a petition signed by over 500 citizens of Wonthaggi asking the state government to undertake traffic control measures on the Bass Highway/McKenzie Street thoroughfare in Wonthaggi. Wonthaggi is the main service centre for the Bass Coast area which is experiencing substantial growth in population and visitor numbers.

A significant proportion of the Wonthaggi population lives on either side of McKenzie Street. Large numbers cross McKenzie Street on foot daily to and from schools, the main shopping centre, bus stops, and community recreation facilities. It is a wide street with so much traffic that rarely can pedestrians cross both sides at one time, thus both younger and elderly people are often left precariously in the middle of the road with traffic passing either side of them. The major road coming from Korumburra which intersects with McKenzie Street needs to be reformed and upgraded to prevent now frequent delays and too frequent collisions. I call on the government to take note of the petition of the people of Wonthaggi and act soon to improve a dangerous traffic problem.

Schools: student support services

Mr COOPER (Mornington) — I put on record my concern about the failure of the Bracks government to provide adequate student support services to primary schools in my electorate. The president of the school council of one of my primary schools recently said in a letter:

... the crisis within the provision of SSSO (student support services officers) services to our children and families.

... too few SSSOs are trying to cope with a far too large caseload, with inadequate resources (such as mobile phones or computers and travelling facilities) ...

Within our cluster of schools we currently share the services of a social worker who is employed for 0.5 of a working week. She currently sees children from our school only once a fortnight for very brief visits. Parents and students are frustrated by her part-time status as social issues can occur on

days when no social worker is available. It is not good enough to have to wait long periods for assistance to be provided.

Our school and many others in the region are presently without the services of a speech pathologist. Only urgent cases are being reviewed by outsourced agencies whose caseloads are heavy and cannot really cope with this extra load being placed upon them ... this situation is having a significant negative impact on the needs of our children ...

If this failure by the Bracks government is happening in schools in my electorate there is little doubt it is happening throughout the state. This do-nothing government is doing precious little for primary school students in need of extra care in my electorate.

World Chinese Entrepreneurs Convention

Mr LIM (Clayton) — This morning I returned from attending the sixth World Chinese Entrepreneurs Convention in China. In 1999 the fifth World Chinese Entrepreneurs Convention was held in Melbourne, sponsored and hosted by the Victorian Chinese Chamber of Commerce. This year it is being held in the capital of Jiangsu Province, which has been Victoria's sister province over the past 20 years. As a result of this special relationship I was honoured and treated as an official guest. This time there were more than 4000 delegates from around the globe. I was honoured to be asked to head the Victorian delegation, which numbered more than 40 people. The Australian contingent numbered more than 100.

The World Chinese Entrepreneurs Convention is about networking their strengths through cultural and family ties, business acumen, familiarity and intelligence of the marketplace to consolidate the role of Chinese businessmen throughout the world. I have the pleasure of naming some of the distinguished delegates from Victoria, such as Henry Thai of the Kingbo and Janbo Chinese restaurants; Sam Peng, president of the Pacific group; Lilian Hou, president of the La Corrone group; Barbara Hyland, an accountant; Tommy Wong, chairman of the Victorian Chinese Chamber of Commerce; Phillip Chui, president of the Chinese Fellowship; and David Jin.

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

Country Fire Authority: Barwon Heads

Mr PATERSON (South Barwon) — The Bracks government's commitment to regional Victoria is, as we know, more about smoke and mirrors than reality. The Australian Labor Party has already abandoned the people of Barwon Heads over natural gas connection to the town.

But let us hope the Barwon Heads Country Fire Authority (CFA) brigade does not suffer the same fate. The brigade needs an upgrade of its building. The modifications are important for the efficient running of the station so that equipment can be refurbished after an incident and so that a dedicated office can be provided to secure records and manage the brigade's affairs.

The Barwon Heads CFA unit has raised \$25 000 from the community but needs a further \$25 000 for the project to go ahead. The volunteer brigade, like so many around Victoria, should be congratulated on its commitment to the community, and it is to be hoped the government will recognise that and provide the necessary funds.

This funding application should be considered as a matter of priority. The government should stop just talking about its supposed commitment to regional Victoria and back it up with real action.

Ansett Australia: financial crisis

Mrs MADDIGAN (Essendon) — I express today the concern of residents of my electorate for their fellow residents who work for Ansett Australia. Many people who live in Essendon have worked for Ansett for years — indeed, some who have spoken to me recently were employed there when Reg Ansett still ran the company.

One of the things that angers those people most is the way they feel they have been let down so significantly by the federal government, particularly the Minister for Transport and Regional Services and the Prime Minister. They have expressed to me their great pleasure that the Leader of the Opposition, the Honourable Kim Beazley, was quick to acknowledge concern for the jobs of Victorians and other Australians at Ansett when the federal government, particularly the Minister for Transport and Regional Services, was quite happy to wash its hands of the whole affair.

The employees of Ansett have by and large been very proud of working for Ansett and have been very loyal to that airline over the many years that some of them have worked there. They are certainly very distressed at the way they have seen their airline ruined in the last few months. Some of them now find themselves in significant financial trouble. Many couples living in Essendon who both work for Ansett Australia have suddenly on the one day without any warning found themselves with absolutely no income at all to keep their families going. Young people often have hefty mortgages on their homes and other financial commitments.

For all these people the sudden and unexpected demise of Ansett is a terrible shock that will take them many years to recover from.

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

Stefan Romaniw

Mr KOTSIRAS (Bulleen) — I pay tribute to Mr Stefan Romaniw, the former chairperson of the Victorian Multicultural Commission. Stefan was a hardworking person who spent much energy and time assisting the members of our multicultural community. He was committed and dedicated, and above all he worked for the wellbeing of all Victorians. He worked under both Liberal and Labor governments and earned the respect of both.

The SPEAKER — Order! The honourable member's time has expired, and the time set down for members statements has also expired.

AGRICULTURAL AND VETERINARY CHEMICALS (CONTROL OF USE) (FURTHER AMENDMENT) BILL

Second reading

Debate resumed from 23 August; motion of Mr HAMILTON (Minister for Agriculture).

Mr McARTHUR (Monbulk) — It is a pleasure to respond on behalf of the Liberal Party on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill. I am hoping that at some stage the minister will come in, because we have a couple of questions for him about the drafting of this legislation and about how some of the provisions might actually be enforced. When the minister gets here he will need the advice of the technical officers from the department, who have now arrived. However, the minister seems to have been held up. Perhaps he has been held up in traffic.

Mr Richardson — He might have taken a bait.

Mr McARTHUR — The legislation will reduce the risk of the minister taking an unintended bait.

Mr Trezise interjected.

Mr McARTHUR — The legislation will protect the minister from unintended baits, but I doubt if any legislation can protect him from the intended baiting of government members from other factions who would

happily see the minister gone. However, that is not my wish.

The legislation has three main purposes. Firstly, it will put into place the results of a review of agricultural and veterinary chemicals that has been agreed to at a national level.

Secondly, the bill will improve the operation of the principal act to ensure the safety of agricultural and livestock products that are sold from Victorian farms to customers within Victoria, across Australia and the world. It will ensure that those products pose no harm to the end consumers, wherever they might be, and will preserve the strong and valuable reputation of Victorian agriculture. If our industry is to continue to prosper, it is necessary to preserve that reputation. Those changes are welcome.

The third purpose is to strengthen the enforcement powers and the right of entry of the department's authorised officers. The bill gives them the power to enter premises, including residences, with the permission of the owner. If the owner refuses that permission, those authorised officers will then be able to seek a warrant via the Magistrates Court for entry onto those premises. Once authorised officers have access to those premises there are further powers to allow them to take copies of documents and to use such documents as evidence of an offence under the act.

While all those things are sensible and welcome, I have some questions about a number of drafting issues, which I might take up with the minister — if he arrives. In the meantime, I hope the Minister for Police and Emergency Services is taking a careful note of these things so that he might advise the minister of them. If the minister does not come into the house, we will keep at this all day. I do not mind. As the Minister for Police and Emergency Services can see, there is no clock on, so I can keep going if required. If the minister fails to turn up — —

The ACTING SPEAKER (Mr Lupton) — Order! It would be much appreciated if the honourable member would get onto the bill.

Mr McARTHUR — If I get tired and falter, the honourable member for Swan Hill also has unlimited time to respond. He has had a good deal of experience in agricultural matters and probably has handled a few agricultural and veterinary chemicals in his day. He might have applied them to a few crops, he might have banded a bit of Clout on a few sheep, and I wonder whether he got to the days of Zapp.

Mr Steggall — Both.

Mr McARTHUR — He has used both Clout and Zapp, so he is very much a forward-thinking farmer. He has probably used some of the old arsenical full-immersion dips.

Mr Steggall — We don't talk about that.

Mr McARTHUR — He used them, because he does not want to talk about them anymore. It would have been much easier to deal with these matters if the minister had fronted. We might have to use other options to get these details if we cannot get a response from him in his second-reading summing up.

Mr Maxfield — Stop standing there and lying through your teeth!

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Narracan! If I hear another outburst like that I will have the Speaker in the chamber so fast the honourable member will wonder what struck him!

Mr McARTHUR — The honourable member for Narracan is feeling his oats. I hope they were not contaminated!

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member will get back to the bill and address his remarks through the Chair. The honourable member for Narracan will be quiet.

Mr McARTHUR — The minister has arrived so we can proceed sensibly now. This is a good thing, and perhaps the honourable member for Narracan can finally relax! I welcome the minister. It is good to see him dealing with his legislation. I am pleased he could make it. No doubt he will be able to give us answers to our questions. I was just saying that while we share the minister's aims and ambitions for this legislation — —

Mr Hamilton — I have lots of ambitions!

Mr McARTHUR — You want to move on from the agriculture portfolio, do you? The minister says he has ambitions of moving on!

The aims and intents of the bill are sensible — that is, to further the protection of the agricultural and livestock industries, to ensure proper consumer protection for those who consume the products of our agricultural and livestock industries and to ensure that the reputation of those industries is protected and enhanced wherever possible. We also think there is some need for the minister's authorised officers to have greater powers of entry and powers to take documents and use them in court action if that is necessary to prevent or prosecute

breaches of the legislation. However, I might take up with the minister a few areas where we have one or two concerns.

I ask the minister to turn his attention to clause 9, which has a range of amendments, some of which need further consideration. I raised one of these during the briefing with the departmental officers on this bill, in particular clause 9(2) on page 4 of the bill, which inserts a new subsection 5 in section 19 of the principal act. That clause uses language that can only be described as turgid legalese. I defy most reasonably literate people to read it. It is not even a sentence, and states:

A person must only use a prescribed chemical product, fertiliser or stock food or a chemical product, fertiliser or stock food that contains a prescribed constituent in a particular manner or for particular purposes or in particular circumstances if the label for that chemical product, fertiliser or stock food contains a statement prescribed by the regulations specifying or indicating the chemical product, fertiliser or stock food must only be used in that manner or for those purposes or in those circumstances, unless otherwise authorised by a permit under Schedule 1.

I am glad I now know that. Minister, I hope you can give the house some explanation in clear and plain English as to what that means and what effect it will have, because for most people it is gobbledegook.

Mr Hamilton — Do you realise how bills are drafted?

The ACTING SPEAKER (Mr Lupton) — Order! I appreciate the fact that the honourable member for Monbulk and the Minister for Agriculture like to have private discussions. But if they want a private discussion they should leave the chamber. The honourable member will direct his remarks through the Chair.

Mr McARTHUR — Thank you for your assistance, Mr Acting Speaker. I shall respond to the interjection of the minister, who wanted to know if I know how legislation is drafted by parliamentary counsel. I point out to the minister that it is irrelevant who drafts the legislation, whether it is a private law firm or the Chief Parliamentary Counsel. Those people are not responsible for the legislation. The minister is responsible for the legislation and he needs to explain what it means and how it will operate. I am hoping he will do that shortly.

Other parts of clause 9 also require further explanation. These issues were also raised in the briefing with the minister's officers, and I hope he will be able to expand on them later on.

Those sections deal principally with the application, whether accidentally or otherwise, of an agricultural or veterinary chemical to livestock or produce, and they contain proscriptions on the harvesting and sale of that produce and prescriptions for the notification of the owners of that produce. I would appreciate it if the minister made it clear to the house how those sections will operate, and that he is convinced they will be manageable.

Clause 10 inserts proposed section 21, which deals with the application of agricultural and veterinary chemicals by a third party who is not the owner of the agricultural produce or livestock. Again there are some difficulties in interpreting exactly how this proposed section will work. However, I appreciate the intent of the section, as it is sensible that a third party should not be able to apply a chemical to produce or livestock without the permission of the owner. I would like the minister to assure the house that the way this section is interpreted will be manageable in the field.

I draw the minister's attention to circumstances in which orchardists consign produce to packing houses and to a range of other operations in which produce is pooled by the owners, handled by a third party — whether it be a private corporation, a cooperative or some other body — and then sold on behalf of those owners, in some cases having been treated and in other cases not. Will the minister say whether there will be a manageable system for this written authorisation? Will farmers who own the produce be able to give a blanket authorisation that will last for a substantial time — for the length of the harvest or the length of the season — and cover the whole crop? Those are the things we need information on.

There are also some difficulties in relation to clause 13, which inserts proposed section 41. This section has been described — I think in the minister's second-reading speech, and certainly in the briefing with the departmental officers last week and in the follow-up information received from them since then — as bringing in an objective set of requirements for the agricultural spraying industry to control inadvertent spraying onto other people's stock or other produce. While part of the proposed section is certainly objective, there are other parts that are highly subjective, and it is those subjective parts I would like addressed.

Mr Hamilton interjected.

Mr McARTHUR — It is proposed section 41(1)(b), which states:

which is likely to contaminate any agricultural produce derived from plants or stock outside the target area.

That seems to be quite a subjective test. We have had a brief outline from the minister's staff about that, but it still does not completely satisfy the questions we have raised. The house needs to be advised how that test will be applied. Are we talking about the balance of probabilities here or are we talking about a certain percentage? I ask the minister to say how it will work. A range of issues like that need to be made clear to people in the industry if they are to comply with what I think are some sensible intentions. No-one would want agricultural spraying to drift onto other people's property and crops.

Mr Steggall — It is against the law.

Mr McARTHUR — It has been against the law for many, many years, and some successful prosecutions have been launched over the years. I think we would all agree, as the honourable member for Swan Hill has pointed out, about the need for sensible and effective rules to ensure there are no cowboys operating out there in the industry and that no-one can either intentionally or unintentionally damage someone else's products. The rules need to be clear and the tests need to be clear; and the application of those tests by the minister's departmental officers needs to be clear and understandable to the people in the agricultural industries. In many cases the people doing the agricultural spraying will be farm workers or contractors' staff, and in some cases the work will be done by aviation spray companies, so they will be aerial contractors. Not many of them will be lawyers or have tertiary qualifications, so the rules need to be clear and understandable to the people responsible for applying the chemicals.

If the minister can respond on those matters it will be of great assistance. The opposition does not intend to hold up the legislation or amend it in any way, but it would appreciate some responses on those matters. The intent of the legislation is supported, and we agree with its aims and objectives. However, the opposition is not certain that the minister has kicked any goals yet, and it would like to help him a little with that, if it can.

Mr Hamilton interjected.

Mr McARTHUR — It gets a bit blustery out there, and the spray drifts every now and then. The minister may get a bit of agricultural spray drift if he is not careful with the wording. Hopefully he can provide a clear and concise answer to these issues. If not, the opposition might pursue the matter further during the

debate. In the meantime, I commend the bill to the house.

Mr STEGGALL (Swan Hill) — It is with pleasure that I join this debate. I am surprised I am speaking so early. However, this is one of those pieces of legislation that everyone agrees with and hopes will do what it sets out to do.

As the minister has said, the bill aims to protect Victoria's reputation for producing clean, safe food — an aim we all share and have done a lot of work over the years to try to achieve. Its purpose is to ensure that the use of agricultural and veterinary chemicals does not lead to the contamination of produce and stock, damage the environment, harm users, impact adversely on public health and safety, or generate financial losses from misuse. The bill implements the nationally agreed recommendations of the 1999 review of the legislation. It also has technical words and other bits and pieces which, as the minister has said, parliamentary counsel have delivered to him.

The issues that arise in dealing with this subject are many. The bill sets out to tackle them in a way that underpins the national registration scheme, which defines acceptable chemical product use in Australia and requires all chemicals to be labelled with product descriptions and instructions for use. The bill also extends the provisions that provide for compliance with specific statements on the labels and clarifies other bits and pieces. Having been a farmer who did not always read labels as closely as the farmers of today read them — —

Mr Hamilton — Which is a real change.

Mr STEGGALL — It is a real change, yes. I must admit that I come from a time when we did not deal with the chemicals we used, many of which were deadly, in the manner we should have. It may be that chemical misuse in my young days as a farmer which has given me problems in later life.

I admire the young farmers of today, and the older farmers of today particularly, who have learned to respect chemical use. When I think back to my days with the amine sprays I remember that we would fill up the spray tanks and then roll cigarettes — without using gloves.

Mr Maughan — Arsenic sheep dips.

Mr STEGGALL — Yes, we had arsenic sheep dips — and we lived in it all day.

An Honourable Member — You couldn't have; you are still alive.

Mr STEGGALL — We really have come a long way. Now, of course, we have sprays. Trifluorine sprays were just new in my day, and we really did not appreciate the importance of time limits on their incorporation. For reasons which are now apparent, they need to be incorporated quickly.

Since those days our farmers, particularly in the Swan Hill area, have learnt by misadventure and to their expense about the misuse of sprays, especially as it involves spray drift. As the horticultural areas have moved we have had and still have problems in some areas with identifying where the chemicals have come from. Under certain circumstances some chemicals can travel long distances. We overcame that by banning the use of sprays after about the middle of August. After that time those sprays will not be available in my area. That means we will not have crossover problems with our horticultural developments.

The bill also prevents plant chemicals from being inappropriately used on animals, and vice versa. I am amazed that that provision should need to be written and put into law. The legislation says you cannot use a plant chemical on an animal or an animal chemical on a plant. I appreciate that people use some chemicals inappropriately and take short cuts that achieve what they never set out to achieve in the first place, but that causes problems.

Mr Delahunty — It stops your hair growing.

Mr STEGGALL — We have all had those problems!

Mr Mulder interjected.

Mr STEGGALL — The honourable member for Polwarth raises an issue that many of us have had trouble with, when we have actually harmed our pets through the misuse of chemicals. This generation is better at it than we were in our prime. The bill limits veterinarians in their use of unapproved chemicals. It is strange that the government finds it necessary to include that provision, but obviously it is needed.

The bill also strengthens controls over agricultural spraying, especially in relation to chemical drift. I make it perfectly clear so that everyone understands it that this is not new: it has always been illegal, and it has always been a problem. The bill will strengthen and make clear the responsibilities that already exist.

The bill also extends controls over contaminated produce, fertiliser and stockfeed. It extends the powers of authorised officers. The lawyers may have something to say about that, because people are usually amazed at the sorts of powers Parliament has given authorised officers in the pursuit of their duties. The powers that have been extended to authorised officers across the whole agricultural scene are quite phenomenal. It can only work if it is done in good faith. If somebody abuses that power, the system will quickly come crashing down on everybody.

That is a responsibility that officers of the Department of Natural Resources and Environment must be aware of, and in most parts of Victoria they are very aware of their responsibilities. They are probably some of the best of the bureaucrats who work with the population daily.

Mr Hamilton interjected.

Mr STEGGALL — Yes. The bill, as always, allows fees collected under the legislation to be used for the administration of the legislation. The minister has slipped something of a mini-tax into the bill.

Mr Hamilton interjected.

Mr STEGGALL — I suppose you had better! It is true; the Minister for Agriculture has allowed the imposition of fees and charges on certain persons to pay for the operation of the act. That provision is not always understood, but it is contained in quite a bit of Victorian legislation.

The second-reading speech talks about the Naturally Victoria operation, which is an extension of Food Victoria, which was established by the previous government. I hope that through the work done by that program and the continuing work through the Naturally Victoria program people will understand and appreciate the need to have safe food in our export markets.

This week is small beer compared with what we went through last week. I must admit I did not have my mind set on having the debate on this bill so early. There were other things on our minds, and the issues of the world seem far more important than those here.

An honourable member interjected.

Mr STEGGALL — It does not stop. I hope the events of last week will not have too much impact on the trade in which we play a vital part in the world. If it does not have a great impact, the work we have been doing over the years in safe food production will continue to be of great benefit to our society. We

should go forward and treat this bill as if that is going to happen so that the standards in food safety that the world is working towards are accepted and used. Many places, including our major world markets, will only take food products from Australia because they are of a certain quality assurance level and guaranteed as much as they can be through the system. They are certainly traceable products for the markets of Europe and Asia and to a lesser extent the United States of America.

It was our intention, and it still is the intention of this government, to develop our food industry along those lines. This bill is a small but important part of that. With the challenges we have around the world, such as food-and-mouth disease, bovine spongiform encephalopathy or BSE, fire blight and other diseases, we must be careful as we set out to put in place controls to make sure we do not damage our food operations and, importantly, make sure that our farmers understand the proper handling of chemicals.

Next week we will probably be debating the Gene Technology Bill, which concerns the cutting back of the use of chemicals in food production around the world. As a society we are taking some rather large steps with regard to the management and operation of chemicals. The critical aspects of crop management, pest control management, nutrient management for plants and soil management are necessary to get a sustainable production system going. This bill covers nearly all aspects of that and puts in place a set of rules by which we will apply agricultural chemicals and veterinary chemicals in those production areas.

The National Party supports this bill. We hope its details are clarified. The honourable member for Monbulk perhaps flippantly raised some very important aspects of this legislation and our understanding of it. I look forward to hearing the minister's response to the issues the honourable member raised. If we do not have legislation that is simple to understand so people can relate to it, it will fail. I do not think any of us want that to happen. I support the queries and questions raised by the honourable member for Monbulk and trust that the minister will be able to help us to understand the legislation. A few years ago we tried to put our legislation into plain English; that was the big go. This bill is written in plain English, but our problem is that we are having difficulties understanding it! Anyway, the bill is here and the National Party supports the issues it is set to target, as does the industry. The people I have spoken to about the legislation do not have any problems with it.

I understand that the bill is complementary to legislation in the other states, so that we are getting a

better understanding. As someone who comes from the border — —

Mr Hamilton — Agriculture doesn't know any borders.

Mr STEGGALL — I hope you are right, Minister.

Mr Delahunty — Are you talking about the dairy industry?

Mr STEGGALL — No, the minister is not talking about the dairy industry. He does understand that there are borders in agriculture, and if he comes to live at Swan Hill for a while he will find out that that is so.

I understand that similar legislation on agricultural and veterinary chemicals will be adopted in other states and that the Minister for Agriculture and other ministers throughout Australia have been trying to get a uniform approach so that the industry and those conducting our farming operations will be able to more easily understand the requirements.

When he responds I would like the minister to explain to me the interaction between this legislation and the Environment Protection Authority (EPA) Act. I am sure he will be only too pleased to do that.

Our acts of Parliament that set out to achieve these types of things are important. When two acts cross over into the same areas, it is only fair that they are explained to the house. I do not have a great problem with it, because I do lack some understanding of how each piece of legislation will react with the other. As this bill has come a long time after the EPA act and my understanding of the law is that the last act passed by the Parliament takes precedence, I will be very interested to hear the minister's comments on the interaction between this bill and the EPA act. I commend the bill to the house.

Mr HOWARD (Ballarat East) — I am very pleased to speak on this bill about agricultural and veterinary chemicals. This bill demonstrates that this government treats very seriously the issue of the use of chemicals in the agricultural field by either producers or those dealing with produce once it is off the farm.

As honourable members have heard from the honourable member for Swan Hill and as we are all aware, in the past 50 years there has been a significant change in the philosophy under which agricultural chemicals have been used. Forty or 50 years ago chemicals were considered a great new addition to the series of weapons that agricultural practitioners could use. They were able to use those chemicals extensively

to deal with pests, weeds and diseases that may have affected their plants or stock.

In the years that have followed we have seen that there have been very serious negative effects as a result of using chemicals, either because the chemicals the effects of which were not clearly understood have flowed up the food chain and have killed off many non-target species or, more recently, because we have been very much aware of how those chemicals can affect those who consume the produce or those who are dealing with the produce. We have seen many people affected by the intake of chemicals and we are perhaps still not aware of the ongoing dangers that the use of those chemicals may present to human populations in the future.

So it is very appropriate that this very good Minister for Agriculture has seen the need to introduce further legislation which tightens up the use of agricultural chemicals to again send that message. Those who are using chemicals need to know what chemicals they are using and in what circumstances it may be considered appropriate to use them.

The proposals in the legislation relate to six major areas. All these aspects of the bill line up with the national registration scheme and have been developed initially in consultation with the federal minister and other state governments to ensure that, as a nation, we are dealing with the issues in a consistent manner.

The six areas that have been further strengthened as a result of this legislation relate to enforcement provisions to prevent contamination of agricultural commodities. The provisions place great responsibilities on the sellers of agricultural produce to inform buyers of situations of noncompliance that may take place when produce changes hands. They also help to increase the knowledge of chemical use by people further along the chain — from those selling the chemicals to those who are holding agricultural produce until it has been sold — so that people are aware of what chemicals may have been involved along that chain. Therefore this legislation also ensures that if chemicals are used on agricultural produce that is being held in storage on behalf of the owner, the owner is aware of any chemicals that may have been utilised either to help store those products or to deal with potential pest problems that may arise in the storage of such produce.

As the honourable member for Swan Hill has pointed out — and you would not believe it was necessary to do so — we had to specify within the legislation that agricultural chemicals that are designated for plant use

should not be used on animals and vice versa. Although such incidents would not happen on regular occasions, unfortunately there have been examples of chemical misuse, so we are tightening up the legislation to make it illegal for such things to happen.

One significant area of this legislation relates to agricultural spraying. The legislation strengthens the controls under which spraying takes place so as to avoid off-target spraying. This is clearly an ongoing issue which has been of concern for many years, and there are provisions within the Environment Protection Act that recognise its seriousness. For example, the bill requires pilots to have appropriate qualifications so that they know what chemicals they are using, that they are clear about all of the issues that may cause chemical drift to take place and to ensure they take appropriate action to avoid its drift onto off-target areas.

We have seen many legal battles take place concerning the drift of chemical sprays. Recently in Ballarat we saw examples of chemicals drifting over the city and affecting many of our street trees, which have been seen as a significant tourist attraction and are considered to be one of the ambience factors in the area. That certainly brought home the issue of chemical spray drift to the people of Ballarat, because it was the reason many of our elm trees were becoming defoliated. This is something that we have picked up on and tightened in this legislation.

We have also extended penalties within the legislation in a number of areas related to third parties who may provide misleading information to those applying chemicals. Again we have required people who are providing chemicals and who are along the chain of use to ensure that they provide the most up-to-date and correct information on the effects of those chemicals and how they should be used. As I have said, there are penalties in place for people who provide misleading information about how those chemicals should be used.

The last part of the legislation increases controls regarding the sale, transport and holding of contaminated agricultural produce so that the cycle can be followed from where those products originated — whether they be stockfeed or whatever produce — and it can be seen where they have become contaminated and how they can be appropriately dealt with.

This has been done for a number of reasons. As I said earlier, one reason is to ensure the government complies with the national registration scheme standards developed during discussions between state ministers and the federal minister. The government is impressing on those in the agricultural community to

better understand chemicals and adhere to the standards. This is being done because we recognise in Victoria the great benefits to be had by ensuring as much as possible that our produce is promoted and sold as clean and green. Victoria's marketing program entitled Naturally Green recognises that we have great opportunities in comparison to the rest of the world by using less chemicals and that there are great opportunities within the organic agricultural industry. Victoria needs to build on those advantages to increase its export potential as well as ensuring that domestic consumers of agricultural produce are confident the produce they purchase is safe and healthy for consumers because it is produced with fewer chemicals or even no agricultural chemicals being used.

The ongoing work being done to tighten regulations and consult with the industry regarding the use of agricultural chemicals and examining alternatives where ever possible will further help to promote our state to ensure we build export markets, which have improved recently. Many producers are taking up these opportunities and we need to ensure that Victoria's export potential continues to grow.

The other point I make about the legislation is that as with all legislation the government puts forward it has been developed in consultation with the practitioners involved in the industry. The honourable member for Monbulk asked about the way the legislation will be applied in practice. The issues he raised have been discussed with those involved in the industry and we can be confident that the way the legislation will be dealt with in practice will be to recognise the realities on which the industry operates.

I am pleased that the government has provided full opportunities for members of the opposition to be informed about the legislation. They have received detailed answers to their questions. I hope we will see those questions and answers reflected in the comments opposition members make in their contributions to the debate.

I am pleased that both parties opposite support the legislation because it is moving in the right direction in tightening up the use of agricultural chemicals. I am pleased to commend the legislation to the house.

Mr MULDER (Polwarth) — I am pleased to speak on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill because I have some interest in it. In my previous life I held a herbicide licence and was a herbicide operator for a period. Although I was involved in commercial work but not agricultural spraying a lot of the work and sites we

looked after were in agricultural areas, so I had to be mindful that spray drift or chemicals did not contaminate pastures or that they were not used in areas where animals grazed.

The use of agricultural chemicals for the control of disease and pests is important. We concentrate more on the use of chemicals for the improvement of crops. The seat of Polwarth takes in a great chunk of south-west Victoria. That area is one of Victoria's strongest producers of agricultural products. The use of chemicals for crop, weed and pest control is significant. Thousands of hectares are sprayed on an annual basis, and it is very rare that there is a problem with spray drift, but as soon as the person in the street hears about agricultural chemicals and spray drift, it becomes an emotive issue.

Overall, farmers and agricultural operators in general behave in a responsible manner. Through my operation of a herbicide business I know the amount of detailed documentation that has had to be completed and held for clients, such as maps of the sites where we were going to use chemical sprays and weather and wind conditions on the day. Whichever direction the wind was blowing had to be recorded, as did the date and time of day the chemical was used. Honourable members may not be aware of the issue of the time of day, but at certain times of the year there are conditions in hot periods when, if the morning is cool, a passageway is created about a metre above the ground that leads to drift going anywhere up to 4 or 5 kilometres. Actual conditions under which sprays are used play an important role in the protection of the surrounding non-target areas.

We have significant problems in rural Victoria with weed control, including the spread of serrated tussock in the north-east of my electorate. I have written to the minister about this matter and issues involving powerline owners and tower owners for the major lines that go through south-western Victoria. Farmers in my area have been experiencing problems because contractors working on the lines have been moving from property to property without following the proper procedures for the washdown of their vehicles. Generally there is not a true understanding of the risks posed to farmers when the contractors carry out these activities, not only with serrated tussock but also with ovine Johne's disease. I spent 12 months on the ovine Johne's disease inquiry and I have seen the pain and suffering people went through. There is also the issue of footrot and concern that if there were a foot-and-mouth outbreak the contractors could be sleepers in the risks they pose to farmers.

I have written to both the owners of the towers and the owners of the lines expressing concern. I am thankful for their response. They have come to the party with proper signage at gates indicating washdown areas and are fully instructing their contractors about the dangers, because they are putting farmers at risk. The owners seem willing to come to the party and address the issue, which is a major concern in my electorate.

I have written to the Minister for Agriculture, but the issue will also run across the portfolios of the Minister for Environment and Conservation and the Minister for Energy and Resources. It will require the cooperation of all three ministers to get the matter resolved and put proper procedures in place to protect farmers from this threat.

The bill also addresses the issue of aerial spraying, particularly in my electorate. There was an unfortunate incident in the region some time ago when a pilot working for an aerial spraying company acted on information from an agronomist. The pilot sprayed a particular crop alongside a crop that was identified as canola, although it turned out not to be canola. A bit of spray drift got onto that crop and caused a problem. Because the pilot held an aerial spraying business licence he was prosecuted, not the business he worked for. He acted on the best information he had to carry out the work, and it seemed to be quite unfair that he was treated in the manner in which he was. I note that the bill allows a pilot to work for a company which has an aerial spraying business licence and the pilot need not have the licence.

I hope that particular clause will address the problems associated with the pilot who lives in my area and the trauma he was put through as a result of the off-target drift that caused issues for him.

We have to be diligent in the protection of our clean, green image. We have seen the devastation caused overseas, and I am supportive of any legislation that protects our reputation as a supplier and producer of good clean food for the rest of the world. Having worked in this industry I have some difficulty understanding the implementation process of some of the provisions. I will raise with the minister at a later time my concerns about the practicality of how different clauses will work on the ground. Despite those concerns, I commend the bill to the house.

Mr TREZISE (Geelong) — I support the bill. In so doing I do not profess to have the background or experience of the honourable member for Swan Hill, or the extensive experience of the honourable member for Polwarth. I am not into myxomatosis either!

This is not just a rural-based bill because the bill's objectives are to tighten and strengthen the control and use of agricultural and veterinary chemicals across the state. This is important to farmers, to people such as myself who are consumers, and to this state. The Bracks government is seeking to increase Victoria's agricultural exports, and in so doing it is important that our agricultural industry is served by an effective system of controls when it comes to chemical use. Without effective control of chemical use there is the ever-lurking hazard of contamination, whether of produce or stock. Therefore it is vital not only that we have this bill in place but also that we improve upon the original legislation and acts such as the Agricultural and Veterinary Chemical (Control of Use) Act, and this is what the bill before us today will do.

As we have said on numerous occasions, consultation is important to this government. From what I can see, there has been extensive consultation on the drafting of the bill. Primarily the Victorian Agricultural Chemicals Advisory Committee has had significant input into the bill, and importantly the committee represents a broad cross-section of participants within the agricultural industry. Its members comprise chemical manufacturers, chemical users, primary producers, aerial spray contractors, consumers, conservation groups and local government. Honourable members can see that the committee has a wide range of experience, and it has had extensive consultation and input into the bill.

The control of chemicals in our agricultural industry is essentially conducted under the national registration scheme for agricultural and veterinary chemicals. It is operated in cooperation with the Victorian and commonwealth governments and provides for uniform assessment and approval across the nation. The bill we are debating today will combine with federal legislation and the national registration scheme to control how chemicals are used in our agricultural industry.

The bill provides some key and important amendments to the current legislation. It firstly tightens up and strengthens legislation to ensure compliance with mandatory labelling requirements for chemicals. This is important to ensure that users are complying with the labels attached to the chemicals. It goes without saying that there is a potential for contamination if the labelling requirements are not met or, in some cases, and I would think not many cases, they are being flouted.

Another key control introduced by this legislation is aimed at ensuring that sellers of stock or produce notify buyers of noncompliance within specific withholding

periods. This will ensure that any buyer is made aware that the produce or stock he or she is buying was treated with chemicals during the designated withholding periods. That is an important procedure within industry — one aimed at ensuring that we have controls on the use of our chemicals.

I also note, as was alluded to by the honourable member for Polwarth, that the controls on agricultural spraying have been tightened. This is to minimise the risk of drift onto neighbouring crops or stock. I do not pretend to have any experience in this field, but I can well imagine the disaster for a neighbouring crop or stock if spray drift took place. I would imagine that the risk of that is greater with aerial spraying.

This bill is important. It is important not only to the agricultural industry but also to consumers. It is important to the economic future of our state. It is important to the agricultural industry and to our export industry, and I therefore support it.

Mr VOGELS (Warrnambool) — I support the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill, but I have a few concerns about it. We all agree that agricultural and veterinary chemicals need to be used in a way that does not lead to contamination of agricultural produce and stock or to financial losses resulting from damage to plants or stock. We also need controls on the use of agricultural and veterinary chemical products to protect the environment, public health, the safety of chemical users and the health and welfare of animals. I can remember as a young fellow holding up an old bag as the pilot was spraying the crops. He lined you up, and not only were the crops sprayed but so were you and anything else that got in the way. Thank God we have come a long way since then. I have no doubt that those chemicals brought me here — I have gone a bit mad since then and that probably has something to do with it!

I support the Bracks government's commitment to protecting Victoria's reputation for producing clean and green food and maintaining the promise of \$12 billion worth of food exports by 2010, but let us look at what really happens out there in rural Victoria, on the ground and on our farms. Over the weekend I had a good look around my own farm, and the array of agricultural and veterinary chemicals we are using is absolutely mind boggling.

At this time of the year most dairy farmers are starting to prepare the ground for summer crops and they are locking up paddocks for hay and silage. It must be said that with the application of chemicals such as Roundup

we are achieving significant increases in our crops. We kill the grass and weeds before we plough so they are not there to prevent the crops establishing themselves. It works very well. We spray our pastures at this time of the year for red-legged earthmite and lucerne flea to stop the damage they do and leave the pastures for extra milk production.

When our turnip and rape crops start to grow in the summer we seem to be continually spraying them with insecticides; otherwise the moths, grubs and caterpillars have a feast before the cows even get there. During summer and autumn we need to poison the field crickets as well as black and red-headed cockchafer, which some members would be familiar with. Most of this insecticide and agricultural spray is applied with either boom sprays, which in my area range between 20 feet and 50 feet, or by aerial spraying.

I cannot overemphasise the importance of education and the need for well set-out instructions on labels of the chemicals to be used. The instructions need to be in plain English so that you do not have to be a scientist to understand them. Sometimes it is very difficult when you get a can of some sort of chemical and it is impossible to work out how to mix it unless you have a maths degree. So the instructions need to be in plain English.

The labels need to explain the strength of the mixture required to protect the crop and any native plants and non-target plants, as well as wildlife, fish and the environment generally. They need to include storage, disposal and safety directions and information on how to administer first aid if people inadvertently spill the chemical on themselves — or worse still, if a child happens to consume some of the chemical.

The other side of our farming operation deals with veterinary chemicals. Cows and calves need regular drenching for parasites. We vaccinate our calves with '7 in 1', which controls blackleg tetanus, leptospirosis, pulpy kidney and many other diseases that can kill animals. We use penicillin for footrot and mastitis, and other drugs for retained afterbirth and so on.

The message I am trying to portray is that with today's modern farming practices, and taking into consideration the average age of farmers, we need to make sure that the manufacturers of agricultural chemicals and veterinarians understand the need for clear labelling on products and proper guidelines on how each product should be used.

There is no doubt that productivity has significantly increased because of the use of chemicals. There is no

need to be afraid of them, provided they are used correctly. However, records need to be kept so that we have a trace-back system. In the past the record keeping of farmers has not been good. I have often cited examples of data etched on farm shed walls, in pocket books or on bits of paper, which usually do not have a long life span. They often end up in the washing machine because you go home and forget to take the book out of your pocket. Over the years I have had many arguments with my wife, saying, 'Why did you wash those work pants without taking the notes out?'. But it is clear where the stupidity lies!

We need to achieve these goals with our chemical manufacturers, veterinarians and farmers all understanding the importance of our reputation for being clean and green. We also need legislation that clearly sets out who is responsible if the act is contravened. Clause 20 inserts proposed section 54A, which deals with powers of entry and inspection. The provisions are of concern and need to be clarified, because the proposed section could lead to litigation. If the contractor is responsible, is it the owner of the plane or the pilot, or the tractor owner or the driver? As the honourable member for Polwarth said previously, in a rural setting the occupier of the farm can be the owner, a sharefarmer, the property manager, an employee, a lessee or an apprentice — or in some cases, all of the above.

I am reminded of the story of a union representative arriving on a farm. He approached a bedraggled looking person and said, 'I'm here to investigate a report that someone on this property is fully employed for seven days a week for no pay. You must be him'. The farmer replied, 'You are right about the wages and the conditions, mate — that's me. I own the place, but at the moment my farm worker is on the Gold Coast using up his frequent flyer points'. They have probably gone as well!

In conclusion, it is essential to have uniformity in the regulation and registration of agricultural and veterinary chemicals in Australia. This bill will implement nationally agreed recommendations from the 1999 review of the legislation. Therefore I do not oppose it.

Mr MAXFIELD (Narracan) — It gives me pleasure to speak on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill. Certainly the issue of chemicals in our farming communities is something we must take very seriously. At the commencement of the debate it was disappointing to listen to the shadow Minister for Agriculture, the honourable member for Monbulk, who did not take the matter seriously and indicated that it was probably a

struggle to even read the bill, let alone significantly research it prior to speaking. The honourable member started waffling on about whether the minister was here or there and made up some rather strange stories about probably the best Minister for Agriculture the house has seen for many years.

Mr Perton interjected.

The ACTING SPEAKER (Mrs Peulich) — Order! I ask the shadow minister for conservation, environment and everything else to cease interjecting.

Mr MAXFIELD — Unfortunately the problem is that honourable members opposite, faced with the inability to say anything of substance, can do no better than yell out abuse from the other side of the chamber rather than trying to engage in sensible debate on what can only be described as a pretty serious issue — the issue of chemicals within our farming community. As somebody who has lived in the rural community his entire life, I certainly worked in the dairy industry for over 10 years, unlike, for example, some of the members opposite.

It is a very sad indictment of the Liberal Party that when they look at the standard of their members of Parliament in rural Victoria they are unable to find one capable of being a shadow agriculture minister. They have to go to the city to find a shadow agriculture minister! Why? Either because they show total and utter disregard for rural Victoria or they are unable to put up people of talent in rural areas, which is totally different to the situation in the Labor Party — the standard of our backbenchers in rural Victoria is absolutely outstanding! I look, for example, at the honourable member for Seymour — a man of immense talent and capabilities. I look across the sweep of the regional seats that we hold and see some incredibly talented — —

Mr McArthur — On a point of order, Madam Acting Speaker, I have been sorely abused on this contribution by the honourable member for Narracan. To save him from continuing to mislead the house, can I advise him that I was born at Hattah, spent the first 40 years of my life growing up in the country, managed rural properties, was an agricultural contractor and shifted to the city only in recent times.

The ACTING SPEAKER (Mrs Peulich) — Order! There is no point of order, as the honourable member would well know, and he is using that as a spurious point of order to justify certain matters that have been laid before this house. However, I would like to remind the honourable member for Narracan that he

is straying somewhat from the contents of the bill, and I ask him to return to it.

Mr MAXFIELD — Certainly it is a shame that the shadow Minister for Agriculture has abandoned rural Victoria for the city, but that is probably typical of the Liberal Party as a whole. However, I will ensure that I keep my comments closely tied around the bill, even though the debate at times does spread fairly widely. Certainly this legislation before the house is a credit to our tremendous Minister for Agriculture, who has such a fine understanding of his portfolio and quite clearly has performed in a manner which can only be described — —

Mr Mulder — On a point of order, Acting Speaker, on a matter of relevance, I know it is quite appropriate that the honourable member for Narracan should be speaking on a bill associated with grubs and pests, but I ask you to bring him back to the bill.

The ACTING SPEAKER (Mrs Peulich) — Order! There is no point of order. I remind the honourable member for Narracan, however, that he is straying from the contents of the bill. I ask him to return to it.

Mr MAXFIELD — This bill is one which I believe we have to take very seriously. The issue of chemicals within our rural and farming community is something that in the past we have probably not given due credence to. I know from somebody who is involved in rural life that some of our older farmers who have perhaps not used protective gear have not really fully understood the risks that they have taken. In years gone by there was perhaps a belief that these chemicals were safer than they have now turned out to be. Proper use of chemicals and the activities around the spraying of those chemicals can certainly provide a great benefit to our community and a great benefit to people in the farming community who use them, but we have to be aware of some of the dangers. In my own area, sadly, a school in the rural community of Nayook a number of years ago got sprayed by a crop-duster, which necessitated the children being taken out of that school, tanks being cleaned out and roofs washed down. That was during an era that we are now, fortunately, moving away from. We should not be exposing our rural farm workers, but also families, including children, who work, live and play in our rural environments need to be given a level of protection that can be second to none.

We also have to get on to the issue of the products we are producing. Victoria has a proud reputation for being a clean, green producer of rural products. That

reputation has been gained over a number of years but will only remain if we continue to be at the forefront of the proper use of chemicals, because as we all know the proper use of chemicals is something we need. As somebody with a small acreage — —

Mr Perton interjected.

Mr MAXFIELD — I will ignore the interjection. I am sure I have more cows in my paddock than you have in yours!

The ACTING SPEAKER (Mrs Peulich) — Order! The shadow minister for conservation and environment should resist interjecting, as appealing as it might be, and the honourable member for Narracan should ignore the interjections of honourable members opposite.

Mr MAXFIELD — I will certainly try to ignore the interjections when the shadow minister for conservation and environment says he has kangaroos loose in his top paddock. I will certainly disregard those sorts of comments. They should not be made by him.

In regard to farming practices, I know when you put on the mask, the goggles and the rubber gloves when dealing with chemicals you need to be aware of and alert to the risks posed to you and your family. I have been aware of many people in the past few years who have had health problems, and although those health problems cannot be traced back to the use of chemicals there is a big question mark raised. Although there may be some humour in our debate, there is a serious underlying issue of the health and safety of members of our rural communities.

The reputation of our products internationally and nationally, as well as within the state, is very important. The consumers of our agricultural products need to feel confident when they consume the wonderful products of this state — and certainly those of Gippsland, with our fine reputation as the best dairying area in Australia — as well as those from a range of other areas. Those who have enjoyed the wonderful spud would realise that Thorpdale produces the best potatoes in Australia. Proper use of chemicals in those environments will deliver to our customers and the consumers of our products not only wellbeing through having clean and green foods, but also the knowledge that they are getting the best possible care in the production of their foods.

Looking through the bill, it is great to see a bill that has been thoroughly prepared — —

Mr Smith — You are reading it upside down.

Mr MAXFIELD — I would like to comment that the honourable member opposite might be able to read upside down, but I have tried it and find it rather difficult. Then again, they live in an upside down world over on the other side. I would hate to allow the debate to deteriorate, so I will begin to ignore the rather sad interjections from those opposite, who cannot tell which way is up.

Clause 13, for example, inserts proposed section 41, which creates an offence of undertaking agricultural spraying which leads to the contamination of stock or agricultural produce derived from plants outside the target area. This encapsulates the sorts of issues in the bill that I have been speaking about.

Education is something we have to be aware of. It is easy for us to vote and pass the bill in the house. However, we have to be aware of the need to engage in the appropriate education so that those in the community are aware of their responsibilities. In a lot of cases people are keen to do the right thing, and we obviously have an obligation to ensure those sort of activities are conducted.

Clause 14 addresses the issues of aerial spraying and licensing. The bill proposes to establish a licensing regime which will be easy for the operators to comply with and recognises also the needs of the sprayers. We have to be aware — and the bill takes this into account — that when you put together a bill you have to ensure that people can comply with it in a sensible and easy manner.

If you make a bill too hard and people have trouble interpreting it, that can cause some concerns about how we apply it. I congratulate the Minister for Agriculture on the way he and his department have constructed the bill. As I read through it I recognise that it has been well thought out.

The government has not considered the issues covered by the bill in isolation to the rest of the country. In 1999 there was a nationally agreed recommendation, and this bill is an outcome of an agreed desire across Australia that when people travel interstate they will not have to change to a lot of dramatically different circumstances. Uniformity around Australia is something that we should all be striving to achieve because it makes it so much better for people who are working interstate. Also, where companies are crossing borders it can be difficult for a rural community to be asked to try to keep up to date with a range of different rules, regulations and specifications — for example, just because they happened to have crossed the Murray River. We have to be alert to the national implications

of our bills. This bill takes into account the needs of our nation as a whole.

When people buy agricultural products from overseas they do not necessarily say, 'I'm buying this product from Warragul. Gosh, Warragul's the best place in Australia for agricultural products'. They tend to view it more as having bought an Australian product. Obviously we need to continue to brand Victoria and brand districts, say, Gippsland, in my electorate of Narracan. We have to be aware of the fact that our international reputation is at stake with our practices of chemical use because if there is a default or a breakdown in standards in one state then a country as a whole may simply say that for a while it will not accept products from anywhere within that country.

On a slightly different issue, we are acutely aware of the problems that arose in England with foot-and-mouth disease, where they did not try to specify the disease within one area or another. As soon as we had heard that the disease had broken out in England, a blanket ban was immediately thrown over the whole country. When the disease spread to Europe a blanket ban was thrown across a range of companies and products that came into countries, including Australia.

If we were to have a breakdown in standards or a problem overseas with one of our products, even somebody in a completely different field of agriculture or part of Australia could suddenly find the negative effects coming across and hurting them. National agreed standards and outcomes are serious issues and we have to ensure that we are all on our guard because we cannot afford to have other countries, even temporarily, put a ban on a particular agricultural product coming from our country because the risks are quite serious to all producers across Australia.

I have tried to briefly go through some minor points in the bill and touch on the important issues. Chemicals enhance our rural life and our ability to produce clean and green products. I commend this bill to the house because it indicates the sorts of views that this government believes in. It is pleasing to see that the opposition and the National Party have made a decision to support the bill. We need to send a message out to the community that we all support the bill, its aims and aspirations, which we are trying to achieve.

Mr PLOWMAN (Benambra) — The contribution from the honourable member for Narracan beggars belief. I suggest the reason he was criticising the shadow Minister for Agriculture was because of the sparse number of government members experienced in

agriculture. To suggest that the shadow Minister for Agriculture is one of the lesser experienced members is beyond my understanding. The honourable member for Narracan's protest made it appear that he doted too much. When praising the current minister we would all agree that he is a friend to us all, but to suggest that he might be the greatest Minister for Agriculture we have ever seen is again beyond my understanding.

The classic was when the honourable member for Narracan turned the bill upside down to get a better reading of it. I suggest that must have been done when he was trying to understand clause 9(2), which inserts in section 19 proposed subsection (5), which is a paragraph of 100 words without a full stop. I suggest that anybody, in particular the honourable member for Narracan, would have much difficulty in understanding it.

An Honourable Member — Maybe he had a hand in it!

Mr PLOWMAN — That is a good point, maybe he had a hand in writing it, and maybe I underestimated the member's capacity for coming up with gobbledegook.

I thank the Minister for Agriculture for the briefing we received, and I thank the minister's staff for their detailed response to our questions. One of the questions was whether proposed section 19(5) could have been rewritten. As the honourable member for Narracan rightly said, legislation must be understandable. Anybody wanting to get a handle on that provision would have to have a legal interpretation of it, particularly if it were to go before a court. That is not good enough. If people are to be required to commit to the bill as presented to the house, then those who could be taken to court for not complying with it should be able to understand it in clear English.

The fact that the proposed subsection has almost 100 words without a full stop is not good enough. I understand the difficulty in parliamentary counsel coming to terms with some of the requirements in a bill, but it is equally important that those who have to comply with the bill understand it. The honourable member for Warrnambool suggested that there should be clear labelling, with which I agree, but if there is to be clear labelling there should be clear legislation.

No-one doubts the justification for the bill, which the opposition supports, and we applaud the minister for introducing it. It not only introduces a greater level of safety for those in the community who use agricultural products or products produced as a result of the

processing of agricultural products, it also aids in protecting our environment. Undoubtedly everybody who is of the mind that in anything we can do in improving the way we use chemicals there should be an overall complementary impact on the environment believes that is certainly what we should all be aiming for.

Another aspect that has been mentioned on a few occasions is the added protection the bill gives to our reputation as exporters of livestock, food and agricultural products. It is probably still one of the most important parts of Australia's reputation on the world scene; something we must protect carefully. We must guard against any misuse of chemicals in production, processing, carrying or storing of agricultural products. I believe the bill goes a long way towards improving that.

Having been a farmer for 38 years — —

Mr Maxfield interjected.

Mr PLOWMAN — Maybe the honourable member for Narracan would like to know that quite a few honourable members on this side of the house spent a lifetime farming before they came into this place. Having done so, we know that the use of chemicals has increased dramatically over that period. I suggest that the understanding of the use of chemicals has increased similarly.

An honourable member suggested earlier — I cannot remember who it was — that there was a great need for education. The education process has worked very well, and community pressures have led to the situation where all farmers now far better understand the connection between the use of chemicals and the safe handling of agricultural produce. But we are all at risk when one individual fails to abide by the laws or the regulations and in so doing brings the entire industry into disrepute. Such an action affects each and every farmer or primary producer. Again I compliment the government and the minister on introducing this legislation because it reduces the opportunities for that to happen.

The bill addresses four main areas, and in all cases it provides assistance: the clarification of off-label use, which is a very important aspect of the use of chemicals; liability for inappropriate chemical use or off-target contamination; the use of unregistered products; and lastly, the clarification of who is responsible for notification.

The last one is a very interesting area, because while attempting to clarify the matter the bill still leaves

unclear, in my mind at least and probably in the minds of very many of us, who is responsible for notification. A product may be jointly owned by an owner and a sharefarmer, a property may be run by a manager, and various contractors may be involved in the carting or storage of the product. It is most important to determine who is responsible for notification in those cases.

Finally, I come back to the requirement for plain English and short sentences. Those features would add greatly to a provision of the bill. Clause 13 inserts proposed section 41. Proposed subsection 41(1)(b) deals with outcomes rather than specifications. The proposed subsection stipulates that a person must not carry out agricultural spraying 'which is likely to contaminate'. That is not an outcome. I think the bill would be much stronger if the word 'likely' were omitted so that the proposed subsection read:

- (b) which contaminates any agricultural produce derived from plants or stock outside the target area.

That would considerably strengthen the bill. I believe it would enhance the bill considerably.

The power of authorised officers will be enhanced considerably, and I understand the justification for that. I note from the advisory notes we have been given that there have been investigations recently into the amount of crop damage due to off-target agricultural spraying, the misuse of chemical products which has resulted in the death of animals, and the contamination of agricultural product or produce which is exported. All have been unable to be properly investigated because the principal act does not give enough strength to those officers. The additional strength given by the bill is justified.

I read carefully both the principal act and the bill to determine if there is some redress for a contractor or an owner who is accused of misusing a chemical or a product that leads to contamination when that accusation is then proved to be false. Often under those circumstances the stigma of that accusation is so severe that it stays with the owner or the contractor, even if it is proved groundless. It is important for the act to give some redress to the individual under those circumstances. I ask the minister to consider that in his winding-up speech.

Mr SEITZ (Keilor) — There are two points I wish to bring to the attention of the house. Firstly, I worked in the chemical industry for a number of years and was responsible for people doing maintenance in the industry. Maintenance people handle and come in contact with chemicals more than the operators because they have to go inside tanks and open up pipes. At

times they are called in when there is a breakdown, which is dangerous because the chemical processes have not been completed. Plain language on chemical labels is needed, particularly if one is looking at an industrial scene, where the chemicals are processed, put into drums and stored in factories and in warehouses.

The company I worked for manufactured many weed and insecticide sprays. The company was responsible in that it brought in the distributors and contractors who were using its chemicals and educated them in their safe use and handling.

The bill goes a long way towards helping people to understand about chemicals. Usually it is the small subcontractor who does the physical job of spraying, not the person up the line who knows what to do and how to do it appropriately. That person has probably tendered for the job and got the subbies to come in and do it at a cut-price rate. Often the subbies have not got the proper equipment, such as breathing apparatus and gloves, and have not been given the necessary training on how to clean out their vehicles and the tanks and how to handle the sprays.

It is also important to know about weather conditions, which brings me to another point. In my electorate there are a number of market gardens, particularly in Keilor Village, where I previously had my office, which is now occupied by the minister. Negotiations and discussions have taken place with the market gardeners in that area about spraying only if the wind is blowing in the other direction — towards the airport and not towards the village — because the schools and local women have complained about the wind bringing the over-spray into the village.

Women are usually at home during the day, and that is why they complained to me about that aspect. The market gardeners and other constituents acted very responsibly by observing those situations. However, the spraying could not be stopped when, nature being what it is, and knowing how quickly Melbourne weather changes, a gust of wind came from the wrong direction. So whether you are aerial spraying or spraying from the back of a tractor, it is important to know where the over-spray goes and what effect it has on the rest of your community.

The biggest and most important thing for us is to maintain our reputation for being a clean green country with clean green produce. During my visit to New Zealand earlier this year some of the farmers, as well as some of the scientists, expressed concern that in some parts their soil is not suitable for spraying because chemicals can find their way into the underground

water, which can contaminate lakes and rivers. So again it is important that chemicals, particularly insecticides and herbicides, are properly used and contained.

It is also important to have one standard for Australia that we all understand. I am sure people do not misuse chemicals deliberately; but it is essential for everyone — from the contractor working on one side of the river to the contractor working on the other side in another state — to understand how to use chemicals, including their storage and transport, so the same rules and regulations apply to all.

The bill also makes the important point that veterinarians are not to use herbicides on animals without proper approval. I am sure it has improved these days, but in years gone by the veterinary industry experimented with different chemicals.

The fees obtained from the licensing of spraying will go towards training contractors in proper practice, whether in aerial or in ground spraying, which again is a very important step forward.

I make those comments because it is important to understand the damage that chemicals can do. I ask honourable members to reflect on the fact that the western suburbs sit on one large artesian lake, which has been contaminated by leaking chemicals. That was proven way back in the late 1960s, when bores and central drills were sunk across the area from Lara to Little River and Sydenham during times of drought. Farmers who were trying to get bore water for their stock found that it was contaminated, not from the salt and minerals naturally occurring in the soil but from chemicals that had leaked into the lake. The pipes and bores are still there, and I am sure they are still being monitored, because it is a constant job ensuring that the chemical industry has cleaned up its act and is not letting waste flow into the underground water.

As was pointed out in New Zealand, we must be careful when using sprays and chemicals to ensure that the terrain is suitable and that they do not find their way into our underground water streams. As we all know, water is precious. It is a very dear commodity in Australia, and we need to safeguard our supplies so that human beings have safe, clean produce. We have to ensure that chemicals do not find their way into the food chain — whether through grass, weeds or animals — and then into humans by way of chemical residues that are stored in the body. Too often we discover, 20 years down the track, that we have made a mistake. With those comments I wish the bill a speedy passage through the house.

Mr MAUGHAN (Rodney) — I am delighted to be able to speak on this very important piece of legislation. I am also pleased to speak on it because agricultural industries are so important not just to the Rodney electorate but to the whole of the state. I have a particular interest in this bill, coming from a farming background and representing one of the most important agricultural production areas in the state.

By way of preamble, I note that Victoria's agricultural exports are currently in the order of \$6 billion per annum with an objective to increase that to \$10 billion or \$12 billion by 2010 or thereabouts. Agriculture is a very important part of the Victorian economy and we need to do everything we can to maximise our natural advantages and promote and support our agricultural industries.

Before coming to the purpose of the legislation and the importance of marketing the advantages of clean and green agriculture, I will briefly note in passing that of that \$6 billion worth of exports by the agricultural industries the dairy industry is by far the most important and that in the dairy industry itself the Rodney electorate is by far the most important.

Honourable members interjecting.

Mr MAUGHAN — I remind honourable members that in the electorate of Rodney there are in the order of 3000 dairy farmers and 300 000 cows, production has been valued at about \$300 million and with the price of dairy products at the moment — —

An honourable member interjected.

Mr MAUGHAN — Yes, a colleague asked me the other day if I could name all the cows! However, with the higher prices we will probably hit \$400 million or \$450 million worth of dairy products produced this year in the Rodney electorate alone, so it is a very important industry. This legislation therefore impacts not only on the dairy industry but obviously on all the agricultural industries.

The whole purpose of this legislation is to ensure that the use of agricultural or veterinary chemical products does not lead to the contamination of livestock products or crop products, particularly those we export to other parts of the world because that would then affect our clean and green image. This legislation is about protecting, most importantly, public health; protecting the environment; providing safety for the users of agricultural chemicals products; and also protecting the health and welfare of animals.

Mr Smith interjected.

Mr MAUGHAN — I have a particular interest in the area of animal welfare, as the honourable member for Glen Waverley well knows.

Mr McArthur interjected.

Mr MAUGHAN — We will not take up that issue. I have had a longstanding interest in animal welfare and was awarded a Churchill Fellowship in 1986 for animal welfare issues. I want to pay tribute to the Animal Welfare Centre. The Minister for Agriculture is well aware of the wonderful work that Professor Paul Hemsworth and his colleagues do in that area in a cooperative effort between Monash University, Melbourne University and the Department of Natural Resources and Environment. I am both privileged and proud to be on the advisory committee of that group. I make the point that the health and welfare of animals, which is covered by this legislation, is a very important part of protecting the environment, public health, the safety of users and so on.

The honourable member for Ballarat East talked about the change in culture and in practices. That has certainly happened in the lifetime of most of us in the house who have had experience in agriculture. Like many members on this side of the house, I have had about 40 years' experience in the agricultural industries. Like my colleagues who have spoken before me, I can relate to tremendous changes in the culture that have taken place over that time — and changes for the better.

I can personally relate to the misuse of chemicals, largely because of ignorance and of not knowing of the dangers. I think we have all been involved in using arsenical sheep dips, for example. We would not think of using them these days the way we did 30 or 40 years ago. That also applies to using insecticides and pesticides.

At one stage we used to grow tomatoes. The honourable member for Warrnambool talked about standing out there with a bag. We used to have an aeroplane come over to do the spraying. I would stand at one end of the paddock waving the flags and my children would be at the other end of the paddock. It was dichlorodiphenyltrichloroethane (DDT) that was being used. I consider myself extremely fortunate that we obviously did not do it long enough to — —

An honourable member interjected.

Mr MAUGHAN — Perhaps it did have an effect! But back in the 1970s it was standard practice to stand there while an aircraft flew overhead spraying DDT on tomato crops. We have made enormous progress since that time and have come a long way in changing the

culture referred to by the honourable member for Ballarat East.

I will briefly trace the history of the use of agricultural chemicals, including pesticides and insecticides. Most of us on this side of the house will be well aware of perhaps not the introduction of but the story of superphosphate and subclover and the way that that boosted agricultural production throughout Australia. That was a tremendous advance in our parents' generation. I certainly remember the introduction of trace elements and the tremendous difference that that made to marginal country, and the increased use of potassium fertilisers, nitrogen, and pesticides that were added in with superphosphate to control various pasture pests. We have just kept improving in the area of fertilisers.

Stockfeeds are another area. There have been tremendous advancements in the complexity of stockfeeds, particularly over the past 20 or 30 years. We used a considerable amount of stockfeed for feeding pigs in intensive piggeries. In those days simple copper sulphate was used as a very effective growth promotant. The difficulty was that the effluent that was put out onto the farmland somewhere was high in copper, and you had to be very careful about the build-up of copper, and, likewise, other heavy metals, in the soil.

With intensive agriculture I think we now have a much better understanding of some of the dangers run into with intensive farming and the use of those various additives in stockfeeds. Selenium is another one we used to use in pig feed. An element when used in small amounts is very important for the health of pigs, but getting it wrong can create enormous difficulties, as with all the other products used to control internal parasites and the like. So there is a whole range of chemical additives in stockfeeds that, if not carefully used and monitored, can lead to considerable problems.

Amazing advances have been made in animal health products for sheep, cattle and so on, in drenching and treating internal and external parasites, and in treating lice on cattle and sheep, for example. Another example of a tremendous achievement in this field is the use of organophosphates. I remember as a young farmer on one occasion using organophosphates having not correctly estimated the weight of the animals, so I ended up overdosing them. The cattle had not gone far from the end of the race and started falling over. Fortunately, they recovered. That was an example of the overuse of organophosphates. I hesitate to think of the way we used it because if you spilled it on your skin

it would have the same effect on humans as it did on animals.

Mr Perton interjected.

Mr MAUGHAN — Yes, it probably did have an effect. In retrospect, the farming community was careless about the use of some of those chemical products. While they had wonderful effects on animals they could also have serious adverse effects on the operators who used the chemicals.

I recall penicillin being used to treat mastitis in dairy cows. We had problems with the contamination of milk. A blue dye was introduced to indicate contamination, and then more potent antibiotics, including streptomycin and terramycin, were introduced to treat the mastitis. We used an extensive range of antibiotics and dry cow treatments. All that has led to enormous improvements in the dairy industry, but if antibiotics are misused and allowed to get into the food chain they can cause public health and environmental problems that we can do without.

There has been a massive growth in the use of weedicides and insecticides in agricultural industries to control weeds in crops in areas where we are not cultivating but using minimal tillage — for example, there has been great improvement in the Mallee and Wimmera where we could not do that without the use of chemicals. Also, soil sterilants have been used in the irrigation areas to keep channels free of weeds. Insecticides are used in grain crops and pastures, and the list goes on.

In passing I mention genetic engineering in this context. We need to constantly remind ourselves, with the fear that some people have about the effects of genetic engineering, that if properly used, genetic engineering can considerably reduce the amount of pesticides and weedicides we need to use to control pests on crops. If you can use genetic engineering to considerably reduce — as we can — the amount of weedicides and pesticides used, certainly it should be used to achieve those outcomes. The horticultural industry has used a tremendous amount of chemicals over the years and is now using chemicals more carefully.

As chemicals became more numerous and more concentrated, there was more danger to the environment, consumers, operators and third parties. In this debate we should acknowledge that an increasing number of people in the community suffer from multiple chemical sensitivities. From a layman's point of view it seems to me that as we use more and more chemicals, not just in agriculture but in our lifestyles

generally, our resistance to those chemicals through our immune system — and depending on our metabolism — can be adversely affected.

I have personal contact with people who are virtually hermits in their homes because at some time during their working lives they have had an overload of chemicals in their bodies to the extent that their immune systems cannot cope. I have told the house previously of a lady living in my electorate who is virtually a prisoner in her own home because of the excessive exposure to chemicals. Some people are very sensitive even to spray carts or aerial spraying some distance away which have deleterious effects on them. We need to be aware of the adverse effects caused by the misuse of sprays and chemicals on what seems to be an increasing number of people in the community.

I return to the point that there has been a considerable change in culture with the use of agricultural and veterinary chemicals. Certainly far more detailed information and advice is available.

We have much better education. Operators now protect themselves as a matter of course with protective clothing, gloves, masks and, when necessary, respirators. We now dispose of containers in a safe manner, and we hopefully comply with the withholding periods. Yes, there is misuse, but I would say most of the misuse probably occurs by accident or through lack of understanding, neglect or miscalculation rather than being deliberate. Nonetheless, if chemicals get into the food chain it damages our reputation as a producer of clean and green products.

The bill before the house is important, and I welcome it. I note that the legislation has been developed by consultation with, on the one hand, the Victorian Agricultural Chemicals Advisory Committee, which is made up of the chemical applicators, the primary producers, the manufacturers and the consumers, and, on the other hand, the Veterinary Practitioners Registration Board of Victoria, which has also had a look at the legislation. My understanding is that it is happy with the bill and approves of what is in it.

The national registration scheme and the bill before the house essentially complement what is going on at the state and national levels. I commend the minister, because this bill complements legislation put in place by the former government. From an Australian point of view, that sort of cooperation is needed. I am delighted to support the bill, which is enlightened legislation that will lift Australia as an agricultural producer to yet another height.

I have spoken sufficiently on the bill. It supports Victoria's reputation for clean food production and meets the increasing demand by Australian and international consumers for clean and green food products. This bill enjoys bipartisan support. I again commend the minister, and I commend the bill to the house.

Ms BEATTIE (Tullamarine) — It gives me great pleasure to speak on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill. It also gives me pleasure to follow the honourable member for Rodney in the debate. He gave some truly astounding statistics about the 300 000 cows in his electorate, but he neglected to say how many happy bulls there were. I am sure, whatever the number is, that they are very happy!

This bill will operate in conjunction with the national registration scheme for agricultural and veterinary chemicals. As has been touched on by other speakers, the scheme is a cooperative arrangement between the commonwealth and the states that was established by ministerial agreement in 1995. The honourable member for Narracan talked about the current minister being the greatest minister ever. He is certainly the greatest minister since I have been in the house! The national registration scheme provides a uniform assessment and approval system by which agricultural and veterinary chemical products are made available in Australia. It is operated by the National Registration Authority for Agricultural and Veterinary Chemicals.

I know a lot of honourable members want to speak on the bill, but I want to touch on some personal issues that have arisen recently. We all know the stories people tell about chicken not tasting like it used to in the old days — and indeed it does not. We now have chickens fattened with chemicals and various other substances and chicken meat bleached with chlorine. Chickens do not taste like they used to, because they are not grown naturally. They are fed or injected with chemicals to get them to that state, so they have lost their taste. Victoria has a \$6 billion export market, and it is very important that we keep that export market.

I want to touch on the use of herbicides, weedicides and pesticides. In the dreaded Kennett days of compulsory competitive tendering (CCT), instead of chipping away the weeds around trees and the poles in parks many councils were spraying weedicides, pesticides and insecticides to get rid of those things. The cost of CCT impacted on the health of some of those workers, who were not trained to use those chemicals but were forced to do so to meet the demands of their jobs.

The Agricultural and Veterinary Chemicals (Control of Use) Act 1992 is the principal legislation for insuring against the contamination of agricultural products and stock. It relates also to the financial losses that could be borne. Honourable members know that back in 1988 there was a scare after some animals were infected. The spray on the farm contaminated the animals and jeopardised their export. We could have lost a great export market, but fortunately we did not.

At its meeting yesterday the Scrutiny of Acts and Regulations Committee debated the bill quite hotly. The debate was about the entry, search and seizure powers provided by the bill. It related particularly to proposed section 54I, which provides a partial protection against self-incrimination. The committee went to the detail in its report, which notes that it has commented on such provisions previously and accepts that the limitation of the privilege may be justified in circumstances where prosecution of certain offences may be severely hampered if documentary evidence cannot be obtained, notwithstanding the tendency to incriminate the person compelled to produce it. So it is most important that all the proper paperwork, and what have you, is done correctly.

The honourable member for Rodney also touched on stockfeeds. In the past we have not been as vigilant as we should have been, mainly because of ignorance. Years ago we did not know what was going into stockfeeds, and we have certainly seen the consequences overseas of that ignorance. We must be ever vigilant about what goes into stockfeeds. One thing the bill does is promote good agricultural chemical spraying practices. It also provides for additional outcome-based standards for people who undertake agricultural spraying. The legislative standards will clearly relay to those people that they must prevent off-target contamination of stock or agricultural uses.

The bill will affect some veterinary practitioners. It will restrict the types of chemical products that a veterinary practitioner can potentially use. Veterinary practitioners will not be able to use chemical products that are represented as being intended for use on plants for the treatment of animals. It will provide for the restriction of the use by veterinary practitioners of chemical products that have not been approved by the National Registration Authority for Agricultural and Veterinary Chemicals. Veterinary practitioners are to be limited to using such products only for the treatment of non-food-producing species of animals.

The Veterinary Practitioners Board has been consulted about these matters because it is normal for the Bracks

government to consult with all interested parties. That has been done, and it needed to be done. We need to talk to people about the effects of these potentially lethal chemicals and their other applications.

I well remember the days when I was showing dogs. You would give a dog a bath and put chemicals all over it. Some of those chemicals were flea rinses and the vapours from them would just about send you sky high. If they got on your skin you could be in a very bad way indeed. You could be itchy or have skin irritation for days and days, and you would think nothing of it because of ignorance.

This is an important bill. It encourages people to be responsible. It also encourages them to think about what they are doing, what they are spraying and the need to be educated about what they are using. The honourable member for Rodney said that he used to stand in the paddock while the planes were spraying DDT — and I did think that that may have been the reason for his diminutive stature! However, I did not have any DDT sprayed over me, so perhaps that was not the reason for my size.

It is an important bill indeed, and farmers, agricultural sprayers and veterinary practitioners have all been consulted. All the right parties have been consulted, so it is without any hesitation at all that I commend the bill to the house and wish it a speedy passage.

Mr KILGOUR (Shepparton) — It is with great pleasure that I rise to speak on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill. It is an amendment to the earlier bill that has put in place the structure that we now understand for looking after sprays, chemicals and so forth that are used on properties across Australia. This is being done in conjunction with the national registration program.

As the honourable member for Tullamarine has just said, it is an important bill, and I support it. Being one of the top agricultural areas in rural Victoria, my electorate is absolutely aware that we need to support this sort of legislation so that we can see the correct use of chemicals. Unlike the honourable member for Rodney, I have not counted the number of cows in my electorate, but I can tell honourable members that it is one of the top dairying and fruit-growing districts. Approximately 25 per cent of the total value of Victoria's agricultural production is generated from the greater Shepparton region, which covers approximately 2500 square kilometres.

Nearly all the land in that area is agricultural, and it is dominated by irrigated pastures, which support the dairy industry. A proportion of the irrigated land is used for growing stone fruit, vegetables and other crops. The region is a major contributor to the total state yield of milk and fruit products and has Victoria's highest density of rural output. The City of Greater Shepparton's thriving economy is based on these agricultural and horticultural industries, either exporting fresh produce or supplying the local processing industries, including the manufacture of canned fruit, vegetables, processed dairy products and jams.

As I mentioned in the house earlier today, last week we saw the coming together of two of the largest canneries in the southern hemisphere, SPC and Ardmona. With the future support of their growers and the Australian Competition and Consumer Commission they have agreed to come together to make one organisation that will be absolutely reliant on the products which come from the irrigated area of the Goulburn Valley and on their being exported throughout the world and promoted internationally as being of high quality with a clean-and-green image. It is most important that we ensure that sprays are used correctly, and that we use chemicals in the right way.

People in the Goulburn Valley are concerned about the possible introduction of fire blight into Australia and the devastation it would cause to the fruit industry. It would destroy the two local canneries and hundreds of growers throughout the Murray Valley and Goulburn Valley areas. I fully support the fruit industry, and I fully support stopping the importation of New Zealand apples, because we must make sure we do not import fire blight from New Zealand.

For many years we have seen what can happen with fruit fly infestation. I well remember on crossing the border into New South Wales seeing agriculture inspectors stopping the movement of fruit. We do not have inspectors today, but officers from the department of agriculture are quick to move on any outbreak of fruit fly. It is often spread not by orchardists but by well-meaning local people who may want to have a few fruit trees in their backyard but who do not spray their trees. They do not realise that the fruit can be infected and that the fruit fly can spread throughout the area. Chemicals must be used in the correct way to stop these outbreaks.

A recent example of what can occur without the correct use of chemicals is the orchardist who decided to secede from Australia. He called himself the Prince of the principality of Ponderosa. He did not pay council rates or recognise local government or statutory bodies.

He operated a styrene box factory on his property that was making sufficient money for him not to worry about his fruit trees, which he did not bother to spray. On several occasions I had to talk to fruit growers in surrounding orchards about pests coming from the so-called principality of Ponderosa and contaminating their orchards.

I well remember my friend Brian Casey, who worked in the agriculture department for some years, with a smile on his face the day the Kennett government moved in, with the help of the police, to ensure that no orchards in the Goulburn Valley would have to put up with someone not using the right chemicals. I was there myself the day the chief of police escorted the bulldozers onto the property to destroy the crops. I know the Minister for Agriculture fully supports that action, understanding as he does that we cannot have renegades seceding from Australia, looking after their own airspace and even threatening to shoot down planes crossing their airspace. I know the person concerned also had major problems with statutory bodies such as Goulburn Valley Water. I understand he may now be having a holiday at Her Majesty's pleasure. The Goulburn Valley says good riddance to people who treat their farming neighbours like that.

The Kennett government destroyed crops that were contaminating other fruit crops around the area. We need to do that to maintain the quality of the fruit we grow throughout Victoria. The bill aims to protect Victoria's reputation for producing clean, safe food. It is a reputation that the constituents of my electorate and the City of Greater Shepparton want to maintain into the future.

As the honourable member for Rodney said, the way people handle chemicals has changed considerably. When driving through the Goulburn Valley in the 1960s and 1970s it was common to see farmers dressed in shorts and boots on tractors pulling orchard sprays that were spraying everywhere.

They did not realise what they were doing. They could have been contaminated through the skin with the types of chemicals they were spraying around. I well remember working on sheep properties around my home town of Katamatite, watching and helping sheep through the plunge dips. When the sheep plunged into the dips, spray went all over everybody in the sheep yard. I have done that day after day. No wonder you went home and your mother made you throw the clothes out the back door! They were not allowed to come inside the house until they had been washed.

In those days people did not realise what could happen to you and how you could be affected by the chemicals. I have represented people from vineyards and orchards in proximity to the Shepparton township. We talk about the right-to-farm type of legislation. Those people have been farming their properties for many years and now the town is encroaching on their farms and their practices of spraying and using chemicals. Now people living close by are saying, 'We no longer want you to do that'.

We have a real issue here and I hope the legislation will help ensure that people will use chemicals in the right way. For instance, if you are going to spray your crop, you must ensure that the wind is blowing from a direction that will not blow spray over the boundary and into another property. Farmers are not supposed to spray crops where spray can drift onto another property, whether it is the housewife with washing on the line, children playing in a backyard or another crop that can be contaminated by spray. We need to be very careful in our vineyards and orchards.

The legislation supports the national registration scheme and will ensure that only agricultural and veterinary chemical products which meet the standards of the national registration authority are available for sale in Australia. It will ensure that people using chemicals made available in Victoria by the registration scheme use the products in a safe and responsible manner. It will look after labelling and other issues. I am pleased to see the minister bring in the legislation. It will ensure that the future of our farming communities and that of the people who live close to those communities are protected and chemicals are used in the correct way.

It is good to have a national quality right across Australia so that everybody who farms, whether they shift from Western Australia to Victoria, understands that the rules are the same. There have been so many anomalies over the years. The introduction of national standards has been a marvellous thing. Across Australia people in agriculture will all have the same labels and the same rules when using sprays and chemicals. The bill is good for agriculture which means it is good for our communities and for Australia. I commend the bill to the house.

Ms GILLETT (Werribee) — It is my pleasure to make a contribution on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill. It acts in conjunction with the national registration scheme for agricultural and veterinary chemicals and demonstrates that a national approach has been taken.

At the outset I congratulate one of the finest agriculture ministers Victoria has ever seen for his foresight, dedication, persistence and the notorious diplomatic skills he has no doubt employed in the bringing together of this bill not only for the Victorian Parliament for the benefit of Victoria but as part of a national approach to these serious and important matters.

The minister has worked long and hard, and I congratulate him, as well as the staff who have worked in his department to ensure that the whole of Australia is safe. Obviously we are particularly interested in Victoria, but it needs to be said that an approach on issues like this needs to be national if we are to have a comprehensive approach to the safe use and handling of veterinary and agricultural chemicals to protect the food we eat. Protection of our livestock means that we are also protecting our export markets. By ensuring the safety of our environment we are keeping Victoria clean for our children and the generation that is hopefully coming after them.

The national registration scheme for agricultural and veterinary chemicals was established by ministerial agreement in 1995. It serves to provide a uniform assessment and approval system by which agricultural and veterinary chemical products are made available in Australia. It is established under the national registration authority — that is, under commonwealth legislation — and it administers control over the supply of these chemicals in Australia. It is absolutely critical that there be a national scheme in place so that everybody knows what the rules are, and the whole of Australia can act together.

For those honourable members who are not aware of my five and a half years of explaining the glorious nature of vegetable and poultry produce in Werribee South, I will make you aware of the enormously important contribution the area's farmers make both in vegetable and poultry products to the Victorian economy as a whole. An important part of their work on behalf of Victorians is impacted upon by the use of just these sorts of chemicals.

Werribee is home to perhaps one of the greatest veterinary colleges in the southern hemisphere — the Melbourne University School of Veterinary Science. The college is renowned for producing some of the best textbooks available on veterinary science, and the previous member for Werribee, Dr Ken Coghill, a trained veterinarian, was particularly proud to have such a fine establishment in his electorate. I am sure the Leader of the Opposition shares an understanding of the importance of having such a fine institution. It is

important for institutions like the Melbourne University veterinary college to have legislation like this in place, because it makes it abundantly clear through tight guidelines how they should use, store and provide those sorts of chemicals, which is absolutely critical.

It is also important for the chamber to understand that Werribee is the proud home of the food and agricultural precinct. This precinct was established in Werribee by the former federal member for Lalor, Mr Barry Jones, in conjunction with the previous state member, Dr Ken Coghill. Their vision established and brought together some fantastic organisations, such as the State Chemistry Laboratory and the Gilbert Chandler Institute, and that precinct has continued to grow. It hit somewhat of a static patch between 1993 and 1999, but I am pleased to report that since this government came to office there has been enormous development of and plans for the enhancement of that particular precinct, which is so critical to the research and development capacity of this state, to which this legislation provides an absolutely critical foundation element.

One of the developments we are looking forward to seeing at the food and agricultural precinct, or the technological precinct as we call it, in Werribee is the Victorian Institute of Biotechnology. It will provide a fantastic resource. The Victorian Institute of Biotechnology is a brilliant joint venture that has been brought together by the fantastic people at the Austin Research Institute and the Victoria University, which has a campus in Werribee.

These gifted, persistent and marvellous people are seeking to bring their energy and expertise together to help create a fifth precinct of biotechnological and scientific research and development excellence. This precinct will be based in the western suburbs, a place where you have all the necessary ingredients from primary production to manufacturing and processing to the fantastic elements that can be provided by state-of-the-art research and development facilities. I would like to place on the record my congratulations to all of the people who have come together to produce this wonderful child that I am sure will grow into a precinct as important as the precincts at Parkville and Monash and the Walter and Eliza Hall Institute of Medical Research.

There seems to be some reluctance among members of the establishment to understand that the western suburbs can be a centre of excellence in science, technology and research, but we will convince them. The government has taken a number of people to lunch at the Werribee Mansion Hotel to show them that the west is full of the most amazing surprises.

Mr Hamilton interjected.

Ms GILLETT — We think it is exciting, and we just have to bring others to that conclusion — others in the establishment as I say, not in this government.

A further development that could take place is a venture between the State Chemistry Laboratory and the Australian Government Analytical Laboratories. There have been some very useful discussions between the two organisations.

Honourable members can see that there is enormous capacity for development in my constituency and the areas around it. This development can only be assisted by the certainty produced by legislation like this, legislation that makes abundantly clear at a national and state level how we deal with some of the potentially dangerous issues concerning agricultural and veterinary chemicals. After the events of last week we can see that the world is full of uncertain and perhaps frightening things. In its own small way this bill will help to provide some sense of security for the Victorian and Australian public insofar as they can be certain that the food they eat, be it vegetable or animal, is the subject of legislation such as this which ensures they have certainty, legislation which ensures we do not face the disasters that have unfortunately taken place in other parts of the world.

This bill will also help another development. It was recently announced that the Murray Goulburn Cooperative would establish the largest warehouse in the Southern Hemisphere in the state seat of Altona, which is held by my esteemed next door neighbour, the Minister for Finance. We are more than overjoyed to welcome the Murray Goulburn facility, which will process enormous volumes of milk. Its location close to Werribee, in the Altona–Laverton area, will be complemented by the wonderful research and development facilities opened recently by the Minister for State and Regional Development. I know, because I was lucky enough to accompany him, that the Minister for Agriculture visited the technological precinct a few short months ago. The developments that are critical for all of our communities will only be enhanced by the legislation before the house.

Sitting suspended 6.30 p.m. until 8.03 p.m.

Ms GILLETT — Before the dinner break I mentioned how welcome the Murray Goulburn Cooperative warehouse development was in the Laverton–Altona area. Can I say how welcome the 70 or 80 new jobs created by that new development will be and how it warms my heart to know that each of those

80 new positions will be occupied by members of the National Union of Workers — the union I worked for for almost 10 years.

It is important that those jobs are created in our community and that they are connected to our absolutely critical food and agricultural precincts, not to mention the Werribee race track, which I am sure has a lot to gain from this legislation as a whole.

I draw to the attention of honourable members the western treatment plant, about which jokes have been made for a long time. The treatment plant is located in my electorate, but if the Victorian Electoral Commission's draft boundaries are confirmed, it will hopefully go to my colleague the honourable member for Geelong North, Peter Loney. I am sure he will look after and understand the historical and present importance of the western treatment plant and the potential for future development that it provides for the whole of the western region.

Being now required to reuse 20 per cent of its water, the potential to irrigate important new agricultural resources is alive and well and capable of development in the next few years. Again it will produce jobs, and again it will produce an environment for the outer western suburbs which will be conducive to the development of employment and which will give us export opportunities. That will mean the outer western suburbs will be seen not just as dormitory suburbs but as a region able to produce the social and capital infrastructure to create real communities. I am sure that will be of enormous importance to the Minister for Housing, who has special responsibility for strengthening communities. All of these things are intricate parts of a whole. I am sure some honourable members do not understand how important this bill is for the growth, socially, economically and environmentally, of Victoria. I will conclude by saying that my — —

An honourable member interjected.

Ms GILLETT — I am so encouraged by honourable members on the other side — and I am so pleased they are on the other side. The developments I am about to refer to are absolutely critical. However, they did not listen when I spoke, I think about 46 times, about the proposed toxic dump in Werribee that was supported by the Kennett government. It gives me enormous pleasure, on the second anniversary of the defeat of the Kennett government, to remind the house that it took CSR to back out of that absolutely flawed proposal. I remember the former Premier telling the CSR people that they were gutless wonders. It took a

Labor opposition to say to the people of Werribee, 'This is what we will do. This is how we will deal with these issues in the future'.

It is my absolute pleasure to say — —

An Honourable Member — Did you have a good dinner?

Ms GILLETT — We did!

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Werribee, without assistance.

Ms GILLETT — It is my pleasure to say that there will be appropriate resolutions of those sorts of issues in the future that will have nothing to do with silly decisions being jammed down people's throats without them having the opportunity to be listened to.

I commend Victoria's admired agricultural minister for the bill he and his staff have produced. On behalf of the people of Werribee I express my congratulations and heartfelt thanks. I commend the bill to the house.

Mr DELAHUNTY (Wimmera) — I thoroughly enjoyed the presentation by the honourable member for Werribee before the break for tea, but I was a little fired up by the end of it. The honourable member spoke about what is being done with these dumps. On this side of the house, we are interested in what is going to happen in the future.

An Honourable Member — Nothing.

Mr DELAHUNTY — That is what is worrying. They have been in government for two years and nothing has happened.

Before the Acting Speaker jumps up and says, 'Get back to the bill', I will say that I am pleased to speak on this bill, which is important to the Wimmera electorate. As we know, the bill aims to protect Victoria's reputation as a producer of clean and safe food. No doubt we had plenty of Victorian food for tea, capably prepared and served by the chefs and dining-room staff here at Parliament, who do a great job.

The economic and employment history of the Wimmera reflects a strong reliance on agriculture, and most of that revolves around the grain industry. A fair few sheep are coming back onto farms, given the improvement in wool prices, and commodity prices are looking good. We have a strong reliance on the grain industry in particular.

We are well aware of wheat being the major crop in that area — the golden grain — but the plains of the Wimmera have changed dramatically over the past few years, with about 70 per cent of Victoria's pulses and about 60 per cent of the state's oil seeds now being produced there.

The honourable member for Werribee has gone, but she spoke about all the great things happening in the western suburbs. Congratulations to them, but it is a pity she did not look beyond the borders of the city, because some great work is being done at our premier institute for research and development in cereals, oils, pulses and oil seeds, which the minister knows is called VIDA, the Victorian Institute for Dryland Agriculture. I am pleased to see — as I acknowledged in my speech on the appropriation bill earlier this year — that the minister has continued the work of the previous government and put more funds into that facility. That obviously creates not only more research and development in that facility but also employment for the area. VIDA is an important component of the community in general and of the farming community in particular.

I must also highlight the Longereng campus of the University of Melbourne, which does a lot of work, particularly in the education field. I am a bit disappointed that the Minister for Post Compulsory Education, Training and Employment has cut funding to some of the programs being run in remote areas because she believes that because it is the University of Melbourne it is not entitled to funding. Longereng is an old facility but a worthwhile one, and it needs capital injection. It plays an important role not only for its primary community but for areas up to the Mallee and — I see the honourable member for Swan Hill sitting at the table — right up to Swan Hill.

The bill has a lot to do with chemicals. Other people in the chamber probably know more about this than I do. The national program puts the various chemicals into various schedules numbered 1 to 7, 7 being the most dangerous. People need to have appropriate training and have to sign for the chemicals listed in schedule 7, and they have to give notification of what they are going to do with them.

As the National Party spokesman on agriculture, the honourable member for Swan Hill, said, the National Party does not oppose the bill. We support the bill, because it continues the good work of the previous government in this regard. The act imposes controls on chemical products 'to protect the environment', which is important; to protect 'public health', which is

extremely important; and for 'the safety of chemical users and the health and welfare of animals'.

We are well aware of the need to protect not only the environment but also humans. I can speak with a little knowledge on this. I have heard honourable members speak about sheep dips and arsenic. I lost a cousin through sheep dip. He was a young boy who fell into a dip and was lost to my uncle and auntie in Stawell. It still has a traumatic effect on our family. Obviously things have changed since that happened many years ago.

We are well aware of the aerial spraying that goes on particularly at this time of the year. Many honourable members ask me how the Wimmera is looking. I inform the house that we are in a good position. The crops look excellent. We have had some great rains in the early spring. The reservoirs are up to about 17 per cent or 18 per cent from about 11 per cent. For the stock people there is still a concern about what water we will have for next year, but from the cropping point of view we are in a very good position. And it will be even better if we get good late spring rains — it is often said that if it rains for the Horsham Show we will have a good finish to the season, so we are waiting on that.

With all the crops in a good position at the moment, a lot of spraying goes on. In the past a lot of aerial spraying went on. I know the honourable member for Rodney was speaking about DDT being used. People used to stand in the paddocks at the end of each row holding up an appropriate bag to tell the pilot where to fly. They would then walk 30 paces to the left and stand there for the next fly-through. We now know that was very dangerous, and things have changed since then.

It is important that we support the legislation because by doing so we put into action what we have learnt over the years.

The bill also implements nationally agreed recommendations from the 1999 review of the legislation. It is important that we always review this. It is important that we have a national program. Trucks move interstate overnight. Chemicals can be brought from Queensland to Victoria and vice versa. Not only does the bill introduce a national program, but the legislation complements the legislation of other states. Being on the South Australian border, that is very important to me.

The legislation aims to protect Victoria's reputation for producing clean and green food. The previous government had a target to export \$12 billion worth of food products by 2010. This government cheated a bit

on that. It has put in food and fibre — \$12 billion to be achieved by 2010. We have reached about \$6 billion at this stage.

Mr Hamilton — Seven and a quarter!

Mr DELAHUNTY — Seven and a quarter, the Minister for Agriculture informs me. That is pleasing to hear, and I am glad to get that on the record, but we still have a bit of a way to go. I am pleased to see the minister has his shoulder to the wheel on this one, and we will work with him to make sure he achieves that target.

The bill has been developed in consultation with the Victorian Agricultural Chemicals Advisory Committee, and no doubt it plays an important role in keeping the minister informed. I highlight the fact that the committee represents the interests of many people, including the primary producers, the aerial and ground-based chemical applicators, local government, the chemical manufacturers and consumers, and environmental interests.

The concerns of those groups must be addressed, whether they be applicators, manufacturers or environmentalists. We are now much more aware of the problems with some of the chemicals that were used in the past.

I return to the point that we export about 30 per cent to 40 per cent of Victoria's agricultural production. In certain areas, such as the grain industry, it is probably up to around 40 per cent or 50 per cent. As a result of the unfortunate mishaps in England and other parts of the world involving diseases such as BSE (bovine spongiform encephalopathy) and foot-and-mouth, we now recognise the importance of quality food that is clean and green. Quality is the important thing. These days people have the opportunity to source appropriate food — they look for the best they can buy for the price, but they also ensure that it meets all the appropriate conditions of being clean and green.

The bill supports a national registration scheme for agriculture and veterinary chemicals that ensures that only agricultural or veterinary chemical products that meet the standards of the national registration authority are available for sale in Victoria.

An important aspect, and I spoke about this earlier, is that we are seeing real concerns about weeds — and I am glad the minister is in the house to hear this. We know from years gone by that herbicides were used to control weeds. I only wish that the management officers of some of our national parks and Crown land could address the issues of concern. Farmers are doing a lot of

work in those areas, but they find it difficult when they are working beside national parks and Crown land. The impact of herbicides on waterways was also of concern, and more so their impact on humans.

I have been informed that some farmers are using goats to try to keep weeds down. My information tells me — and I am not 100 per cent sure about this — that if the goats eat the seeds they are sterilised as they go through their system, so the weeds do not reproduce when the seeds return to the ground. It is an interesting way of using goats to control weeds!

A lot of chemicals are used to control weeds in my electorate, and I will use my family as an example. My father was very reluctant to use chemicals on our farm. At the end of harvest he used to leave a little bit of growth in the crops for the sheep. My father was more of a wool producer than a grain producer, and he liked being able to go into the paddocks and feed the sheep on the stubble. Because of economics we, as many farmers in my electorate do, had to use chemicals to control weeds, which suck moisture out of the crops. The terms of trade are difficult at the moment, so farmers have to maximise their crops by using chemicals to remove the weeds.

The bill aims to ensure that agricultural or veterinary chemical products are used in a safe and responsible manner. Here I touch on the education program that was implemented by the previous government and has been continued by the current government as part of a bipartisan approach.

I went to the library to check out the technical and further education course directory to see where the farm chemical user courses are being run around Victoria. Again I highlight the work done at the Longerenong agricultural college. The course there has been developed to enable participants to appreciate the importance of and interpret correctly the container labels on agriculture chemicals.

The list of extensive subjects includes understanding farm chemicals, including their transport and storage, which is very important. We have a lot of chemicals stored on farms, and I will come back to the disposal of those chemicals later. Subjects also include decanting and mixing, and cleaning up and disposing of chemicals.

Interestingly the entry requirements for the course include the ability to read and understand farm chemical labels in the language in which they are written. With our multicultural society, not so much in the Wimmera but particularly around the Shepparton

area, I would have no doubt that there are some people who would find difficulty — —

Mr Steggall interjected.

Mr DELAHUNTY — I am reminded by the honourable member for Swan Hill that Robinvale has a multicultural society. I have no doubt that because of their multicultural background some people would have difficulty reading the labels of some chemicals. One area I would ask the minister to look into as part of the implementation of this bill is the need for the labelling regulations to address some of those multicultural issues. I was made aware of the need to look at those issues when I worked in that area in the old days. Obviously these are important — —

Mr Hamilton interjected.

Mr DELAHUNTY — Yes, the labels on the containers. At the end of the day that is very important for the users. Often they might not get around to using the products until a couple of weeks after purchasing them, so it is important that the labels contain the appropriate descriptions and information about the way to use them.

Earlier I spoke about the use of chemicals to combat weeds, but I want to highlight the fact that in the early 1990s we had problems with mouse plagues. In the first year strychnine was used to control mice. It was put on grain and distributed across paddocks by aeroplane. It was effective, but major concerns were expressed not only by the people using it but importantly by the consumers. Vicgrain, the barley board and other organisations were concerned that there should be no cross-contamination. All that grain was appropriately coloured so that if it ever happened to get mixed in with the normal grain it would be picked out. No problem was ever identified, but we changed from using strychnine to using zinc phosphine. That was not as lethal, but it had the same effect in removing a lot of the mice.

Unfortunately during that period some amazing cocktails were put together by farmers to try to control the mice on their properties. Of major concern to all governments — and, no doubt, to the national registration authority, was the off-label use of chemicals to control mice. On that point I compliment the Wallup Victorian Farmers Federation Landcare group, a group of younger farmers north of Horsham who have been strong leaders in farm safety in the grains industry. The group has been innovative, which I am sure the minister would be well aware of.

Many people who were having grave difficulties during the mouse plague put on some excellent forums and field days to inform farmers about the chemicals and to raise awareness of the need for farm safety, which affects not only operations on the farm but also the welfare of the farmers using the chemicals. At the end of the day farmers want to go home to their families, and their families want them to arrive safely. It is difficult enough at the best of times. The bill builds on the importance of that aspect of the legislation.

The bill strengthens the controls which provide for acceptable standards for agricultural spraying. We are well aware that spray drifters are of major concern. The honourable member for Polwarth spoke about litigation concerns and court cases involving agricultural spraying, which have happened in my electorate. Some of the chemical applicators in my area cannot get insurance because of litigation concerns, which is a major concern to them. A forum is being held on Friday about public liability, which is one of the issues making it difficult to operate in country areas. I know many applicators, who are responsible people. They use GPO radars and all sorts of expensive equipment to put the sprays on the crops. It costs up to \$250 000 to buy some of the machinery. So again the off-target agricultural spraying is of concern to a lot of people, and spray drift has been mentioned in this debate. I am sure the legislation will strengthen that.

The bill extends the existing offences of providing false or misleading information in relation to the use of chemical products. We did have some Rambos around, and for the good of the community and the industry I am glad to see that is abating. We now know there is a lot of very sensitive equipment that can measure contaminants in grain, meat products, fruit and the like. We cannot afford to have the problems of exporting some of these products overseas and having them picked up with that very sensitive equipment, with containers then being sent back. That is a very costly exercise, and it damages our reputation.

The bill extends the powers of authorised officers to enforce compliance with the act. The honourable member for Swan Hill spoke about that, but I also want to highlight the need for links with the Environment Protection Authority in relation to this. One thing that really upsets rural communities is when a Department of Natural Resources and Environment authorised officer comes onto a farm and then a couple of days later the EPA officer comes onto the same farm. The farmers see them both as the government, not as two separate organisations. It is important that there be cooperation, not duplication, between the bill before us and the act being implemented by the EPA.

I compliment Nufarm Ltd, which three or four years ago spent \$600 000 on the Envirodrum Reusable Container facility at Horsham. A lot of the older containers I spoke about earlier that have been used on farms are now being taken into that facility to be cleaned out in an appropriate manner and reused. Again I compliment the councillors in the Wimmera and other groups in that area that go around at certain times of the year collecting containers that have been used on farms and disposing of them appropriately. The legislation will build on those practices, and it is important that the farmers work along with it.

I finish by saying that the bill is necessary to support Victoria's reputation for clean food production. Honourable members have highlighted that in many presentations here. We must meet the ever-increasing demands of Australian and international consumers for clean and green food and for food of a high standard. We do a great job of achieving that in Victoria. I support the bill and its process through Parliament.

Mr LEIGHTON (Preston) — I welcome the opportunity to speak on the Agricultural and Veterinary Chemicals (Control of Use) (Further Amendment) Bill because of its importance in maintaining Victoria's agricultural reputation as clean and green.

Having just undertaken a trip to China I can see the importance of maintaining the quality of our exports. While we were well looked after and received enormous hospitality in China, I have to say that the quality and freshness of our agricultural produce is vastly superior to theirs. I believe there are enormous opportunities for us to export fresh food to our northern neighbours, but it must be free of residues, and we must ensure that our meat and water supplies are not contaminated — hence the importance of the bill.

I listened intently and with interest to the contributions to this debate, particularly those by the honourable members for Shepparton and Rodney. Both were able to talk from considerable personal experience about the advances in our knowledge and understanding over the last 20 to 30 years about things that were previously done with chemicals that would not be done now. Like the honourable member for Rodney, I too can recall a couple of experiences in the late 1960s of being sprayed with DDT by a low-flying plane. Unlike the honourable member for Rodney, however, at least the people down at Lake Tyers where I was were advised to go indoors before the spraying started. I am not sure how much protection that gave us; I guess we were more concerned about getting some relief from the flies for a day or so. That shows how much our standards have changed.

Another experience from more than 20 years ago when I was a full-time union official concerns the fact that the large mental hospitals of the day all had farms and employed teams of gardeners because they were self-sufficient. Even after the farms had wound down the manager of each hospital used the farms and the gardens to compete with the other managers to see who could grow the best produce or the best rhododendrons. Another union official and I wandered in one morning for a meeting with the gardeners and met with them in the shed while they were having morning tea. They had a bucket sitting on the floor in the middle that was being sloshed around while they were consuming their morning tea.

We asked, 'What is that?'. I forget what herbicide it was, but it was either 2, 4-D or 2, 4, 5-T. They were sort of slopping it around with their breakfast. We said, 'Hey! Don't you know that is the sort of stuff they sprayed in Vietnam?'. One of the gardeners said, 'Yes, we tried to say that to the hospital manager, because he gets us to spray on windy days and the spray drifts across the hospital and affects the patients and the staff', but the manager had not been prepared to do anything about it. We also tried unsuccessfully. That particular hospital manager also had horses that he kept on what had been the hospital farm, and it was only when we dug out literature that explored the effects of that herbicide on horses that he banned the use of it around the hospital.

I have a small orchard, and previously I have felt uncomfortable about using chemicals on it. This year I got a professional in to do it, and that highlighted for me the need for proper training and knowledge of the use of such chemicals.

The bill is positive because it strengthens the control of the use of agricultural and veterinary chemicals and increases the power of regulatory authorities to monitor usage. It also harmonises Victorian legislation with that of other states, standardising the legislation in line with national regulatory authority guidelines.

Specific provisions of the legislation that I wish to talk about include off-label usage, market basket surveys and the loss of agricultural scientists and technicians from what was the Department of Agriculture. It is fair to say that large organisations such as supermarkets and commercial food providers enforce a high standard. I understand they use ISO 9000 and reject any food that does not come up to that level.

Suppliers know that if they supply produce that does not measure up the supermarkets will black-list them, so the large chains enforce those standards. One of the

concerns is wholesale markets that might take more devious produce from smaller farmers who, either deliberately or because they do not understand, supply contaminated produce. Because the agriculture department lost hundreds of staff during the Kennett years there has not been the capacity to trace contaminated produce back to individual farmers.

The market basket surveys carried out in the 1990s show that approximately half of the samples tested contained at least one pesticide residue, the most common encountered being Endosulfan, which is an organochlorine pesticide used in the horticultural industry. Endosulfan is an extremely poisonous pesticide that has been banned in many countries, but because the Kennett government absolutely stripped the agriculture department of scientists and trained technicians there was not the capacity to trace that produce back to its source.

You only have to look at the Victorian Auditor-General's Office report of 1999 entitled *A Competent Workforce — Professional Development*, which states:

... The importance of maintaining an adequate level of intellectual capital in an organisation is well illustrated in the department of agriculture, where external recognition of the standing of the department's science quality is a key factor in international acceptance of the standard of Victorian food products and local acceptance by farming industries of agricultural improvement programs promoted by the department.

...

... Recruitment of new staff, particularly graduates, was virtually abandoned across the Victorian public service for several years, although the department of agriculture has been able to employ new graduate and postgraduate scientists in temporary positions ...

...

Recruitment of permanent scientists by the department of agriculture in recent years has been restricted to specific funding initiatives which contrasts sharply with its substantial recruitment programs in previous years involving between 20 and 40 new science graduates annually under cadetships and specific induction programs. As a result, it has been necessary for the department to recruit scientists on a temporary basis without adding to its stock of intellectual capital ...

...

... Analysis of departure records did, however, reveal that the significant number of departures included highly classified staff with substantial experience.

...

Department of agriculture — 352 departures, with a broad spread of experience ranging from 2 years to over 25 years.

So to make the requirements in the legislation work you have to resource them with trained staff.

To return to off-label usage for a moment, it is good to see that the bill gives the capacity to outlaw certain off-label usage, because I believe that is one issue we are facing at the wholesale markets rather than the provision of food to supermarkets and to commercial food processors.

I congratulate the minister for bringing this bill before Parliament. It is very important in maintaining and enhancing Victoria as a state for clean and green food.

Mrs FYFFE (Evelyn) — I am pleased to speak on this bill. I am also pleased to follow the honourable member for Preston. The agricultural industry in Victoria is world renowned for the way it has made changes without onerous regulation and policing.

During the Kennett years I was very proud of the effort that was put into the promotion of agriculture in Victoria, and the encouragement that was given to people to diversify their products to create viable businesses. It is important to realise that agriculture is a business; that farming is not something that happens without professional qualifications. The encouragement given in the Kennett years to people like myself to go out and develop businesses cannot be underestimated.

Many people have talked about the use of sprays. I remember that in 1975 we applied weedicides from a cart on the back of a tractor. Often the jets would block and my husband would try various ways of unblocking them. I know he would often blow at the hole to try to unblock it. He would wipe the back of the mouth and do those sorts of things. We would spray without any protection. We would turn back into the spray drift because that was the way it was, and you sprayed on a regular pattern whether you needed to or not because that was what the chart said. But gradually, as the world became more aware of what was happening, we were educated by the producers of chemicals and consumer demands. The market has regulated what we do far more than any government can, because it is what your customer wants that ends up controlling what you do.

I remember the years when we used mesurol to control birds. The cherry industry used mesurol, and we used it to stop the birds eating the grapes when they were ripe. We used it for five years before evidence came through that this product, which we were told was non-residual, actually was residual and could have adverse effects. Of course we stopped using it. There were many outcries about that. There was uproar! How dare we not use something to keep the birds away from our products! It

did not kill the birds but it made them nauseous and kept them away from the ripe crop. Obviously there were dangers with that product. Traces of it were found in tests of wine that was up to 10 years old. It happened because we had cowboys who did not follow the labelling instructions, who did not follow the withholding period, who did not measure carefully the quantities that went into the spray mix. That has happened with many things, but you try now to sell a fresh product to Safeway, and if you are not up to the market's requirements you do not sell anything again. You try and export, things are tested and you get caught out.

The agricultural industry in Victoria should be congratulated because it really has moved. Because it has been a free marketplace the industry has had to respond to the needs, and we are clean and green. I understand that the bill is needed for those who are not doing the right thing. I am a little concerned about some aspects of it. Spray drift is a problem. With intensive agriculture, horticulture and floriculture it is a problem, because houses have been permitted to be built close to those areas, and housing and crops do not go together. There are issues such as mould on the grapes. If you do not spray downy mildew within 24 hours it goes through very rapidly. Sometimes you have to spray when it is slightly windy, and so I wonder what will happen then.

Are you going to lose a valuable crop because the wind is blowing and you cannot spray because someone in the planning area has actually allowed houses to be built adjacent to farmland? Those are the issues we are having to face. It is not the farmer who needs to be policed; it is the planning people who need to be policed. We need some more regulations forbidding the building of any homes close to viable farming land in Victoria to preserve our agricultural content.

Many have discussed broadacre farming, and there are different problems with that. It would be very difficult to police these regulations. I do support them, but it will be very difficult to police them. You are going to rely on someone dobbing in a farmer before you know there is anything wrong. As we have heard, spray can drift a long way depending on the weather conditions. You could have something damaged up to a kilometre away and tracing it back would be difficult. I cannot see how the records are going to be kept by the older farmers. The young ones do — they are very good at record keeping — but there are lots of shed walls, lots of pieces of paper on paper clips pinned to the walls, and you are not going to change those habits. I wish the department well in handling this. I support the bill.

Mr HARDMAN (Seymour) — I have been present for much of the debate over the past few hours, and it has been interesting to hear the contributions of members from both sides of the house and to hear of their experiences with chemical use throughout their lives. It is definitely the case that everybody has learned that they have not done it very well all their lives and that improvements are to be made.

This bill will introduce amendments to the legislation to improve the way agricultural and veterinary chemicals are utilised. That is a really positive sign. A lot of it comes down to the triple bottom line the Bracks government often talks about — the economic, the social and the environmental. This bill is about all those issues — the economic, with the clean and green agriculture and getting our exports overseas; the social, in the sense of public health; and the environmental, with the effects that chemicals can have on our environment. It has been interesting to hear the vast array of comments that have been made.

The bill is also important because it protects primary producers from losses resulting from damage to their produce or livestock. The act imposes controls on the use of agricultural and veterinary chemicals; it protects the environment, public health, the safety of chemical users and the health and welfare of animals. So it is really an all-encompassing bill which is probably more important than it may seem from the outside. Victoria's reputation for producing clean and green foods and ensuring that increases in agricultural exports are achieved in an ecologically sustainable manner are further addressed by the amendments in the bill.

Yesterday I launched a new product by Natures Dozen, an egg-producing company from Wallan in my electorate of Seymour. The product is a hard-boiled, peeled, pre-packaged egg, which will be quite easy to buy in the supermarket. I am sure the product will be successful, because it meets the needs of today's consumers.

I have some figures from the Department of State and Regional Development on what has happened with agricultural exports from Victoria over the past year. They are fairly amazing, and I would like to share them with the house. There has been a fantastic job growth in rural and regional Victoria. The figures show that rural and regional Victoria have had higher job growth than the rest of Australia over the past couple of years, which, when you consider the dissatisfaction in rural areas right across Australia, is pretty amazing. I think the recovery in rural areas has come from the food industry, and obviously it is because we are producing a

product the world wants, which is a clean and green agricultural product.

Out of interest I indicate that most of Victoria's food and fibre exports surged dramatically in the past 12 months, reaching a record high of \$7.6 billion — which is up by almost a third on the previous year. That has obviously come from the policies of the state government. Agricultural exports to China and the United States grew by a massive \$400 million to over \$1.4 billion, while exports to the Philippines, Japan, Germany, Saudi Arabia and Indonesia also achieved significant gains. The big winners from this growth in our food and fibre exports were Victorian primary producers, the majority of which are obviously based in our regional and rural areas. Our grain exports went up by 67 per cent; our wool exports, 37 per cent; our meat exports, 31 per cent; and our dairy product exports, 27 per cent. We are seeing a growing part of the Victorian economy which needs to be looked after. This legislation is very important because it does that. The strengthening provisions in the legislation, which are the responsibility of the government, ensure that accepted standards are being met.

About three weeks ago I was speaking to a local berry grower whose major produce, I think, is blueberries. The company is very concerned because it has two farms in two different localities. No aerial spraying is allowed near one farm, but aerial spraying is allowed near the other. She is very concerned that the aerial spraying being done near one of the farms could be contaminating the product and, as a result, affecting its reputation as a clean and green producer. I asked for as much detail as possible so I could pass the matter on to the Minister for Agriculture. I will obviously take it up with him in the near future.

It was an eye-opener to me that people are much more aware of the effects of chemicals, contamination issues, and that sort of thing. A lot of my time is spent dealing with people who want as much access to chemicals as possible to get rid of weeds such as Paterson's curse, blackberries and gorse, which are another big problem in rural areas. Those issues are very big. It is important that the people using the chemicals on those weeds know what they are doing. I have spoken to the Minister for Agriculture in the past about the best way to train people to do that and to update their qualifications. Obviously there will be improvements to and a streamlining of those things in the future to make sure that everybody who is using those chemicals know what they are doing.

The extension of powers provided by the bill to allow regulatory authorities to issue notices, to make

regulations controlling contaminated products and labelling and to enforce the law are to be commended. While they provide some restrictions on producers and on free enterprise, that is sometimes necessary for the protection of all. The bill protects Australia's clean and green reputation and it benefits consumers, the environment and producers alike. I commend the bill to the house.

Ms OVERINGTON (Ballarat West) — I am pleased to speak on this important bill. It will impose further controls over the use of agricultural and veterinary chemical products to protect us all and keep a healthy environment. I do not come from a farming or rural background, but I have experienced life on a farm. You would be surprised what I have done. I suppose I have plucked and gutted more chooks than you have.

Mrs Peulich — We have heard some of the rumours!

Ms OVERINGTON — Okay. When I met my husband all those years ago I was introduced to one of his best friends and his best friend's wife who had a farm in the Wimmera. The young couple were struggling on a couple of thousand acres of sand and were working very hard to grow wheat and sheep. When our kids were young we spent every Christmas and every other opportunity, whether it was Easter or some of the school holidays, helping them with stripping, shearing and all those other farming chores. I remember the frequent use of chemicals on that farm and all the ways they were mixed and sprayed. It amazed me even at that time that it was done without any protection — no protective clothing, no gloves, no masks — no nothing. I also found it interesting that after giving them a gentle rinse they used the same containers to feed the poddy calves and the chooks, and as all sorts of animal feed containers.

I have heard many honourable members talking about their experiences with aerial spraying or crop dusting. I remember we were up there when the kids were about four and six. I do not have a farming background, but I enabled this couple to work on their farm at those peak times by taking on their domestic chores — making sure that meals were prepared and the washing was done. I remember one particular day I was out at the clothes line with the kids at my feet. The crop duster who was spraying in another paddock overshot the house and we all ended up quite wet. I did not think much of it at the time, apart from it being a bit of an irritant. In a place where water was extremely scarce I wondered whether we needed to wash the clothes again, but I was assured that they could dry on the line.

It was only later that I thought of some of the possible after effects of that plane flying over.

A similar thing occurred when it came to sheep dipping. I still have this vivid picture of the kids pushing the sheep through the dip, and after the sheep had gone through the dogs went through. It seemed that every animal on the farm went through the sheep dip, and the kids would run around hugging the sheep, the dogs and whatever. I think back and wonder about the carelessness that existed then. It was unintentional, because they were good farming people who believed that the chemicals and methods they used were increasing the yield and giving us, the benefactors of the produce of that farm, quality wheat and meat.

I also think back to the scarcity of water. You would run a bath with about 4 inches of water in it: the kids got in first, then the women and then the men. I often wonder about what we were bathing in. You certainly were not getting into a shower and washing it all away. That was the way of cleaning at night. We all now know how dangerous these practices were, but unfortunately at that time the farmers believed in the new farming practices. There were some controls, but one of the things I vividly remember was that when we talked about how to mix the chemicals and apply them it became obvious that a number of farmers in those farming communities could not read or write. It was a time when you left school at a very early age and went back to work on the farm, because that was how farms survived. Labelling was inadequate, and instructions were not conveyed to them because of their inability to read and write. I am extremely pleased that farmers now participate in the farm user chemical courses and that most of them are now returning to natural forms of farming.

I will come back to the bill, but firstly I want to set out the background to it. I come from a family that practised natural methods. Our home was on about an acre and a half of land. We never bought vegetables, fruit or meat, because we had it all on that 1½ acres. I remember my father was a great supporter of liquid manure. I wonder whether anyone remembers what liquid manure was. It was chook manure that you put into a bucket, hung a hessian bag over and diluted down — and it worked really well! We also used garlic sprays. I remember sometimes coming home to see the pet lambs we raised hanging in shrouds in the woodshed.

While I do not come from a farming background I have had some experience of it. When I got married and we purchased our house I was very keen to establish a vegetable garden to give our children the best natural

ingredients. Firstly, we had to level the mullock heap in our backyard That was not unusual in the goldmining town of Ballarat — which has it way over any of those other goldmining towns in Victoria! We levelled it out, carted in a lot of soil and tried to produce some vegetables, but every season the soil disappeared.

Mr McArthur — On a point of order, Mr Acting Speaker, the honourable member has been speaking for just over 9 minutes. I wonder whether you, Sir, would ask her to make some passing reference to the bill. It is a fascinating dissertation, but it is hardly relevant.

The ACTING SPEAKER (Mr Seitz) — Order! I must uphold the point of order. I ask the honourable member for Ballarat West to come back to the bill. There has been sufficient time for a passing reference to that subject. She has been talking about her farm experience, but I guide her towards coming back to the bill.

Ms OVERINGTON — This is all relevant to this very important bill, which, as I said in my introduction, imposes greater controls to allow Victoria to remain at the leading edge in environmentally safe chemical practices.

I refer back to the goldmining areas. We keep talking about the practices that exist, but one of the interesting things that occurs in goldmining areas is that when you garden you get arsenic poisoning. Interestingly, there is a place in Ballarat called Llanberris Reserve. They spent \$1.5 million on it, \$500 000 of which was to decontaminate it from arsenic poisoning so that a playing field could be put there. People of my generation and older regularly had gardens in such areas to feed their families. Now we know that these areas were contaminated, so I do not know what we did in earlier days. I make that reference because as a result of our inability, due to such contamination, to produce our own vegetables we must now rely totally on market gardens, orchards and the farming industry to supply us with the food that we eat. It is extremely important that within that industry controls exist which are tightened by this bill to protect the community from any further contamination. There is no doubt that contamination has occurred in the past. We need to legislate to ensure that contamination is minimised in the future because, even though I would like to see it happen, I doubt that we can totally control contamination, no matter how much we all wish that that could occur. I am confident this bill goes far enough — —

Mrs Peulich — You've no idea what it's about.

Ms OVERINGTON — I beg your pardon! I have no doubt that this bill will go a long way to ensuring that consumers and the environment are given protection against the exploitation of chemicals and that safe practices are adopted within our farming industries.

Mr HAMILTON (Minister for Agriculture) — First of all I should probably count the many honourable members who contributed to the debate on this bill. I was somewhat taken aback by the remarks of the honourable member for Swan Hill, which indicated that, in light of the experiences of the last week, today's activities pale somewhat into insignificance. I thank all honourable members who spoke on this bill for addressing what is locally a very important matter, although globally it pales into insignificance. I am pleased that the Parliament passed that resolution earlier today.

I need to respond to the comments made by a number of honourable members. The honourable member for Monbulk raised a number of issues. As a general comment, I say that the legislation is written fundamentally for lawyers and I have not seen too many farmers with an act of Parliament in their back pocket, although these days we do see a number of farmers who have good Internet connections. I have seen legislation displayed on the Internet on a number of farming properties. The world has changed!

That is a message which has come through from all of the speakers on the bill: we live in a changing world. The act was first brought into the Parliament in 1992. Since then I think there have been four sets of amendments. In a relatively short period — nine years — this act has seen about four updates, and that says something about what is going on in the industry. As the honourable member for Evelyn commented, a lot has gone on in the industry as well as in our community in terms of recognising the importance of the safe use of chemicals. Fundamentally, that is what this bill is about — the safe use of chemicals in plants and with animals. That is something we are all very conscious of — I suspect not only from an economic point of view, but it is certainly important to exports. It is more important from a responsible societal point of view that we do not use unsafe practices and thereby endanger the lives of people, of biodiversity or of animal livestock. Those issues are addressed by the bill.

I refer to the specific questions raised by the honourable members for Monbulk and Benambra. The latter's '100 words without a full stop' would fit in very well with the way I used to mark students' essays. We used to call it the fog index. That means that if you had a large number of words with no punctuation and no

obvious clear meaning it had a pretty high fog index, and that is not a good way of communicating. I have taken note of that and —

Mr McArthur — What does your department do?

Mr HAMILTON — As I said by interjection when the honourable member for Monbulk raised the issue, legislation is written fundamentally for lawyers and the courts. I am sure that the honourable members for Monbulk and Benambra and certainly the honourable member for Swan Hill would be very much aware of our department's responsibility to educate and extend the processes to actually do the interpretation of that legislation out in the field, and that goes for a number of our Agvet certificate courses as well. I will go through and tell you what the real meaning is in plain English, if I could put it in those terms.

I turn to clause 10, which relates to the question of a process in terms of chemicals used on a product. Probably the best example in the horticultural industry was given by the honourable member for Shepparton, who said that chemicals are used sometimes in the packing shed to determine the quality of a product and its suitability for export.

The legislation makes it quite clear that a chemical process cannot be used by a third party without the written permission of the grower. That is a fairly simple explanation which makes commonsense, because if there is chemical contamination the grower must have given written permission if the grower is going to suffer the consequence of the product being rejected in the market or being downgraded in its price. That fixes up clause 10.

Clause 13 relates to the subjective test, and the honourable member for Benambra raised the phrase 'is likely to', which is used specifically in reference to agricultural produce. More often than not agricultural produce has not been harvested when off-target agricultural spraying occurs. For example, beef would not be the entity exposed to off-target agricultural spraying as it is cattle that have been sprayed. However, beef is the relevant commodity, and therefore if the off-target spraying contaminates the beef rather than the cattle being sprayed, there is a serious problem. That is what clause 13 attempts to address.

In relation to clause 9, a question was asked about what proposed section 19(5) means.

Mr McArthur interjected.

Mr HAMILTON — As the honourable member opposite, and I am sure all honourable members who

have taken interest in this whole sector of legislation would understand, we are talking about amendments to a current act. In plain English the amendment in clause 9 says that the current act — —

Mr McArthur interjected.

Mr HAMILTON — Not at all. The honourable member opposite has been here long enough to know that parliamentary counsel writes down the legislation once there is a briefing from our department saying, 'This is what we want to do. You put it down so the lawyers can use it!'. You should never read amendments without relating them back to the act they are amending.

The current act can only enforce certain types of restrictive — that is, 'do not' statements. Some labels contain 'must do' statements, and proposed section 19(5) is designed to deal specifically with enforcing risk management statements written as a positive direction rather than as a restriction. Those who use agricultural chemicals will know that that has been a major change from the original chemical labels, which said, 'Do not do X, Y and Z'. Now under commonwealth legislation those chemical producers and the industry are required to say, 'You must do such and such'. That is what that section is designed to address.

The honourable member for Swan Hill raised a number of interesting comments, as is his custom, including the use of this act in relation to the Environment Protection Act. I think the honourable member for Wimmera raised a possible conflict between an Environment Protection Authority inspector and a Department of Natural Resources and Environment inspector. In fact they are complementary, and there is certainly a lot of evidence that EPA officers and DNRE officers work cooperatively, although their responsibilities are somewhat different.

DNRE officers are responsible for the safe use of chemicals in agricultural and veterinary products. The EPA, by its act and charter, is responsible for contamination and pollution on a broad scale. So a relatively narrow focus is going to be caused by the bill. The Environment Protection Act deals with the broad concept of pollution. I hope that addresses that particular problem.

The other point I want to comment on is the common theme that went through the contribution of every person who spoke on the bill, which was a genuine and sincere pride in the electorates they represent. The honourable member for Shepparton expressed pride in

what goes on in the fruit bowl of Victoria and talked of why the amendments to the current act are extremely important in clarifying and securing the future of the horticulture industry in his particular region. In their speeches members of Parliament are clearly demonstrating that we have a great deal of pride in our own electorates, and that is as it jolly well should be. I compliment all of the speakers on that.

The honourable member for Ballarat East demonstrated one of the clearer exhibitions of speaking to the bill. He ran through what the bill does and almost did it clause by clause — —

An honourable member interjected.

Mr HAMILTON — But that was important. We should never underestimate the importance of people having actually read the bill and looked not just at the clause notes but at the actual amendments in the bill. I compliment him on that.

Again we found out that the honourable member for Polwarth is a very versatile person. He is a licensed agricultural chemical operator and he gave us some informed comments on some of the things that went on when he was practicing in industry. He was going to seek some further information on some of the clauses, which the government will gladly supply. I shall arrange for the department to make that information available.

The honourable member for Geelong spoke about the importance of the bill as part of a national scheme and national registration legislation.

I forget which member it was — it might have been the honourable member for Wimmera — who raised the issue of the clarity of labels and the need to have multilingual labelling. The commonwealth government is responsible for the labelling, but the government will take that matter up with the federal Minister for Agriculture, Fisheries and Forestry, who is a very important player in the ministerial council.

The honourable member for Warrnambool indicated that a tremendous array of chemicals is used in agriculture these days. He believes there is a need for further education and for the use of plain English in the instructions. The honourable member would be well aware of the agriculture and veterinary notes that go out regularly from the agriculture department and the regional departmental officers.

I thank all members for recognising the dedication and talent of the staff in the Department of Natural Resources and Environment, including the way they

relate to our producers on the ground. They do a great job.

I thank the honourable member for Narracan, who concentrated on health and safety. I think I have responded to some of the concerns raised by the honourable member for Benambra, but the government is willing to have further discussions on those matters.

The honourable member for Keilor also talked about the safe use of chemicals. As did a number of other honourable members, the honourable member for Rodney indicated the number of cultural changes that have taken place, saying that we are all wise in hindsight. I assure the house that this will not be the last set of amendments to the principal act. As we learn more we will adjust the legislation in recognition of that greater knowledge.

The honourable member for Tullamarine gave the house some information on chickens that I was not aware of and on the use of DDT. I have already responded to the honourable member for Shepparton on the Ponderosa issue. The honourable member for Werribee complimented the department staff but still does not want a toxic dump in her electorate. I have responded to the honourable member for Wimmera. The honourable member for Preston made international comparisons, and the honourable member for Evelyn referred to the diversification in the industry, planning issues and right-to-life farming. I thank all honourable members for their contributions.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr SMITH (Glen Waverley) — I have been a great supporter of the Agricultural and Veterinary Chemicals Act since it was introduced in 1992. The contents of this bill are the subject of discussion at every meal table every day of the week, whenever people indulge in good food and good conversation because they are vitally interested in their food. Wherever one goes throughout the world one finds that people are interested in ensuring the quality of their food. This bill is an instrument by which people will be able to ensure that their food production lines are amply supervised.

I was recently in the Middle East, where I saw first hand some of the appalling processes that go on there. In addition I was able to speak to people who were

vitaly interested in food production, and one of the things which kept coming up was the quality of Australian food. It is interesting that following Chernobyl and other accidents in Europe people doubt the quality of the food coming out of those places — and, I am sorry to say, food coming out of the United Kingdom in particular. People in the United Kingdom, Scandinavia, Germany and the mid-European countries are constantly looking for better food production processes. They are scared stiff of the food produced in their areas, as they know it will be contaminated.

I have always supported this principal act and the bills that amend it, because Australia has a reputation overseas for having top-quality food. I do not care how tough we have to be in ensuring we get the quality of food we need to maintain our reputation, because it is so important.

I cast my mind back to the two occasions when I was in Vietnam. On every second Sunday the task force base we were situated in was sprayed with some sort of chemical. Goodness knows what it was! The Americans would fly across in their C-130s, the main transport planes, loaded with chemicals to spray the base. I hasten to add that it was not Agent Orange, because that was used as a defoliant. The Australian task force base was at a rubber plantation. I was there when the base was first set up, and by my second term in 1969–70 it was well developed. However, they still went through this process, and the people back at base were going around without shirts. It is no wonder that people have problems from that type of spraying process.

The part of the bill which deals with aviation is fascinating. This bill requires pilots to hold an agricultural aircraft operator's licence and comply with all its conditions or be an employee or agent of a person who holds an agricultural aircraft operator's licence. When I think of the American and Australian air force pilots I realise it is about a complete change of attitude and a realisation of what we did wrong.

The honourable member for Rodney talked about how he stood in the fields with his children trying to get the right line for the pilots to come through to do the spraying. We have changed our attitudes, but I do not think we can go far enough. We need to be able to ensure not only that bills like this pass through the Parliament — I would like the attention of the Minister for Agriculture on this — but also that an education process is put in place. I do not know how that should be done. It is all very well to say that the government spends money on advertising campaigns, but there must be smarter ways of doing it through the editorial

sections of newspapers and television and radio. It is no good putting in advertisements, because people do not read them.

The minister's advisers would be well advised to look for opportunities to talk up bills like this. As members of Parliament we have a collective responsibility, and the opposition is not opposing this bill in any way. Some honourable members are supporting the bill and some are not opposing it, but all honourable members would be behind any moves any government made to ensure the quality of our food, not only for our own benefit but also for our reputation abroad.

We are selling wheat to Egypt. I saw some of the big projects in areas like Tanta, but the good quality food is coming from Australia. The Muslim countries are buying our fat lambs off the ships because they have already tested them for the quality they require. Maintaining our reputation is important.

I will conclude on the point that we need to ensure not only that we are processing our foods properly and that our production lines are being supervised but also that our own population is being educated. As I said before, it cannot be done through advertisements and the like. We must have smart editorial stories so that ministers and others who are interested in this type of legislation can ensure the community is educated. We must also make sure that this is put into the external market so that external publications take note of where we are heading with our clean food bills.

This is one of the ways of doing it, and I hope the minister is taking cognisance of some of the remarks I have made.

Mr HAMILTON (Minister for Agriculture) — I thank the honourable member for Glen Waverley for his very valuable contribution. I recognise the challenge of our collective responsibility to promote the clean, green image of Victorian food and agricultural production.

The thing that has frustrated me somewhat is that as a rural community in general we do not really appreciate the outstanding staff the Department of Natural Resources and Environment has working in the field in these exercises. There is no doubt that a great number of the changes to practice on farms have come about through the work of DNRE staff, in conjunction with Victorian Farmers Federation members but driven by the department. I am extremely proud of them, but by and large their worth is not recognised.

I must give great credit to individual farmers, especially the younger group of farmers. There are some

wonderful things happening in best practice — if I can use that phrase, which comes from a bit of economic theory that I really do not admire greatly — in using agricultural and veterinary chemicals responsibly. It is an area where there has been a sea change across the on-the-ground level. It is the next level up. Indeed, I very much confirm the comments that have been made about our international reputation.

I was fortunate enough to visit three countries in four days, and getting to about 38 supermarkets was, as my wife would confirm, a real challenge. It was with a great deal of pride that in supermarkets in Bangkok, Kuala Lumpur and Singapore, across that South-East Asian belt, we saw the quality of products branded as Australian. The buyers for those international and multichain supermarkets said, 'We sell it here as an Australian product because that is what sells, but when we are seeking to source that product we know that we go to this Victorian producer or that particular company in Victoria to make sure that they have got the quality assurance programs in place so that we can guarantee not only the quality of the food product but that it is safe and not contaminated'.

I felt a great deal of pride as the Victorian minister and a representative of this Parliament, which I believe is my broader responsibility. That pride is not just as a representative of the ministry for agriculture, it is also as a representative of the Victorian Parliament, which has done a great job. It has not all happened in my term as minister, and I want publicly to recognise the work done by the previous government, and indeed the government prior to that. There has been a collective addressing of this very important part of our community responsibilities.

I am very happy to work with all members of this Parliament, because let me assure you not all wisdom resides in the mind of the minister. I welcome in conversation with any member of this house any ideas on how we might take up the challenge the honourable member for Glen Waverley offered in his contribution to this debate, and I sincerely thank him for that important contribution.

Mr SMITH (Glen Waverley) — In my many years in South-East Asia one of the great problems was always with lettuce-type products. One of the things that you were always warned about was not to eat those sorts of products. The minister talked about cabbages — or it might have been an interjection from the honourable member for Evelyn — that may have boutique-type packaging, but it must be done cleanly. The big worry is that if you eat products of that type from that area and they have not been properly

processed — and they cannot properly process lettuces — there is always that great danger, so people have taken them off their menus.

My suggestion to the minister is that he look carefully at a boutique-type product — including the Yarra Ranges cabbages, or whatever they were — that can be packaged in a special way. If they have the Australian label on them, they will sell. If I can help in any way I will certainly contribute later in the way the minister suggested.

Mr HAMILTON (Minister for Agriculture) — Can I respond briefly in terms of the lettuce. As the honourable member for Benambra would know, one of the ways they were decontaminating some of the old tobacco-growing areas was to grow lettuces on them. The lettuce picked up the dieldrin. You could not eat the lettuce, but it was a way of cleaning up the land.

An honourable member interjected.

Mr HAMILTON — I do. That is my own experience and knowledge about what we used when the tobacco industry was restructured to decontaminate land affected by the dieldrin used on tobacco farms. They had a lot of contaminated land that had to be decontaminated. That was certainly one of the ways used to attempt to do that. There are some very, very smart people around; it is just that we do not celebrate their smartness.

Clause 1 agreed to; clauses 2 to 8 agreed to.

Clause 9

Mr McARTHUR (Monbulk) — In dealing with clause 9 I first of all point out to the house that it deals with the off-label use of chemical products. In Victoria for some years now off-label use has been an extraordinarily important issue, and the capacity to use chemicals off label in Victoria has underpinned the growth and success of many of our horticultural industries. This is simply because the cost of going through the national registration system to get every specific use allocated, assessed and approved to go on label is so great that the market created by some industries that rely on some agricultural chemicals is not sufficiently valuable to warrant the chemical company going through the cost of the testing and assessment process.

Victoria has for a long time had an off-label use capacity which allows people to use those chemicals. The department restricts the advice it gives, and the user of the chemicals in those circumstances assumes a greater liability than if they are using on label.

Nevertheless it is an important use and one we need to retain.

I accept the minister's explanation of the wording of clause 9(2), which inserts a proposed subsection (5) in section 19 of the principal act. It was not a bad explanation, Minister. I think what the minister was essentially trying to say is that in future if a label says that the user of the chemical must do something, then that user must do that thing, otherwise they will be guilty of an offence. If that is the case, that is acceptable and sensible.

I refer the minister to subclauses (3) and (4) of clause 9. Clause 9(3) inserts new words into the existing section 19(6) to the effect that an owner must not sell livestock or produce from livestock — for example, wool, milk or hair — or any agricultural produce within a withholding period stated on the label of an agricultural or veterinary chemical unless the owner notifies the purchaser that the withholding period has not been complied with.

While I understand the reason and the need for this, I am puzzled as to how it will be enforced and, where the seller has not complied with the withholding period, how any purchaser will know and how they will seek redress, and further, how the department will know and take action. While it is sensible enough to have a requirement that the seller should notify, I am puzzled as to how the department will ever get the evidence and launch a successful prosecution should it seek to do so. Perhaps the minister might respond to that when he has the chance.

Clause 9(4) inserts three subsections into the act, proposed subsections (7), (8) and (9) of section 19. I refer specifically to proposed section 19(8)(c), which refers to a problem that I raised in discussions with departmental officers:

in the case of stock food or agricultural produce obtained from an animal, the stock food or agricultural produce was obtained from the animal before the relevant withholding period stated on the label of the chemical product had expired ...

The example I used was a farmer who treated his sheep for, say, lice or blowflies before shearing, then shored them prior to the withholding period expiring. The proposed subsection makes it clear that if the farmer did that he would be guilty of an offence. Again I ask the minister to turn his mind to how that offence would ever be detected and if it were detected how the evidence would be gained that farmer Bloggs had committed the offence. I can understand it with a farmer who was involved in a quality assurance (QA)

program, a Best Wool program or something like that, where meticulous record keeping is part of the QA process. There are plenty of farmers still out there for whom, when they jet the sheep, the record-keeping process involves just tallying the numbers as the sheep go through the race, perhaps on the shed wall with a bit of raddle. That is about as much record keeping that will be done because he will shear the sheep the next week and he knows how many there were and he knows the numbers out in the paddock and that is all he is interested in. That practice still exists.

If it occurs and the farmer has nothing more than a couple of tally notes in, say, a notebook or on the wall of the shed, how will the department get the evidence that there has been a breach of the provision and how will it take action on that? If the department cannot take action why bother to have a provision that has a penalty? It seems to me that while the notion is sensible the actual inclusion of a provision in legislation which says that something is a breach of the law and that anybody who breaches that provision will be subject to a penalty — quite substantial penalties, in this section up to, I think, \$20 000 for a person —

Mr Hamilton — For a corporation.

Mr McARTHUR — For a corporation, or \$10 000 for a person. Quite a few farms are corporations, so quite substantial penalties are involved here. Minister, can you advise us if this is something you seek to pursue? If you pursue it how will the department do that and how will it provide the evidence to the courts?

Mr HAMILTON (Minister for Agriculture) — It is a good set of questions and I shall endeavour to answer them. I think we should look at the spirit of the legislation.

The difficulties raised in the comments of the honourable member for Monbulk very much reflect the spirit of the legislation — that is, to make the farming community, the producers, more responsible — and the responsibility relates very much back to good record keeping. If you are going to use Agvet chemicals that is something which is part of the culture. I think the honourable member does the majority of farmers a disservice. There has been an exponential growth in the quality of record keeping, not just in order to comply because it is required under the law but because of what is happening with the industry in better production and best practice. The honourable member has used the wool industry as an example, but I assure him that members of the dairy industry are great record keepers and that is why Victorian dairy leads — —

Mr McArthur interjected.

Mr HAMILTON — Yes, but part of the import of that clause is to get good record keeping about when, where and how an Agvet chemical has been used for a particular farming practice.

Again the import of the second point is something which is being encouraged not just by the government but by the industry. We do need good systems of trace forward and trace back. An identification system is being pursued strongly by Victoria, which is leading the whole of Australia in getting a good system so that when a contamination is present and is detected — whether it be in the wool or in the meat itself — then through good records and good identification systems of livestock, in this case, we have the ability to trace back to the origin of the particular product.

There is that second import in the spirit of this legislation which is saying clearly — and I would have thought \$10 000 or \$20 000 as a possible penalty — ‘Hey, this is important. We want you to take this on board as being a very important part of your production system’.

To give a bit more detailed response to the honourable member for Monbulk, who I am sure is interested in this and is not just setting me up to trip over, the difficulty of the non-conformation with the withholding period will not be detected until there is a problem at the end, which is when it would become an issue. If no contamination of the wool is detected through the wool store process or of the meat through the abattoir process, indeed the respective inspection processes, no-one will know if there has been a breach of this law.

However, when that contamination occurs it is not just that particular farmer or producer who is going to be affected. The whole of the industry is going to be affected and we all know that one contaminated load of meat going into Korea does not harm just that individual farmer who has used malpractice — and it will be viewed as malpractice — but that it will affect the reputation of every producer, not only in Victoria but across Australia.

The intention of these amendments to the current legislation, remembering that this bill has to be read in conjunction with current legislation, is to say, ‘Hey, this is important. You’d better not do the wrong thing’. That intention, which is certainly far more important with the spirit of this legislation and indeed with the intention to maintain our good reputation as clean, green producers in this state, emphasises that one should not do the

wrong thing because that would not be in the best interest.

I agree with the honourable member for Monbulk that the policing and prosecution aspects of this will be most difficult. I will seek from the department details so that we can give a sensible response to the questions asking, ‘How do you police it? How do you prosecute? How do you collect the evidence?’. I will seek detailed responses from my department and make sure that they are forwarded to the honourable member and any other honourable member who is interested in the nature of the detail. I do not have the detail of how my department officers police all of these regulations.

Mr Leigh — But you’re paid to be in charge.

Mr HAMILTON — I love the interjection. I made no claim to have an absolute knowledge of everything that goes on in this portfolio. I do take responsibility for the direction of this portfolio and for the spirit of this legislation. Rather than endeavouring to mislead the committee or claim that I know something which I do not have the details of, I will get the details and respond through the officers to the honourable members.

Mr PLOWMAN (Benambra) — In defence of the government’s position the minister suggested that record keeping is improving and therefore record keeping will assist in identifying these situations under clause 9. However, there is no mention at all of the requirement for record keeping in this clause. I would suggest that if the minister wants record keeping to be part of his defence — that is, if he wants it to bring into effect clause 9 — it should be in there. If that were the case it is something that could be changed between chambers, and if it were necessary that should occur.

When you look at the example raised by the honourable member for Monbulk of wool shorn prior to the withholding period and it has lice protectant on it, it is almost an impossibility to do as the bill suggests — that is, to notify the buyer. In so many cases you have got small lots of wool, particularly wool that has been treated for sheep strike or something like that, it goes into bulk classing, and you have no idea who the buyer is going to be. Even with small one-lot bales inter-lotted you have no trace of your own wool when it goes into the market. How then can you effectively abide by what the legislation requires?

If it is improved record keeping that is required for this to take effect, might I suggest that the bill be amended between chambers to bring that into effect? If not, I wonder if the minister could explain how we might do it.

Mr STEGGALL (Swan Hill) — The interest that I have comes from the wool side of this as I am an old woolly!

The notes supplied by the minister's office today in respect of proposed section 19(6) state:

Increasingly strict environmental standards are being applied to the effluent discharged from wool scouring plants. These standards include maximum levels of agriculture chemicals.

We understand that. The notes continue:

This means that when wool is sold it is essential that the initial wool producer conveys to the buyer the chemical status of the wool.

It would be of interest to me to see how the minister would believe the producer should convey the chemical status of the wool to the buyer.

Mr HAMILTON (Minister for Agriculture) — I respond firstly to the question raised by the honourable member for Benambra in terms of the importance of record keeping and that that is not a specific requirement in this particular bill. I will take his word for that. Whether it is included elsewhere in the act I do not know, but he may have a very detailed word-for-word knowledge of the act. I take up the suggestion. There is no doubt in my mind that good record keeping is an absolutely essential intent of the bill because that is what we want to encourage people to do so that not only is the industry protected but indeed there is good practice on the farm.

We will have discussions with the opposition while the bill is between this and another place, and if on advice from the department there is a requirement, I am open to the suggestion, because I think it is a good idea. In fact, I think it is absolutely critical. I acknowledge the issue the honourable member has raised. The department officers will take it up with me, and we will have discussions while the bill is between houses.

I was interested in the comments of the ex-wool classer — that is, the honourable member for Swan Hill — —

Mr Steggall interjected.

Mr HAMILTON — The honourable member does himself a disservice. He knows there has been great progress in the wool industry. There is almost a cause-and-effect reason for the good prices being paid for wool at the moment.

There have been some very large changes in the way wool is marketed these days, which the honourable member would know because he talks to officers in the

department. In fact, the department and the industry have spent a lot of time and effort in making sure wool producers know where their wool will end up when it goes through the whole wool process. Links are being built between the grower, who may be in Hamilton or Balmoral or wherever, and the processor, who may be in the United Kingdom or in Europe. That program is, I think, called market linkages, and I am sure some honourable members will be aware of it.

In response to the issue raised by the honourable member for Swan Hill, I point out that we are moving towards the idea of making a declaration in relation to — —

Mr Steggall interjected.

Mr HAMILTON — I know, but I am indicating directions. The details, as I said to the honourable member for Monbulk, will also be treated seriously. I am not trying to make light of the question, because these are serious issues.

The way to move towards that is to get a declaration, as they do in so many other industries. In the wine and horticulture industries declarations on product quality and compliance in the use of chemicals are very common. They are also common in the dairy industry because they are part of the total industry responsibility for what goes on.

They are not common in the wool industry. However, there have been cultural changes in the wool industry within the last couple of years. Those changes were thrust upon the industry because they had so many years of bad times. We are now experiencing good times — —

Mr Steggall interjected.

Mr HAMILTON — Okay, better times! The wool industry has become far more technical and sophisticated, and there is far more responsibility all along the way, from growing the wool to manufacturing the suit, the garments or the carpet. There is a lot better knowledge in the industry, and a lot better understanding.

As an aside, the wool industry has been its own worst enemy in some ways, in that it grew the wool, threw it in a bale and sent it off. Wool growers often did not know what happened to it until the wool cheques came in. That is not true in 2001, and it will be even less true in 2002, 2003 and on up to 2010. There are tremendous changes going on in the wool industry.

As I promised, I will get back to the honourable member about the details via the department or via my office after we have had consultation with departmental officers. I cannot give a better response than that.

Clause agreed to.

Clause 10

Mr McARTHUR (Monbulk) — I point out to the minister that the intent of the clause, which inserts section 21 into the principal act, is sensible. I have no dispute with its aims at all, but I do have some questions about how it will work and how the department will oversee it.

In essence the proposed clause requires the written consent of the owner of any agricultural produce to any application of chemicals to that produce by a third party during any transport or handling over which the owner does not have control. That sounds sensible and reasonable, and the community will generally support it, as will the agricultural industries.

However, I refer the minister to the question of how it will be implemented. The common practice in, say, the orchard and grape-growing industries is that growers consign their produce to packing houses or agents for grading, packing and sometimes storage, and then later on for sale. Often during those sorts of processes the packing house or agent will do something to the produce. For example, it may be cold storage or it may be dipping.

I ask the minister to advise on whether the requirement for written authorisation will apply to those treatments — say, to apples during cold storage. Will it apply to the gas treatments that are applied to table grapes in the Sunraysia district? Will it apply to the waxing of apples? Will it apply to processes like dipping fruit against scalds? Will it apply to the chlorine dipping of fruit such as apples, peaches and nectarines?

If it applies to things of that sort, where the packing house often takes multiple consignments of fruit from a single grower over an extended period of time, will it allow the owner of the fruit to give a one-off authorisation for those treatments for the whole of the season, the whole of the crop or the whole of the year, or some such sensible length of time, so the owner does not have to be running up to the packing house five times a day to issue written authorisation for every load that goes into the dip or goes to gas or other treatments? If that can be done, I think it is workable; but if owners are required to provide separate written authorisations

every time the packing house does something to a box or a pallet of fruit, people will be buried in paper work.

I ask the minister to look closely at the wording of the clause, because if the descriptive words are left out the clause states in essence that a person must not apply a chemical to produce unless they have written permission for that application. That seems to me to be a very specific, step-by-step process for each and every application. The departmental officers could not give us an absolute response on this, and we have not yet got an assurance that it can be done in sensible, bulked-up lots.

My bush lawyer reading of it is that it is a very specific set of words which a court may interpret to mean that the owner of the produce has to trot up to the packing house or agent every time something has to be done to the fruit or vegetables. If that is the case people will be buried in paper work, and it will be a logistical nightmare. I would appreciate the minister's comments on that.

Mr HAMILTON (Minister for Agriculture) — In terms of the written permission and its frequency, I am advised by the department — this will go into *Hansard* and become part of the debate, so it will give this some surety — that the permission covers the application of the agricultural chemicals as defined in the schedule, which certainly can be given over an extended time. I am advised that for a fruit grower or a wine-grape grower or whatever, it could be given over the season. That covers what we are endeavouring to do. The spirit of the legislation is about protecting the integrity of the grower.

In answer to the honourable member's question, it applies to defined agricultural chemicals only. Where written authority is needed, if it is a normal part of the process like CO₂ gasification, that is not a designated agricultural chemical.

The ACTING SPEAKER (Mr Richardson) — Order! The time appointed under sessional orders for me to interrupt business has arrived.

Progress reported.

Debate interrupted pursuant to sessional orders.

Sitting continued on motion of Mr HAMILTON (Minister for Agriculture).

Committee

Resumed from earlier this day; further discussion of clause 10.

Mr HAMILTON (Minister for Agriculture) — The other question raised by the honourable member for Monbulk was about whether step-by-step permission is required. The department has advised me that the owner would give permission for a series of applications of defined agricultural chemicals to be done in the course of their use by the third party.

Mr McINTOSH (Kew) — As I understand it, the minister is saying that you can get written permission over an extended period. The use of that term is ambiguous. Is it possible, therefore, to give open-ended written permission? The honourable member for Monbulk gave the example of an apple grower who sends apples to a processor. At the time the grower commences trading with the processor in the way envisaged by this bill, would it be possible to grant an open-ended written permission that could last for a number of years? The minister used the term ‘extended period’. How long an extended period does the minister envisage?

Mr HAMILTON (Minister for Agriculture) — I am seeking advice on that. The advice I received from the department in response to the honourable member for Monbulk, who raised this issue before — and I thank him for raising it — is that written permission could be given over an extended period. It was suggested that in the horticulture industry it could be given over the course of the season and that total permission could be given to use whatever agricultural or veterinary chemicals were involved in that process. I am further advised that it is possible for the grower to give written ongoing permission.

Mr MULDER (Polwarth) — Clause 10 refers to ‘a person’, which I would take to be a corporation, a cartage contracting company, an owner-operator or even a part-time driver who works for a transport company that handles agricultural produce and who is not the owner of the agricultural produce. It also says that that person must not apply a chemical product to the agricultural produce unless they have the written permission of the owner of the agricultural produce for that application.

I ask the minister to give us a practical example of how he intends to inform people, who in many cases are coming in and out of the industry, that they are in breach of the act, or committing an offence, by treating a product. We are dealing with an industry where people come and go at will. We are dealing with people who come from interstate to work in rural Victoria, particularly over harvest times. How does the minister intend to make itinerant drivers who come and

go aware that they are party to an offence in this regard?

Mr HAMILTON (Minister for Agriculture) — The answer to the question is that by and large, industry practice governs it. The truck driver does not administer Agvet chemicals. In fact, as the honourable member for Polwarth would know, given his detailed knowledge of this industry, most truck drivers would not have certificates that qualify them to handle or use the designated chemicals in the schedule to this bill.

The purpose and import of the clause is to make sure that growers’ rights are protected during what goes on in most responsible processing plants. The best example I can give concerns what goes on at SPC or Ardmona. Operators handle produce that comes from the grower to the factory and goes through a number of processes, some requiring the use of chemicals. The grower has the faith to give his written permission for that to take place. That has been the practice in the industry for heaven knows how many years.

I believe that unqualified or irresponsible people would not be part of that chain of administering Agvet chemicals in the first place. More importantly, they would not be certified as people who could handle or use Agvet chemicals or allow them to be used.

Mr PLOWMAN (Benambra) — The question following the last question really relates to who is the owner. If a corporation owns property, a sharefarmer is on that property and the grain from that property is owned jointly by the corporation and its shareholders and the sharefarmer, who is actually the owner and is therefore liable?

Mr HAMILTON (Minister for Agriculture) — I am not a lawyer, so I will take that question on notice and provide a response. That is a legal question, and I honestly do not know the answer.

Clause agreed to; clauses 11 and 12 agreed to.

Clause 13

Mr McARTHUR (Monbulk) — Again this is an issue I raised with the departmental briefing officers and on which some written advice has been supplied. However, I do not think it completely covers my questions. Clause 13 inserts proposed section 41 into the principal act, and it is proposed section 41(1)(b) which I am particularly interested in and which I will read for the benefit of all honourable members:

- (1) A person must not carry out agricultural spraying —

- (a) which contaminates any stock outside the target area; or —

and I think that is perfectly clear —

- (b) which is likely to contaminate any agricultural produce derived from plants or stock outside the target area.

In its response to our questions on this provision the department said:

The phrase ‘is likely to’ is used specifically in reference to agricultural produce, because more often than not agricultural produce has not been harvested at the time when off-target agricultural spraying occurs.

It gives the example of beef:

For example, beef would not be the entity exposed to off-target agricultural spraying, as it is cattle which would have been sprayed. However, beef is the relevant commodity in terms of whether agricultural produce has been contaminated.

That part of it I understand; that is not a problem. Cattle are in the paddock, and the cattle get sprayed and are possibly contaminated as a result. It is the issue of whether or not they are likely to be contaminated to which I would like the minister to turn his attention. There are two lots of operative words here — one is ‘likely’ and the other is ‘to contaminate’. I suggest that ‘to contaminate’ must rely on the definition of ‘contaminated’ in the principal act. The definition of ‘contaminated’ is, in essence, an animal or agricultural produce which has in it a contaminant which is in excess of the maximum residue limit.

The cows are in the paddock, the spray has been applied, and it has either drifted across them or the plane has gone across the wrong paddock and they have been exposed to it. The first question that arises is: is the chemical contained in that spray actually a contaminant? The second question is: if it is, and the cows receive some of that chemical, are they likely to get an exposure which will kick them above the maximum residue limits? If they are, how on earth will the department determine this unless it kills the cows and tests them?

It seems to me very difficult to apply an objective measure to this unless the cows have been turned into beef and the residue testing has been done on them. It seems to me that no court will be able to determine that. A court may be able to determine that they have been exposed to the chemical and that the chemical is potentially a contaminant, but whether it can determine whether or not that level is likely to exceed the maximum residue limit is certainly debatable. I ask you to explain to us how your departmental officers might

do this other than by turning the cows into beef and doing a test.

Mr HAMILTON (Minister for Agriculture) — I do not think the intent of the clause is to kill a couple of the cattle and then test them for maximum residue levels. I will seek a further and better explanation. If the government needs to change this clause during the passage of the bill between the houses, I will guarantee that it will do that. But as I understand the whole issue of the contamination of meat, which is absolutely critical to our export markets, the contamination is detected at the testing spot, the import of which is to trace it back to the actual supplier of the cattle in the first place.

As to the intent of the clause, I guess ‘likely to contaminate’ would depend on the Agvet spray that has been used for the crop or whatever it has been used on and if it is an over-spray. The intention of that is to say that if you are using these sprays, you have to be extremely careful that you have no drift at all — which I think is the spirit of the legislation, anyway, under the current act. But I agree — at this stage of the night and in the spirit of cooperation, which I hope is evident — to give the honourable member further information and have further discussions while the bill is between the houses. If the clause needs to be changed, the clause will be changed while it is between the houses.

Mrs FYFFE (Evelyn) — Proposed section 41(2) states:

It is a defence to a prosecution under subsection (1)(b) if the agricultural produce is not to be used as stock food or sold as, or manufactured into, food or stock food.

Can the minister clarify that? Does that mean it does not matter what you are spraying and if it is drifting on anyone else’s property so long as they are not producing stock food or food?

Mr HAMILTON (Minister for Agriculture) — No, that is certainly not the intention. With the amendment we are discussing, if an accidental over-spray takes place we are giving the offender an opportunity to use it as part of the defence. Again it is to encourage the responsible use of Agvet sprays, but now and again there will be unintended over-sprays. The possible defence for the commission of that offence is that the material is not likely to contaminate food or a part of the food chain.

Mrs FYFFE (Evelyn) — Suppose I am not growing food or stock food, but native plants, and someone sprays something that kills all my native plants off. Is this saying that it is a defence to a prosecution and that

they will not be prosecuted if they have killed off all my native plants?

Mr HAMILTON (Minister for Agriculture) — Again I do not claim to be a lawyer, but I believe the act covers damage to plants, or whatever, from an over-spray. The intention of this in terms of the use of Agvet chemicals is related specifically to the schedule of chemicals being used. I will seek further advice and give it to the honourable member in writing, and I again agree that if we need to redefine that we will do it while the bill is between houses.

Mrs FYFFE (Evelyn) — I thank the minister.

Clause agreed to; clauses 14 to 18 agreed to.

Clause 19

Mr KOTSIRAS (Bulleen) — I refer to clause 19(4), which inserts into the principal act proposed paragraph (ja) of section 54(1), which reads:

to take and remove for analysis and examination any equipment used for or in connection with the application of any chemical product ...

I ask the minister who will pay for this, for how long will the machinery be taken and whether there is an appeal mechanism for getting the machinery back.

Mr McArthur interjected.

Mr HAMILTON (Minister for Agriculture) — I shall certainly investigate and confirm the information.

An honourable member interjected.

Mr HAMILTON — I am happy to do that. I do not want to play games with this. The intention of the bill is to enable evidence to be collected if there has been some misuse of an Agvet chemical. In order to do that the officer of the department may need to take samples and investigate the application or equipment that is being used to apply it.

Who pays for it? It is my assessment of the legislation that it is part of the process, so the equipment being investigated and examined will involve a cost to the owner of that piece of equipment. If that is incorrect, I will advise the honourable member.

Clause agreed to.

Clause 20

Mr WILSON (Bennettswood) — I refer the minister to clause 20, which inserts proposed section 54A into the principal act. This section deals

with the power of entry and inspection with consent. Proposed subsection 54A(1) refers firstly to the ‘occupier of the premises’, yet paragraph (a) of that subsection then states that the officer may ‘enter and search any premises’. I ask the minister whether the use of the word ‘any’ rather than the word ‘the’ is a drafting error or is indeed the intention of the government.

An honourable member interjected.

Mr HAMILTON (Minister for Agriculture) — I have no trouble with taking advice; that is why one has very good officers. My response to that question is that it is a drafting error. If there is any change to that response, I will advise the honourable member. In terms of the import of the first clause, my understanding is that it refers to a premises identified on reasonable grounds, and that would be the basis on which you could search and enter. If the advice given by the department is different to my understanding, I will advise the minister when we have discussions while the bill is between houses.

Mr MULDER (Polwarth) — Proposed section 54A(2) states:

An authorised officer must not enter and search any premises with the consent of the occupier ...

In terms of rural Victoria, I wonder how you can determine who is an occupier, given that an occupier can be an owner, a manager on behalf of an owner, a sharefarmer living or occupying premises alongside a farmer, or an employee. This clause gives an officer the right to search any premises. How does the minister see that being interpreted?

Mr HAMILTON (Minister for Agriculture) — My understanding is that the term ‘occupier’ in the clause — there may be some good legal minds in here — refers to the definition in the principal act. If that is not the case, I will advise the honourable member while the bill is between the houses. That is how I understand the term ‘occupier’. There are a couple of wise legal minds alongside me who may wish to contribute by providing the legal definition of an occupier.

Clause agreed to; clauses 21 to 27 agreed to.

Reported to house without amendment.

Remaining stages

Passed remaining stages.

Mrs Peulich — On a point of order, Madam Deputy Speaker, I was waiting for an opportunity to raise a

point of order so as not to interrupt the flow of business in the house. I have been waiting for a long time, so I ask the Chair's indulgence. I ask that you take this matter on board and refer it to the Speaker for investigation and report back to the house.

My point of order relates to a report that was tabled in this chamber on 14 November 2000. It is the report of an inquiry that was conducted by the Family and Community Development Committee into the impact of television and multimedia on children and families in Victoria. As I mentioned, it was tabled some 10 months ago. I refer to section 4O(2) of the Parliamentary Committees Act 1968, which states:

Where a report to the Parliament of a Joint Investigatory Committee recommends that a particular action be taken by the Government with respect to a matter, the appropriate responsible Minister of the Crown shall, within six months of the report of the Committee being laid before both Houses of the Parliament, report to the Parliament as to the action (if any) proposed to be taken by the Government with respect to the recommendation of the Committee.

As the deputy chairman of that committee, I know full well that there was a raft of sweeping recommendations made by the committee to curb rising violence and fear in the community. The report was extensively reported in the papers and includes recommendations such as the introduction of a new R-rated category for computer games, child-friendly TV news and important matters proposed by a minority report recommending that a minister for multimedia and information technology be reinstated.

The reference for the committee inquiry was given by the former Premier, Jeff Kennett, and it was relaunched with its reference reaffirmed by the present Premier. I presume that, as the person who gave the reference, the Premier would be responsible for reporting to the Parliament the actions of the government in response to the report.

Madam Deputy Speaker, I ask that you investigate this breach by the Premier of the Parliamentary Committees Act and report to the house at the earliest possible opportunity.

The DEPUTY SPEAKER — Order! I will refer the matter to the Speaker and ask him to respond.

Remaining business postponed on motion of Mr HAMILTON (Minister for Agriculture).

ADJOURNMENT

Mr HAMILTON (Minister for Agriculture) — I move:

That the house do now adjourn.

Workcover: lump sum payments

Mr CLARK (Box Hill) — The matter I raise for the attention of the Minister for Workcover is the difficulties being experienced by a number of workers who have been unable to obtain a decision from the Victorian Workcover Authority on their applications to have their weekly benefit payments redeemed for a lump sum payout under section 115 of the Accident Compensation Act. I ask the minister to ensure that the cases of these workers are resolved as quickly as possible. I give two examples of workers who have been affected.

Mr Geoffrey Clague of Bruthen is a 39-year-old married man with three children. He has been on Workcover weekly payments for several years. In July 1999 he obtained legal advice from his solicitors about the procedures for such a redemption and put a lot of time and effort into preparing an application. His solicitors state that the Workcover authority wrote to them on 30 September 1999 indicating a payout figure of almost \$250 000 but seeking further information. Since then Mr Clague and his solicitors have made every effort to meet the requirements of the authority but have been unable to get a decision. In the process Mr Clague has incurred over \$2500 in legal fees.

By a letter dated 15 June this year the Workcover authority has simply told Mr Clague's solicitors:

Due to a number of priority issues on the Victorian Workcover Authority board's agenda, I am unable to advise you at this time when the board will be determining the section 115 applications currently on hand.

In other words, after all this time and expense, Mr Clague now has no idea when his case is even going to be considered, let alone decided.

Mrs Fiona Chaplin of Lang Lang tells me she has been injured for over 14 years. In September last year her solicitor told her he had received an offer from Workcover to pay her out of the system. Her application was supposed to have been settled on 5 November last year, then January this year, then February. She still has not received an answer.

Both of these workers have been treated very badly under a government that professes to be looking after injured workers. I wrote to the minister about both

cases in mid-August and have not yet received a reply. I again ask the minister to ensure that the cases of both Mr Clague and Mrs Chaplin and other affected workers are decided as soon as possible, and that in the meantime they be told what is happening with their applications and when they can expect a decision from the authority.

James Harrison Secondary College

Mr TREZISE (Geelong) — I ask the Minister for Education to intervene in an issue regarding the future of James Harrison Secondary College in East Geelong. In short, the school community, including principal, teachers, students and parents, are concerned that due to lack of student numbers their school may not be able to operate in 2002. Importantly, at the initiative of the school community the school has now formed a local proposal committee to look at options for the future of the school in 2002.

As I understand the issue, the local proposal committee has made a recommendation and referred that recommendation to the minister for approval. Therefore the action I seek is for the minister to examine this recommendation immediately and treat any outcome with a sense of urgency.

The future of James Harrison Secondary College has been dictated by the number of enrolments. Over the last decade the number has slowly diminished. In the late 1980s the school had around 1000 students. This year it has approximately 220 students enrolled, and it is predicted for 2002 that the enrolments will be around 190. James Harrison has 30 new enrolments for 2002, whereas nearby Geelong College has around 110 new students enrolled for 2002, as does Newcomb Secondary College. Enrolments are low for year 7 next year, and at the same time it is becoming more and more difficult for the school to deliver an acceptable range of subjects for year 12 in 2002.

Given this difficulty the school community, comprising the principal, teachers, parents and students, is seeking a decision for the future of the school.

Mr Honeywood interjected.

Mr TREZISE — You sat by and starved that school for seven years. You sat on your hands and did absolutely nothing! The school community has recognised that there are difficulties and has put two scenarios to the local proposal committee — one is to merge the school and one is to continue the school as it is at present. The local proposal committee consisting of teachers and parents has put a recommendation to the minister.

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

Wimmera: real estate transactions

Mr DELAHUNTY (Wimmera) — I raise a matter with the Minister for Police and Emergency Services, representing the Minister for Consumer Affairs in another place. There is evidence of real estate concerns — some have called it a scam — operating in the Wimmera. Houses are purchased at low prices and sold a very short time later for up to three times their value.

The issue was brought to my attention a couple of months ago. At that stage I was given anecdotal evidence, but I now have exact evidence from the Yarriambiack shire of two recent sales. In one case a house was purchased for \$16 000 and sold a very short time later for \$45 000. A second house was purchased for \$25 000 and sold for \$58 000. Both of these were sold to single women in Melbourne. Some of these transactions have happened within four days. In fact I have been told that in one instance a second sale was notified to the council before the first was notified.

The action I ask for is that the minister check that the rights of consumers, in this instance home purchasers, are being protected in this scheme, which I strongly believe is morally wrong. The way the scheme operates is that Melbourne-based companies — and I have been given two names, Perna Ltd and Vic Properties — purchase these houses. They persuade unsuspecting and unaware people to sign up to a terms contract sale. They then arrange for a deposit of \$7000, which happens to be the same amount as the first home owner grant. They then arrange for payments to be made at the same or a lower level than their rental properties in Melbourne.

The term 'contract sale' is used when the purchaser pays a deposit and the vendor — in this case a Melbourne company — becomes a financier. The repayments are directed to the vendor, but the title is not transferred until the final payment is made, similar to a hire purchase. I am informed that some of these loans are given out at 16 per cent interest and in some cases the purchasers need to raise finance to buy out the loan after 12 months.

Unless the purchaser qualifies for a normal bank-type loan they will never get out of this term contract. Financially purchasers are locked in and they are very angry. They will have difficulty reselling and they have a limited ability to pay out the contract because often they come from lower socioeconomic backgrounds.

They usually have very little knowledge of the area and often have not spoken to the locals or a solicitor. As one councillor told me, there are massive concerns and problems with this scheme. I ask the minister to take action on this matter.

Member for Warrandyte: statement

Mr MAXFIELD (Narracan) — What action will the Minister for Education take to protect schools in my electorate from the shadow Minister for Education's blatant misrepresentation of the massive investment the Bracks government has made in our schools? Last year the shadow minister claimed that we had class sizes of 30 students for English. It was subsequently proven that that claim was false and the class sizes were significantly lower.

Mr Honeywood interjected.

The DEPUTY SPEAKER — Order! The honourable member for Warrandyte is not in his seat.

Mr MAXFIELD — A few days ago the shadow minister made similar claims. He again claimed there were class sizes of 30 students in English when they were significantly lower, with averages of 23 students. What a disgrace!

Mr Honeywood — On a point of order, Deputy Speaker, I have already explained to the honourable member that these documents were made available to the media by the Minister for Education. I did not make them available. The minister herself gave the *Herald Sun* documents about the class size issue, and her documents are being quoted from.

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

Mr MAXFIELD — Last year the shadow Minister for Education was lazy. This year he has deliberately deceived my community. Why has he lied to the people in my electorate? Why can he not tell the truth? It is a very sad day for education and for a wonderful school in my electorate.

Mr Honeywood — On a point of order, Deputy Speaker, given that I have already explained the circumstances to the honourable member I ask that he withdraw the term 'liar' which he used a moment ago.

The DEPUTY SPEAKER — Order! I did not hear the honourable member for Narracan call the honourable member for Warrandyte a liar, but if he did I am sure he will withdraw.

Mr MAXFIELD — I withdraw. What is really tragic here is the fact that the shadow Minister for Education is not behaving in an honest way. We have class sizes of 25 students, so why should he announce they are 30? He will not do his job.

This is a wonderful school. This government is spending \$3 million on upgrading the school. It is a fine school. The principal, Russell Monson, is doing a great job in bringing forward a school that we are very proud of. Why is the shadow Minister for Education continually bringing down the schools in my electorate?

Honourable members interjecting.

Mr MAXFIELD — It really is a very sad day when the shadow minister tells despicable lies and not the truth. It is disgraceful and appalling. I cannot believe how disgusting — —

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

Geelong bypass

Mr SPRY (Bellarine) — I raise a matter for the attention of the Minister for Transport concerning the increasing traffic congestion through Geelong. When the three lanes into and out of the City of Greater Geelong are finished congestion in Latrobe Terrace in peak periods will be absolutely chaotic. In 1999 the previous government agreed to consider all options to establish a bypass for Geelong — including, and especially, a ring-road to the east of the city.

After the change of government the minister allocated \$100 000 to undertake a preliminary study of an eastern ring-road alternative to serve the best interests of the Bellarine Peninsula and the Surf Coast.

In collaboration with the City of Greater Geelong an eastern ring-road task force was established. To my knowledge this body has met only twice in the past 18 months. In the meantime Vicroads has published a report on projected statewide major road projects entitled *Linking Victoria*, which is endorsed by the minister.

Mr Haermeyer — On a point of order, Honourable Deputy Speaker, while I appreciate the attempt by the honourable member to rewrite the history books, I understand that the adjournment debate requires honourable members to indicate what matters they wish ministers to address and what action has to be taken.

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

Mr SPRY — The report gives budget details for a western ring-road only for Geelong, as if selection of this route is already a *fait accompli*. It ignores the alternatives. In light of this report I wrote to the minister in April asking about his intentions regarding the eastern ring-road task force. I received a curt acknowledgment from his office, and then silence. In June I wrote again, and that letter was also basically ignored.

In light of these events, and in response to increasing concerns from my constituents, I ask the minister to take action to assure me and the people of Geelong, the Bellarine Peninsula and the Surf Coast that the eastern ring-road option is still under active consideration and that he is not simply allowing this issue to fade into obscurity as a matter of convenience, thereby confirming and reflecting his indifference to the people of the region, especially people in my electorate of Bellarine.

The DEPUTY SPEAKER — Order! Before I call the honourable member for Werribee — I did not want to take up the honourable member's time by responding to the minister — I advise that during the 3 minutes they are allocated honourable members can ask for action from ministers at any time. Honourable members do not have to ask for action to be taken at the beginning of the contributions.

Housing: western suburbs homeless

Ms GILLETT (Werribee) — I raise a matter for the attention of the Minister for Housing with regard to the provision — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I expect ministers of the Crown to assist the Chair in the conduct of the adjournment debate, so I ask the Minister for Police and Emergency Services to desist. I also do not require assistance from the shadow Minister for Transport.

Ms GILLETT — The matter I raise for the attention of the Minister for Housing concerns the provision of crisis accommodation in the western suburbs. I ask the minister to investigate the matter and to advise what action she will take to address the housing needs of people living in the western suburbs and the City of Werribee. I also ask her to address the issues raised by a working group she established, which I will explain.

The Victorian homelessness strategy working report, which was released in April, shows that requests for

access to low-cost accommodation in Victoria had grown by 14 per cent from June 1999. Data from the Office of Housing also shows an increase in requests for services ranging from emergency accommodation to housing establishment funds and public housing.

Over the past year the western region crisis accommodation working group has been meeting regularly to develop a local action plan as part of the overall Victorian homelessness strategy. It is a fantastic local group, which is made up of service representatives from housing and support agencies. However, it seriously struggled under the seven years of the Kennett government, when services not only did not grow but were reduced.

Transitional housing managers have worked hard in particularly difficult service provision areas, and women's crisis services and crying needs in the west were starved of resources during that period and are now being addressed.

I am aware that the working group identified some key areas in which the government could assist homeless people in the west. I take this opportunity to congratulate those at Werribee Support and Housing Group, especially Carol Muir and Geoff Diment, for their tireless work with next to no resources. I am entirely confident that the minister will address those needs, investigate thoroughly and provide the resources the west needs to look after its homeless and vulnerable people.

Glen Katherine Primary School

Mr PHILLIPS (Eltham) — I apologise to the house — I will not be able to outdo Big Kev from Narracan!

I would like the Minister for Education to take action to solve a problem at the Glen Katherine Primary School in Eltham North. The school is one of the biggest schools in the state, with 874 students. I would be surprised if it is not in the top half a dozen schools in Victoria. It adjoins St Helena Secondary College, which has around 1100 students.

I would like the minister to intervene to solve a drop-off car parking problem. The school council has contacted me on a number of occasions about the problem, which is only going to be inflamed when development works at St Helena Secondary College start to take place. It will be closing off an access that is currently used by parents for the Glen Katherine Primary School, and the concern of the parents and council of the primary school is that the problem is only going to become worse. The cost is about \$45 000, and the council has

suggested that it be made up with \$15 000 from the school council, \$15 000 from Banyule City Council and \$15 000 from the education department.

I understand that both Banyule City Council and the department have indicated that at this stage they are not prepared to contribute and believe it is the problem of the school or the education department.

I ask the Minister for Education to intervene to see, firstly, if she could resolve the problem, and secondly, whether it is possible for the department to contribute to the cost of the \$45 000 project which in the long term will add to the school environment and improve safety for the school.

Wood Street–High Street, Preston: traffic control

Mr LEIGHTON (Preston) — I raise a matter for the Minister for Transport concerning the intersection of Wood and High streets, Preston. I seek the installation of traffic lights at that intersection. Another road in question faces the intersection opposite Wood Street at the Preston Hotel and alongside the hotel at Spencer Street.

Since 1996 there have been seven serious injuries, two involving pedestrians. A local traffic management scheme for the area was completed in mid-1998 and that intersection was identified as a significant issue and a submission made to Vicroads. At that time Vicroads agreed that warrants for the installation of traffic signals were met. However, funding was unavailable under the previous government. Indeed the previous government neglected the whole of High Street in the cities of Darebin, Northcote and Preston.

I previously raised a number of issues concerning the clearway and the need for funding to coordinate a number of traffic signals to improve the flow of traffic and also speed-variable message signage. The reason for doing that is that High Street through the City of Darebin is an extremely dangerous road to the extent that Vicroads recognises that two-thirds of its length is a black spot. Darebin had the second-highest number of pedestrian fatalities, behind the City of Melbourne. It is an extremely dangerous road, and that has been well known for some time.

No action occurred and no funding was available under the previous Kennett government. The City of Darebin has again submitted an application for funding of traffic lights for the intersection of High and Wood streets. I believe the black spot funding program set up by the Minister for Transport is an excellent program that

allows individuals, community groups and local councils to make submissions for funding.

The traffic lights would cost more than \$200 000, but given the number of personal injuries that have occurred, it would be money well spent to avoid the cost of such injuries. The City of Darebin will be resubmitting the application. I ask the minister whether funding could be made available under the black spot program for the installation of traffic lights.

Rail: St Albans crossing

Mr LEIGH (Mordialloc) — I wish to draw a matter to the attention of the Treasurer and seek an investigation into what I believe is the misspending of \$85 million over the next 7 to 10 years by the Minister for Transport, who will not be around for 7 to 10 years. The Treasurer will be well aware of the St Albans railway underpass proposal, under which the government will see the St Albans shopping area closed for up to 7 hours a day during the week, which will destroy many small businesses.

In saying that I am supported by none other than the federal Labor member for Maribymong, who would be well known to the Treasurer, who in a dissident Labor voice said that the undergrounding of the station was the best solution. On top of that the *Brimbank Leader* of 11 September reports him in the following terms:

Traders, activists and a Labor politician criticised the fact it would take up to 10 years to complete the process.

Maribymong's Labor MP, Bob Sercombe, also criticised the long time frame outlined by Mr Batchelor.

Mr Sercombe said he had asked Mr Batchelor for work to start now. 'We also need to ensure the best solution is found, and I'm confident an underground at Main Road is still the best option' ...

Everybody except the Minister for Transport agrees with this, including the Treasurer. I have material from the last council election which has a photograph of Cr Andres Puig, the community Labor councillor for the City of Brimbank. The Labor pamphlet has a lovely photo of the now Treasurer, the then Minister for Finance, and on the second page has an even lovelier photo of the former Minister for Finance supporting the councillor. Cr Puig says:

I am fighting against the drug problem and crime. And I am committed to placing the St Albans railway crossing underground.

It is signed by the councillor and the Treasurer. Some \$85 million is about to be misallocated by the Minister for Transport. An investigation should be made by the

Treasurer, who says that he would not allow this to happen, and I request that he take the appropriate action.

Gaming: problem gambling

Mr MILDENHALL (Footscray) — I raise a matter for the attention of the Minister for Gaming and request him to ensure that the government's gaming machine reforms are implemented in full in my electorate. Some sobering statistics have emerged recently that show that adults in my electorate lose an average of \$1200 per head on gaming machines in the Maribyrnong area, which still has the highest per capita number of machines.

The Bracks government is slowly but steadily and in a much more determined way implementing its reforms in the gaming machine area, particularly a reduction in the number of machines, and is exposing the previously secret gaming machine industry to public gaze.

Some of these reforms include being able to take economic and social impacts into account in the planning and approval of gaming machine venues. Councils now have a voice instead of the intimidation that they were subject to under the previous government. They are now able to take these matters into account. There are regional caps, public exposure and the focus of the Victorian Casino and Gaming Authority to not promote the industry.

We ought not be misled by the newfound but feigned concern that the opposition now has for the gaming machine industry. No-one in the community believes that. It is absolute rank hypocrisy, given the activity of the previous Liberal government. The supine and compliant backbenchers accepted everything the intimidating Premier subjected them to. They said nothing about it. When he described the gaming industry as the new spirit of Victoria, they went along with that. It is now the Bracks government that is implementing a series of reforms to bring this industry back into a more responsible framework and to make some improvements in communities like mine.

Berwick hospital

Dr DEAN (Berwick) — I raise with the Minister for Health the matter of the Berwick hospital, or should I say the mythical public hospital that is to be built in Berwick. The minister will recall that some 12 months ago he attended the site where the hospital was to be built, had champagne and launched the Berwick hospital to be built by the Labor government.

I want to know from him exactly when that first brick is to be laid and when he believes this hospital will be finished. While he is going through that process, he could also advise honourable members whether or not there will be a provision for a private wing of that hospital which will save the Berwick community hospital the ignominy of having to possibly go out of business, because this hospital will now be only a public hospital rather than a private hospital. The people of Berwick have waited some six years for this, and we need an answer as to when — —

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

Responses

Ms DELAHUNTY (Minister for Education) — The honourable member for Geelong raised the very serious question of the future of James Harrison Secondary College in his electorate. The honourable member was absolutely right when he made the comment that under the last government this school was starved not for two years but for seven years. This government has allocated \$2.5 million to James Harrison Secondary College for a major upgrade to provide an appropriate learning environment for those students. However, enrolments have declined rather seriously, and given the savage neglect of the last government we should not be surprised by that. The enrolment in 1997 was 429. The estimate for next year is 190. There are even suggestions of enrolments down to 30.

Unfortunately, the school is faced with having a severely restricted range of Victorian certificate of education subjects compared to the number of subjects that would be offered to a school with higher numbers — the number of students at this school dropping from 429 to an estimated 190 in 2002.

Within the school community there has been much discussion about the best environment in which education can be offered to these students. The local member was active in facilitating this process, and I thank him for his involvement. The process was to invite students, parents and prospective parents of James Harrison Secondary College to consider their options and the future of the college in the face of the savage neglect of the Kennett government. Every parent was individually telephoned and invited to a public meeting.

At the meeting all issues relating to the school and the decision possibilities were outlined for those parents in great detail. This is an open and transparent government, and it engages parents in conversations

about what is best for its students, which is anathema to the crowd of jokers on the other side, who have no idea of how to engage in meaningful consultation with parents.

Through a series of discussions the preferred option of these parents and the parents of students from Newcomb Secondary College, who were also provided with information and had their own series of discussions through public parent meetings, was clear and overwhelming support from the school communities to merge the James Harrison Secondary College with the Newcomb Secondary College. The colleges are less than 1 kilometre from each other.

The Barwon south-western region has been assisting the school in a managed plan for school provision. This has been considered by the community through the process that I have just outlined. The Department of Education, Employment and Training has approved the establishment of a local provision committee composed of representatives from James Harrison Secondary College and Newcomb Secondary College — school councils, principals, class staff and parents.

I advise the honourable member, who has been involved in the process of inviting parents to discuss the future, that we are currently considering the best financial options for this merger, which is the clear and overwhelming preference of the school community. I commit my support to back the school community in its decision should this merger go ahead as preferred by the parent community. I also commit to the local member to explore all options for the site of James Harrison Secondary College to ensure it is maintained for educational use.

The honourable member for Eltham invited me to solve a problem at Glen Katherine Primary School in Greensborough, which abuts the large St Helena Secondary College. I am aware of the problem the honourable member raised about the traffic around that area, both the primary school and the secondary school; the car parking facility, which does not seem to be adequate; and that there does not appear to be a safe drop-off point for those primary school students. I know there have been discussions between the school council and the Banyule council. The estimated cost for a dedicated drop-off point is around \$45 000. There is always the vexed problem of whose responsibility it is. Is it the responsibility of the education department or the council? I am happy to have discussions with the school council and the Banyule council to try to provide a solution that will help provide a safe environment for the students at Glen Katherine Primary School.

The honourable member for Narracan raised a very serious matter. He invited me to take some action about a serial pest in the education community. He certainly is a recidivist! The honourable member for Narracan raised the problem of the honourable member for Warrandyte, who is consistently and determinedly misrepresenting data around class sizes in schools across the state.

This is what we have — an article in the local newspaper headed ‘Honeywood argues with principal on class sizes’, which reads:

For the second year running shadow Minister for Education, Phillip Honeywood, has come under fire from Warragul Regional College principal Russell Monson for incorrectly stating that the college has two classes with more than 30 students.

I do not know when the honourable member for Warrandyte will realise that he gets it wrong on education. He does not care how many times he misleads the parents and the students of the state. It is not the first time this has happened; it is the second time with the one college. No wonder his colleagues are mightily embarrassed. Here he is out there in the public arena getting it wrong on class sizes again and again and the principals now have to go public and say, ‘Mr Honeywood gets it wrong’.

What did the principal from Warragul Regional College say to the local paper, and this is a front page — very embarrassing, Phil! He said:

I suspect what Mr Honeywood has done is use data of the number[s] of students in each home group, which don't correspond with class sizes.

The shadow Minister for Education does not understand what is going on in our schools. I do not think he has ever been inside the school gate. He prefers to do his press conferences outside the school gate and in his lazy and duplicitous way make claims that are not substantiated — —

Mr Honeywood — On a point of order, Madam Deputy Speaker, given these figures were provided to me by the minister herself, I ask her to withdraw the comment ‘duplicitous’, because it is clearly an attack on herself about her own data on class sizes.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. It is a similar point of order to one the honourable member has raised before. If the minister has referred to the honourable member for Warrandyte in a manner which he finds offensive, I am sure she will withdraw.

Ms DELAHUNTY — He is a recidivist on the point of order, and he is still not making any headway whatsoever.

Honourable members interjecting.

Ms DELAHUNTY — He is also inaccurate.

Mr Honeywood — On a point of order, Madam Deputy Speaker, the minister is embarrassed by her own freedom of information data that clearly shows English class sizes at 30. I ask her to withdraw the comment that she still refuses to withdraw.

The DEPUTY SPEAKER — Order! That is exactly the same point of order that the honourable member raised a moment ago. I have asked the minister to withdraw any comments that the honourable member for Warrandyte finds offensive. I think she said yes, which I think she meant, but if that was not clear to the honourable member I am sure she will repeat it.

Ms DELAHUNTY — If what I have said is more offensive than what the honourable member for Warrandyte has done then I do withdraw.

The honourable member for Warrandyte is clearly duplicitous and lazy, and this is a sad day for education — —

The DEPUTY SPEAKER — Order! The Minister for Education has already been asked to withdraw that comment in relation to the honourable member for Warrandyte as he finds it offensive. I ask her not to use it again. I ask her to conclude her answer.

Ms DELAHUNTY — The honourable member for Warrandyte is inaccurate in his claim that these were the figures of the Minister for Education. These figures were provided quite correctly according to the Freedom of Information Act by the department. They are not the minister's figures; they are the department's figures.

Let us illustrate how this shadow minister will say anything about any student or any school to try to score advantage over his colleagues in his desperate scramble to get the votes to become deputy leader after the federal election.

This is not the first time. He has done it twice now with that school, Warragul Regional College, but he is doing it all over the state. In Bendigo at the other end of the state there are claims about class sizes. Again, an article in the *Loddon Times* states:

Claims that classes at East Loddon P12 have too many students have been strongly denied by the school.

...

College principal, Mr Bill McEwan, described the claims as totally incorrect.

The honourable member for Warrandyte is wrong. He is deliberately misleading, and I do not know why — —

Mr Honeywood interjected.

Ms DELAHUNTY — No, that was the way you operated.

It is very interesting that the honourable member for Warrandyte is bleating about gagging, but that is the way opposition members operated in government. That is the way principals had inflicted upon them a climate of terror, and that is how they were gagged — but it gets even worse. I refer to an article in the *Bendigo Advertiser* under the headline 'Class war'. I know the honourable member for Warrandyte is embarrassed by this — and so he should be — and so are his colleagues.

The DEPUTY SPEAKER — Order! I remind the minister that the adjournment debate is not the occasion to attack the opposition. A matter has been raised by the honourable member for Narracan, and I ask her to respond to that.

Ms DELAHUNTY — The article states:

A row has erupted over class sizes in Bendigo after the state opposition claimed two of the city's schools were suffering from overcrowding.

Mr Honeywood — On a point of order, Deputy Speaker, clearly the minister has attempted to answer the point raised by the honourable member for Narracan. She is now keeping this house back very late by going on to extraneous matters that have absolutely nothing to do with the fact that her classroom data was released to the *Herald Sun* on the wrong basis.

The DEPUTY SPEAKER — Order! There is no point of order. The Chair does not have the authority to direct a minister in relation to the answer he or she gives to a matter raised in the adjournment debate. However, I ask the minister to conclude, as we are taking a long time.

Ms DELAHUNTY — The article states:

A row has erupted over school class sizes in Bendigo ...

...

But the figures were dismissed yesterday by Weeroona College principal, Neville Sharpe, who said the data was completely inaccurate ...

Strike three — three inaccuracies!

In relation to the point raised by the honourable member for Narracan, the Bracks government has invested an additional \$5.4 million in the 35 schools in the Narracan electorate. This has made a huge difference to the educational opportunities of those students. What we are now seeing in Narracan in particular, which was so ignored by the Kennett government, is increased participation by young people, who are now availing themselves of the opportunities provided by the Bracks government. No matter how many times the honourable member for Warrandyte deliberately misrepresents what is going on in our schools, the people of Victoria will understand that this government cares about education and is turning it around.

The DEPUTY SPEAKER — Order! The Minister for Education may not accuse a member of deliberately misleading the house. I ask her to withdraw that comment.

Ms DELAHUNTY — I withdraw.

Ms PIKE (Minister for Housing) — The honourable member for Werribee raised with me the need for crisis housing for people living in the western suburbs. In particular she referred to issues that were developed in a report of the Western Region Crisis Accommodation Working Group, which drew together service providers and interested people from across the community to look at what might be done on this very difficult issue. I thank the honourable member for her question and for her ongoing commitment to the housing needs of her constituents.

The Western Region Crisis Accommodation Working Group identified two key needs of homeless people in the west that the government could assist with. Firstly, the group said the government should provide supported accommodation for homeless people or people at risk of homelessness, particularly families, and it noted the increasing number of families among the ranks of the homeless in Wyndham, Brimbank and Melton. Secondly, the working group noted that the government could assist homeless people through a particular emphasis on early intervention and prevention for single women over 25 years of age who are homeless or at risk of being homeless. These findings by the working group have been backed up by the working report of the Victorian homelessness strategy. The strategy has noted that there has been a marked increase in requests for housing assistance, particularly in the outer western suburbs.

Recently I announced the launch of the western supported accommodation assistance program. Six

local agencies will share an additional \$475 000 of recurrent funding to provide crisis support services in the western suburbs, from inner Melbourne to the City of Wyndham and the Shire of Melton. Not only are we providing this additional recurrent funding for the support that homeless people require, we are also allocating an additional 19 properties through the Office of Housing to be used as either transitional housing or crisis accommodation.

These services are vital for people in these communities. Our research has shown that if we do not provide services closer or adjacent to where people live the chances are that they will drift into the inner city in search of support and accommodation. The links to their local community, particularly for families, and the links of children to schools and other support services will then of course be broken. People do not just need a house when they are homeless; they need counselling, welfare services, and employment and training opportunities. The strategy aims to deal with people in a holistic way.

The government has committed \$7 million in the first instance to develop four new crisis accommodation services to tackle this issue of needs on the outer metropolitan ring. Again it demonstrates the very firm commitment that the Bracks government has to working with communities, addressing the issue of homelessness, trying to tackle homelessness at its cores and supporting people so that they can maintain their links with the local community, be reintegrated and go on to live meaningful lives in their local communities.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Wimmera raised a serious issue relating to a scam that has been perpetrated by real estate agents in the Western District who are exploiting first home buyers, often from outside the area — and many of them are from the Melbourne area — in relation to rural properties. Often these buyers have little knowledge of property dealings and certainly very little knowledge of the property market in that particular region.

Mrs Fyffe interjected.

Mr HAERMEYER — Unfortunately the honourable member for Evelyn does not seem to have much concern about the issue raised by the honourable member for Wimmera. I can assure the honourable member for Wimmera that the government takes these matters a bit more seriously than members of the Liberal Party do.

The scam encourages people to use the first home owner grant as a deposit on properties. These buyers often know very little about the real value of properties. They think they are buying a bargain in the area, but they are using their knowledge of metropolitan properties as a benchmark. It is an exploitative practice. I cannot indicate whether it is or is not illegal, but I will draw it to the attention of the Minister for Consumer Affairs.

The buyers not only lose a fairly large amount of money because many of them are unable to repay the financial commitments that accompany the contracts they enter into, they also lose their entitlements under a cooling-off period because the brokers who are exploiting them are doing so in a way that encourages the buyers to trust them with their dealings. They also are using the process in a way that means people lose their entitlements to a future first home owners grant. They become three-time losers in the process.

Regardless of whether it is legal or illegal, it is an extremely exploitative process. It is improper and is something we need to advise people about. At the end of the day it comes down to the notion of buyer beware. Perhaps we should look at some sort of education program that advises potential buyers of their rights and warns them of this practice and things they should look out for.

Mr Spry interjected.

Mr HAERMEYER — The real estate agent from Bellarine is butting in on behalf of his mates. This is an extremely serious matter. People are losing their life savings, yet the honourable member for Bellarine is interjecting on behalf of his mates.

I will draw the matter to the attention of the Minister for Consumer Affairs in the other place. If there is any illegal behaviour on the part of the unscrupulous traders it will be rigorously prosecuted; but at the same time the attention of buyers should be drawn to those unscrupulous practices. They should be cautious.

Mr PANDAZOPOULOS (Minister for Gaming) — The honourable member for Footscray is a member who represents a community that is most impacted on by the effects of gaming as we inherited it from the previous government. My electorate is no. 2 on the list.

The honourable member referred to a number of reforms undertaken by the government. He sought a reaffirmation of the government's commitment to tackle inherited problems of gambling. He referred to the range of policies and the hypocrisy of the

opposition that is keen to criticise but lacks the fortitude to deliver its own policy and commitments about where it stands on the matter. In criticising the government the opposition wants the government to deliver a four-year program after only two years in government. As part of our election campaign just over two years ago we gave extensive details of the reforms we would undertake. The plan is to deliver on all those during the term of this government.

There are a number of initiatives that we have undertaken and to which the honourable member referred. I will not go into details on those. However, things are turning around in gaming. We have seen the slowest growth in gaming revenue since gaming machines were introduced. The hypocrisy on the other side amounts to our reducing gaming overnight — —

Mr Baillieu — On a point of order, Deputy Speaker, the minister suggests there has been a turnaround.

The DEPUTY SPEAKER — Order! What is the point of order?

Mr Baillieu — I would hate to think that he would mislead the house.

The DEPUTY SPEAKER — Order! There is no point of order. I ask the honourable member not to raise frivolous points of order.

Mr PANDAZOPOULOS — The opposition is all talk but says nothing about what it will do. It may talk tough, but it should give details of what it wants the government to do.

The government has been tackling the issue. It has imposed regional caps that affect 10 per cent of Victoria's community. We are removing gaming machines for the first time ever from local communities like Greater Dandenong, Bass Coast, Latrobe and Maribyrnong, which have high concentrations of machines.

Local communities are now being given a say. Local councils can actually object to gaming applications; it is their choice whether or not they want them to proceed. They can make submissions to the Victorian Casino and Gaming Authority.

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc!

Mr PANDAZOPOULOS — Those submissions are taken into account. Members of the opposition are

the ones who want to rewrite history. They are the ones who had the free-for-all. They gave gaming licences for 30 000 gaming machines in Victoria, and they want to reduce revenue overnight! They are the same people — —

Mr Leigh — On a point of order, the Kirner government introduced them and she gave them to Tattersalls for nothing. Get it right.

The DEPUTY SPEAKER — Order! I will not tolerate that sort of behaviour from the honourable member for Mordialloc. He knows as well as I do it is not a point of order. We will not accept that sort of behaviour.

Mr PANDAZOPOULOS — The point is that Labor members on this side of the house take these issues very seriously because it is our communities and our electorates that have been suffering the burden of the policies of the previous government. Opposition members would be the first to criticise us if we were doing things that were not based on good policy outcomes or focused on reducing problem gambling. They would be the first to criticise us.

Mr Leigh interjected.

Mr PANDAZOPOULOS — We will deliver on all our election commitments. In many areas we have done a lot more than we were required to.

I remind the honourable member for Footscray that in 12 days time for the first time in Australia the only state that has a requirement for clocks on every single gaming machine will be Victoria. They have 12 days to do it in. This is a warning to the industry that it should do it.

When antigambling groups were talking about putting clocks in gaming venues they were talking about a clock here and there, as in this chamber. We looked at the research and found that two or three clocks around a gaming venue might be of interest to recreational gamblers who are out to put a few dollars in before they go back to work after their lunchbreak. What we know from the research is that problem gamblers focus on gaming machines, so anything we can do to redesign the gaming machines to provide information for them about how long they are playing and what time of day it is — to provide a reality situation for them — is more likely to assist. That is the focus of this government.

From 7 September all new gaming machines introduced into venues must show not only credits but dollars and cents, because a lot of people do not know how much money is actually in there when they have

credits. By 30 September there has to be a clock on every gaming machine. That can be done either by redesigning the machine or by attaching some other clock mechanism to the gaming machine, and the clock must show a.m. and p.m.

We warn the industry that there is a \$2000 fine that can be issued to any venue that does not comply, and any machine that does not have a clock that is operational can be switched off.

Mr Leigh interjected.

Mr PANDAZOPOULOS — If it does not happen by 30 September we encourage community members to notify the Victorian Casino and Gaming Authority and it will pursue the matter with the gaming venues.

I thank the honourable member for Footscray. His community suffered a lot under the previous government. This government is taking corrective action, and we have two more years as a government to continue the reforms.

Mr BRUMBY (Minister for State and Regional Development) — The honourable member for Mordialloc raised for the attention of the Minister for Transport the matter of the St Albans railway crossing. He has raised that matter before. I am glad we are looking at the big issues!

On each previous occasion when he has raised that issue in the house it has been comprehensively dealt with by the Minister for Transport. I am astounded that the honourable member is out here again attempting to raise this issue. The most telling comment made tonight by the honourable member is, if I remember correctly, that the people of that area have been waiting for six years. Well, we have been in government for two years, which means that for four years they were waiting under the previous government while absolutely nothing was done about this problem.

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc!

Mr BRUMBY — The Bracks Labor government is getting on with the job of doing something about the neglect that was here for years and years under the Kennett government.

The honourable member for Mordialloc made an absolute goose of himself. Every time he has raised this matter he has been shamed in Parliament by the Minister for Transport, yet he comes in here to

embarrass himself, his party and his shadow cabinet by raising it again. The best bit of advice I can give the honourable member is to go looking for another portfolio, because he is failing in this one!

The honourable member for Box Hill raised a matter involving the operation of the Workcover scheme and referred to some issues of concern which he wanted brought to the attention of the Minister for Workcover. I will ensure that they are brought to the minister's attention and that a reply is provided as soon as possible.

The honourable member for Bellarine raised the matter of a possible bypass in Geelong and asked whether the eastern ring-road had been included in the range of considerations. That matter is obviously being considered by the government. In a sense I make the same point that I made to the honourable member for Mordialloc: the government is looking at some of the principal options in relation to the bypass, but it is a matter of record that the former government did absolutely nothing about this matter.

Mr Leigh — The Geelong road!

Mr BRUMBY — I can tell the honourable member about the Geelong road. For years and years and years the Kennett government did absolutely nothing about the Geelong road!

Mr Leigh interjected.

Mr BRUMBY — There was a major campaign about getting funding from the state and federal governments for the Geelong road. It was not until the last federal election, when the state Labor Party and the federal Leader of the Opposition, Kim Beazley, made a joint announcement — —

Honourable members interjecting.

Mr BRUMBY — You can try as much as you wish to rewrite history — —

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc!

Mr BRUMBY — You will find that the facts are as I state them: there was no action whatsoever from the Kennett government. There was no action until the state Labor Party, in conjunction with Kim Beazley, the federal Leader of the Opposition, promised that Labor governments would fund that road. Within a matter of weeks following that announcement the then Premier

and the then government followed the leadership we provided. That is the truth of the matter.

Honourable members interjecting.

Mr BRUMBY — Here are the laughs of embarrassment from the discredited opposition!

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Glen Waverley!

Mr BRUMBY — For years and years they did nothing. The honourable member for Bellarine used the expression 'indifference to the people of the region'. With respect, I think he was talking about the seven years during which he represented the Bellarine area as a member of the previous government. The Bracks government is turning around the state and turning around the provision of facilities in Bellarine. Whether it is the provision of emergency services or police stations or the extension of the pipeline, we are delivering on projects which the former Kennett government did nothing about for seven years, during which you were a member.

The honourable member for Preston raised for the attention of the Minister for Transport a number of matters concerning transport issues in his electorate. He noted as the top priority the need for traffic lights at the corner of Wood Street and High Street, Preston, as well as some ancillary traffic improvements that are needed there.

Ms Asher interjected.

Mr BRUMBY — Yes, a-n-c-i-l-l-a-r-y improvements that are required there. I will certainly refer those to the Minister for Transport and urge that those improvements be considered at the earliest opportunity.

Finally, the honourable member for Berwick, who is in the chamber, raised the issue of the Berwick hospital. He said that the people of Berwick have been waiting many years for this hospital and asked when the first brick would be laid and when the hospital would be completed. I can tell him that there will be a full announcement about this matter in the very near future.

Motion agreed to.

House adjourned 11.35 p.m.

