

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FIFTH PARLIAMENT
FIRST SESSION**

Tuesday, 6 June 2006

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Tuesday, 6 June 2006

The SPEAKER (Hon. Judy Maddigan) took the chair at 2.03 p.m. and read the prayer.

CONDOLENCES

Ian William Little

The SPEAKER — Just before I call for questions without notice, sadly I wish to advise the house of the death last night of the Secretary of the Department of Treasury and Finance, Ian Little, aged 50. Ian had worked under both the current and the previous government. I know all members of the Parliament will join me in extending sympathy to his wife and daughters.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to welcome to the public gallery the vice-chairman of Jiangsu Province, the Honourable Zhao Long, and his delegation. Welcome to our Parliament.

QUESTIONS WITHOUT NOTICE

Snowy Hydro Ltd: sale

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier — —

Mr Helper — You still here?

The SPEAKER — Order! The member for Ripon!

Honourable members interjecting.

The SPEAKER — Order! That is enough! I ask members on my right to be quiet to allow the Leader of the Opposition to ask his question.

Mr BAILLIEU — My question is to the Premier. I refer to the Treasurer's budget speech and his statement that investment in school buildings would be funded by 'providing \$600 million from the sale of Victoria's share of Snowy Hydro' and the fact that the sale has now collapsed, and I ask: how will the government fill its budget black hole?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. It demonstrates the great strength of the budget that we are able to receive these projects. That is on the very day that the New South Wales, Queensland and ACT budgets are coming

down, which shows what leadership Victoria has with one of the best budget positions in the country of any state or territory. I pay tribute to the Treasurer for the great work he has done over successive budgets, and this budget is no exception. It is a great budget for Victoria's future.

I am very pleased to say that in the budget there are projects brought forward for schools. In this budget there are 23 schools being funded with \$100 million, with \$50 million separately for maintenance in addition to that. That is all being done without the Snowy Hydro receipts coming into our budget. That is being all done, producing after that an operating surplus of more than \$300 million. That shows again the strength of the Victorian budget. Secondly, for future schools, for which there is the remaining \$450 million, our government has indicated, and I have indicated to the house, that rather than those projects being completed over a four to five-year period, they will be completed over a five to six-year period.

We know that the financial commentators have been very strong in praising Victoria for its approach, not just in the budget but also in relation to the Snowy Hydro sale as well. I will quote to the Leader of the Opposition from the weekend *Australian Financial Review* of 3–4 June. It is a very telling comment, a very apt comment and a very sensible comment. It says:

Victorian Premier Steve Bracks —

he is talking about the government —

the only politician involved to have emerged with any credibility, because he raised water and regional issues up front months ago, winning additional safeguards in the process — also neatly illustrates the key governance issues at stake. His budget, unveiled last week, earmarked \$600 million in proceeds from the sale of the Snowy Hydro to spend on upgrading Victorian government schools.

That, after all, is what governments are meant to do — manage resources to maximise services such as health and education.

Not only do we have one of the strongest state budgets in the country, we also have a budget that will deliver on record education spending and a record bringing forward of education projects in this state.

Nuclear energy: government policy

Mr HERBERT (Eltham) — I ask the Premier to update the house on the Victorian government's policy regarding nuclear power in Victoria.

Mr BRACKS (Premier) — I thank the member for Eltham for his question. I know he is as resolute as the

government and, it appears, some members of the opposition are in relation to banning nuclear power and a nuclear power industry in this state. The member for Eltham would be one of the strong opponents of such an industry.

This goes back to existing legislation in Victoria, the Nuclear Activities (Prohibitions) Act 1983, which banned a range of nuclear activities including nuclear power plants in Victoria. Victoria is proudly a nuclear-free state. That legislation in 1983 enshrined that as law in Victoria, and that is not only the law but the existing policy of this government. We believe nuclear power generation is not sound for environmental reasons, it is not sound for economic reasons and it is not sound in relation to community support, which is just not there for such a proposal.

We have about 500 years of coal reserves in this state. In the last budget, as members of the house are aware, we embarked on a project which will invest more than \$100 million in the drying process for coal to make coal generation safer and more greenhouse gas friendly and to look at not only better and more efficient processes but also more greenhouse-gas-friendly processes in relation to brown coal. That demonstration project has been under way, we have tenders in place, and we expect to announce soon a demonstration project which will show what can be done with those important reserves in this state.

I am not sure what the Prime Minister is saying to the people in the Latrobe Valley on his pursuit of nuclear power generation. Is he saying he wants the generation capacity in the Latrobe Valley to cease or stop?

Mr Smith interjected.

Mr BRACKS — The member for Bass is interjecting. It was a former Premier, Sir Henry Bolte, who said in the 1960s that French Island would be a great place for a nuclear power plant. I wonder if the member for Bass supports that now.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Doncaster if he continues to make that noise while the Speaker is on her feet I will — —

Mr Perton interjected.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! I suspend the member for Doncaster from the house for half an hour.

Honourable member for Doncaster withdrew from chamber.

Questions resumed.

The SPEAKER — Order! I ask members to be quiet to allow the question to be answered and be heard.

Mr BRACKS (Premier) — One of the key issues in relation to the environment and to community support for electricity generation is where those locations would be. We know that the current debate which has been proposed by the Prime Minister is indicating that those nuclear generation plants should be close to large population centres — which means effectively Melbourne, Sydney and Brisbane — and we know that a former Premier, Sir Henry Bolte, in the 1960s proposed French Island as a site for a nuclear power plant in this state. We reject that, and our legislation rejects that. We believe it is not only not viable but also not environmentally sustainable or sensible. We would prefer it if the federal government had a clear and unequivocal renewable process in this state.

We know that the federal government has not increased the mandatory targets, which were expected to go from 3 per cent to 5 per cent. Had it been increased that would have enabled renewable energy to proceed on an economic basis in this country. Without that, we are pursuing our own targets here in Victoria to supplement what we believe is effective base load generation with coal, which can be done cleaner and better in a lesser time frame than would be possible for the establishment of a nuclear generation plant in this state.

We believe that with the research into clean coal technology and with renewables providing part of the new energy required by this state we will have a much cleaner, much better and much more environmentally sustainable lifestyle. Although there is a debate in Victoria, no nuclear plants will come to Victoria while we are in government.

Snowy Hydro Ltd: ownership

Mr RYAN (Leader of The Nationals) — My question is to the Premier. Will the government amend the Constitution Act to enshrine in public hands Victoria's 29 per cent share of the Snowy Hydro?

Mr BRACKS (Premier) — I thank the Leader of The Nationals for his question. The good thing is that

he can read public statements made by the Independent member for Gippsland East, who has put such a proposal in today's press — in the *Australian* and I am not sure where else. It is interesting that The Nationals leader is wanting to — —

An honourable member interjected.

Mr BRACKS — That's right, exactly. Follow your leader!

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is far too high, and I ask members to cooperate with the Chair to enable question time to continue on an orderly basis. I ask the Premier to return to answering the question.

Mr BRACKS — I can indicate to The Nationals leader that, if the member for Gippsland East proposes something to this house, we will give that due consideration.

Water: Colbinabbin pipeline

Mr HARDMAN (Seymour) — I have a question for the Minister for Water.

Mr Plowman interjected.

The SPEAKER — Order! I warn the member for Benambra.

Mr HARDMAN — I refer the Minister for Water to the government's commitment to making regional Victoria a great place to work, live and raise a family. I ask him to detail to the house how the government's Bendigo pipeline announcement is an example of the government delivering on that commitment.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast will not yell out in that manner.

Mr THWAITES (Minister for Water) — Last week's budget contained great news for Bendigo — \$30 million in funding for a super-pipeline to help secure Bendigo's water future. This pipeline will deliver 20 000 megalitres of water a year, providing certainty and security for Bendigo — and that is what families in Bendigo want. This announcement fulfils one of the key options in the Bendigo regional water plan, which was released last September — namely, connecting the Coliban system with the much greater Goulburn water system.

Bendigo is now in its eighth year of below average rainfall; people in Bendigo have been on water restrictions since, I think, October 2002. In the government's view the pipeline to Eppalock is the one option that provides sufficient security of supply in the event of very dry conditions. Of course this is on top of the other major projects we are carrying out in Bendigo, like recycling, to encourage better water use. We are doing that with government support.

I am very pleased to say that the pipeline announcement has been very well received in the community. Rob Hunt, the managing director of Bendigo Bank, has said:

I applaud the state government's decision to join with Coliban Water to support such an important investment in water infrastructure so crucial to our future economic prosperity.

That has also been backed by Don Erskine, the *Bendigo Advertiser* and the *Bendigo Weekly* — even Damian Drum, a member for North Western Province in the other place — —

Mr Maughan interjected.

Mr THWAITES — You ought to speak to Damian Drum — —

The SPEAKER — Order! The member for Rodney!

Mr THWAITES — Damian Drum, one of The Nationals members for North Western Province in the other place, said, 'This is fantastic news'. I have to say in this case that even the opposition supports it, which is great.

Just a few days before the budget the Leader of the Opposition called on the government to commit \$10 million to support the project. We tripled that amount. However, it is of concern that, unfortunately, the federal government is throwing cold water on the project. The federal parliamentary secretary, Sharman Stone, has said the pipeline is a waste of money and unlikely to receive federal funding.

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is too high.

Dr Napthine interjected.

The SPEAKER — Order! I warn the member for South-West Coast. If members continue to interject at that level, I shall remove them from the chamber without any warning. I ask members to be quiet and allow the minister to answer the question.

Mr THWAITES — This is despite the fact that the guidelines for funding under the federal government's Water Smart Australia program clearly indicate it is eligible. It clearly promotes the sharing of water resources between regions, and that is just the sort of project that the federal government should be getting on side. For the sake of Bendigo and Bendigo's prosperity, we do not want to see another Calder, where the Liberal Party is divided and we see delays — —

Mr Cooper — On a point of order, Speaker, the minister is clearly debating the question, and I ask you to bring him back to order.

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

Mr THWAITES — What I can say is that we on this side of the house are going to get on with this project urgently. We are going to deliver the project to ensure Bendigo gets security.

Many people deserve credit for this great outcome. I would like to pay tribute to the members for Bendigo East and Bendigo West, who have worked tirelessly with the Treasurer to deliver what is a very significant project for Bendigo. Importantly I would also like to thank the Bendigo community, the businesses and the media outlets in Bendigo, which have campaigned for it, and also, finally, Coliban Water and its advisers, who have worked tirelessly to put this project together despite the very great challenges that they have faced. They have delivered, just as we are delivering here.

Snowy Hydro Ltd: sale

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. In the interests of honest, open and accountable government will the Premier now provide the Parliament with revised budget papers to account for the collapse of the Snowy Hydro Ltd sale?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The good thing about the changes under the Financial Management Act, which we brought into this house when we came into government and which has now been passed, is that there is more regular reporting and more updates on the budget than there have ever been in Victoria. That is as a result of the Financial Management Act, which we brought in.

As I have indicated already, the great part about our budget is that it is robust, strong and sustainable. The other part about our budget is that we have ensured that these arrangements can be dealt with in the future; and as budget updates occur it will be shown that it is an

effective budget because it will be able to deal with these matters in the future.

Meeting Our Transport Challenges: regional roads program

Mr HELPER (Ripon) — My question is to the Minister for Transport. I refer the minister to the government's commitment to making regional Victoria a great place to work, live and raise a family, and I ask him to detail for the house how the government's regional roads program is delivering on that commitment.

Mr BATCHELOR (Minister for Transport) — The government, through *Meeting Our Transport Challenges — Connecting Victorian Communities*, its transport and livability statement, is going to invest over \$690 million to upgrade regional roads over the next 10 years. This program will include regional roads and bridges, and it will help to make regional Victoria a great place to work, raise a family, live, invest and travel on our highways and byways.

Under this year's budget, as the first part of that 10-year commitment, we will be providing \$115 million to upgrade roads in regional Victoria. This is in addition to a very large major roads upgrade that is already under way in regional Victoria. When you take into account the works under way on the Geelong bypass, the Pakenham bypass, the Calder Highway, the South Gippsland Highway and many major arterial roads across country Victoria, you can see that this government is making a long-term strategic commitment to upgrade our country roads.

This new money in the budget will be used on projects such as the \$6 million upgrade to the Midland Highway between Geelong and Castlemaine. It will provide overtaking lanes, intersection improvements and shoulder sealing. It will bring improved road safety benefits and traffic flow for a very important part of our arterial network in country Victoria.

Some \$21 million has been allocated to replace the Barwon Heads bridge, which is at the end of its serviceable life. Whilst the planning process is under way, we are making sure that the money is available to meet the replacement requirements once that planning issue has been resolved. This will provide improvements for freight, buses, cars, bicycles and pedestrians. If this bridge is not replaced, they will have to make a 43-kilometre detour.

We are also providing \$7.9 million to upgrade the Princes Highway–Henty Highway section between

Heywood and Portland. Primarily this is to improve road safety on this part of the road network and also to facilitate the movement of freight vehicles.

We have a proud record of increasing and improving the arterial roads and bridges in country Victoria. It would be even better if the federal government provided our fair share of the petrol taxes that we Victorians pay. The amount the federal government pays to Victoria has now fallen below 18 per cent, notwithstanding the fact that Victorians pay 25 per cent of the total fuel levy. That money is being spent not here in Victoria but in Queensland and in New South Wales. That is why Victorians have to travel into Queensland and New South Wales on their holidays — to see where the balance of their fuel taxes is being spent!

If we had our fair share, and that is all we are asking for, we would be able to extend that already extensive arterial road upgrade in country Victoria — if only the federal government would provide Victorians with the funds to improve our roads. This is another example of why we want the Leader of the Opposition to determine what he is going to do and for once stand up for Victoria.

Transurban: concession notes

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the recent deal between the government and Transurban and to the views of respected economic journalist, Terry McCrann, that — —

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Burwood.

Mr BAILLIEU — I refer to Terry McCrann's view that:

... the state is effectively borrowing \$600 million from Transurban at a 9.7 per cent interest rate when it could borrow directly at less than 5.5 per cent — throwing away \$25 million a year of our money. And every year, for 28 years!

And I ask: why has the Premier done this dodgy deal with Transurban?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. When these concession notes, these promissory notes, were first issued under the previous government in the deal with Transurban in 1996, they were issued on the basis that it was expected at the time — and there was a lot of commentary about this — that they would be around about \$250 million in

value. There was a lot of discussion and debate about this, because there were a lot of people debunking that and saying, 'No, they are not really worth that sort of money'.

We successfully undertook to bring those concession notes forward for a very important road project — that is, the Calder–Tullamarine interchange, a very important project that was a template for further projects we undertook, in this case on the Monash–West Gate freeway corridor. Otherwise, those concession notes would not have been able to be realised or utilised by the Victorian public until 2034. So it is sensible and reasonable to have the benefits of that improved infrastructure now for generations and generations of Victorians by bringing it forward at today's costs and value and ensuring that we get value for money now.

As all these financial arrangements would be in the normal course of the business of an Auditor-General, we of course undertook this on the understanding that the Auditor-General would be examining it. We are happy and pleased that he is, because we are confident that this is an arrangement which is good for Victoria and good for generations of Victorians who can enjoy the benefits of that infrastructure now. Otherwise the questionable value of those concession notes would be determined in 2034. Victorians will get the benefit right now.

Dairy industry: future

Mr HOWARD (Ballarat East) — My question is to the Minister for Agriculture. Given the dairy industry's importance to the Victorian economy, can the minister update the house on any recent reports on the current industry climate?

Mr CAMERON (Minister for Agriculture) — Country Victoria is a great place to work, to live, to produce milk and to raise a family! The agricultural sector is very important to regional Victoria, with one in six jobs involved in it. The dairy industry plays an enormous part in the agricultural sector in our state. It is the largest exporter, earning more than \$2 billion in 2005, and it makes up more than one-third of all the food exports that come out of this great state.

When you have a look at all of the dairy exports in Australia, you find that Victoria makes up 80 per cent of those, and the Victorian dairy industry makes up 11 per cent of global dairy trade. It is truly an enormous and an important industry for our state. That is why the Bracks government continues its ongoing support for the dairy industry with the \$11 million package as part of the provincial statement, *Moving Forward*, which

was again reaffirmed in the most excellent budget brought down by the Treasurer last week and so keenly supported by the Premier.

Part of that was about boosting infrastructure, innovation and research and improving employment practices. It includes an extension of the Bracks Labor government's highly successful stock over/underpass program; funds for Dairy Australia's employment management committee; funds for the dairy industry's roads program; and funds for a cooperative research centre for dairy innovation and other research. Some of that will occur at Ellinbank, which is an outstanding dairy institute in Victoria and of which the honourable member for Narracan is the keenest supporter.

An honourable member interjected.

Mr CAMERON — And some of it will occur at Kyabram as well.

I can advise the house that the dairy industry is now stronger, more competitive and more confident than it has been for a long time. Last week Dairy Australia's *Situation and Outlook* report found that dairy farmers continue to grow more confident about the future, particularly as they recover from drought. The industry has benefited from high product prices in the world market, which have flowed through to domestic dairy farmers. Farm-gate prices have improved in the last year, which is of course great news that has been very well received within the dairy industry.

Last week some honourable members may have seen a 16-page lift out in the *Weekly Times* entitled 'Dairy 2006 — let the good times roll'. That highlighted that:

Higher prices, better seasonal conditions and strong demand for milk have dairy farmers riding a wave of confidence.

This is an industry that we believe in, and it is an industry that is important to this great state.

Transurban: concession notes

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Given that the Premier has promised to be open, honest and accountable, will he release all documents prepared by Rothschilds and the Treasury relating to the government's dodgy deal with Transurban, a deal which Terry McCrann states makes the government 'unfit to continue in office'?

Mr BRACKS (Premier) — I am very pleased that we have been able to bring forward concessions notes from 2034 to utilise now for important infrastructure developments both on the Calder-Tullamarine interchange and also on the West Gate-Monash

freeways, which are going to benefit motorists and residents for a long time to come.

All those matters will, of course, be examined by the Auditor-General, which is his role and function. The role and function of an Auditor-General is to report to the public through this Parliament on arrangements as he produces his reports. That is exactly what he will do on this matter and every other matter in terms of the public accounts.

Employment: rural and regional

Mr CRUTCHFIELD (South Barwon) — My question is for the Minister for State and Regional Development. I refer the minister to the government's commitment to making Victoria a great place to work, live and raise a family, and I ask him to advise the house of any recent announcements on how this government is driving job growth in provincial Victoria.

Mr BRUMBY (Minister for State and Regional Development) — I thank the member for South Barwon for his question. Australian Bureau of Statistics data shows that employment growth in regional Victoria is in fact very strong, up 16.3 per cent since October 1999. We now have 650 916 people who are employed in provincial Victoria. In the Geelong region we have seen a huge boost in jobs over recent months — for instance, in the announcement which the Premier and Prime Minister made recently about Ford Australia's commitment of \$1.8 billion in new investment, including 273 jobs, in a new R and D centre, many of which will be in Geelong.

The government decision to relocate the Transport Accident Commission to Geelong is of course creating up to 600 new jobs in that city. I made an announcement recently to the Parliament about Salesforce, one of Australia's largest call centre companies, which has already established itself in Geelong since that announcement. That will create something like 500 new jobs, again facilitated by the government. Modern Olives is expanding its Lara-based facility with another 20 jobs to grow its exports; and Air Radiators, also in Lara, is expanding with an additional 30 jobs.

If you put all of that together, it is an extraordinary boom in job activity, not just in the Geelong area but more generally through the south-west. In the budget I delivered last week I announced further cuts to WorkCover premiums, to land tax and to payroll tax. All of those changes will substantially benefit industry in regional Victoria.

Members will be aware of some recent job losses in the north of the state because of global restructuring by Kraft Foods. Kraft took out 8000 jobs around the world, and 150 jobs will be made redundant in Strathmerton. In that context I am pleased to announce today that the government has been able to facilitate two new investments in the region with assistance through our community regional industries skills program. These will create, firstly, 80 new jobs with Tatura Abattoirs, assisted with a \$240 000 government training grant which will help facilitate a \$5.6 million investment. The company proposes to upgrade its facility in Tatura, more than double its staff and focus on increasing exports, and funding from the government's training program will recruit and train new employees and upgrade the skills of current employees.

Secondly, with Unilever Australasia the government has also been able to facilitate a new \$3.9 million investment which will create 17 new jobs with the company developing new product lines such as iced tea and salad dressings, again facilitated with a \$50 000 grant from the government. In total, the investments in the area will generate 97 new jobs.

I can say to the Parliament that the government is working with a number of other businesses in Shepparton and the north-east generally, and within the next four to six weeks I expect to have more positive news of further substantial investments and announcements about jobs.

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE

Membership

The SPEAKER — Order! I wish to advise the house of the resignation of a member from the Outer Suburban/Interface Services and Development Committee. I have received the following communication addressed to the Speaker:

I write to advise you of my resignation from the Outer Suburban/Interface Services and Development Committee, effective 30 May 2006.

I nominate the Honourable Phil Honeywood, MP, to represent the Liberal Party on the Outer Suburban/Interface Services and Development Committee.

It is signed by the Leader of the Opposition.

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

That Mr Honeywood be appointed a member of the Outer Suburban/Interface Services and Development Committee.

Motion agreed to.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 147 to 151, 262 to 267 and 339 to 344 will be removed from the notice paper on the next sitting day. A member who requires a notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

COURTS LEGISLATION (NEIGHBOURHOOD JUSTICE CENTRE) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Magistrates' Court Act 1989, the Children and Young Persons Act 1989 and the Children, Youth and Families Act 2005 to establish neighbourhood justice divisions in the Magistrates Court and the Children's Court and for other purposes.

Mr McINTOSH (Kew) — I seek a brief explanation from the minister.

Mr HULLS (Attorney-General) — This is a wonderful proposal that will enable a neighbourhood justice centre to be set up in Collingwood, which will ensure that we have a multijurisdictional court in the city of Yarra — —

Mr Wynne interjected.

The SPEAKER — Order! The member for Richmond!

Mr HULLS — I know it is fully supported by the member for Richmond, and I think it is a great proposal.

Mr Wynne — A great initiative!

The SPEAKER — Order! I warn the member for Richmond.

Motion agreed to.

Read first time.

COURTS LEGISLATION (JURISDICTION) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to make miscellaneous amendments to the County Court Act 1958, the Crimes Act 1958, the Crimes (Criminal Trials) Act 1999, the Magistrates' Court Act 1989, the Public Prosecutions Act 1994 and the Sentencing Act 1991, to repeal the Courts (Further Amendment) Act 1986 and for other purposes.

Mr McINTOSH (Kew) — I seek a brief explanation from the minister about this bill.

Mr HULLS (Attorney-General) — This bill does a number of things, including increasing the civil jurisdiction of the County Court from \$200 000 to an unlimited monetary jurisdiction, reforming the committal process to facilitate the early certification and resolution of issues at the committal mention stage, reclassifying a number of indictable and common-law offences as indictable offences triable summarily, and a whole range of other very important reforms.

Motion agreed to.

Read first time.

CORRECTIONS AND OTHER JUSTICE LEGISLATION (AMENDMENT) BILL

Introduction and first reading

Mr HOLDING (Minister for Corrections) introduced a bill to amend the **Corrections Act 1986, the Serious Sex Offenders Monitoring Act 2005, the Firearms Act 1996 and the Firearms (Further Amendment) Act 2005 and for other purposes.**

Read first time.

HEALTH SERVICES (SUPPORTED RESIDENTIAL SERVICES) BILL

Introduction and first reading

Ms PIKE (Minister for Health) introduced a bill to amend the **Health Services Act 1988 and for other purposes.**

Read first time.

CHILDREN, YOUTH AND FAMILIES (CONSEQUENTIAL AND OTHER AMENDMENTS) BILL

Introduction and first reading

Ms GARBUTT (Minister for Children) introduced a bill to amend the **Children, Youth and Families Act 2005 and the Children and Young Persons Act 1989, to amend other acts as a consequence of the enactment of the Children, Youth and Families Act 2005, to repeal the Adoption (Amendment) Act 1991 and for other purposes**

Read first time.

PETITIONS

Following petitions presented to house:

Boating: Half Moon Bay ramp

To the Legislative Assembly of Victoria:

The petition of fishing families in Bayside and the wider Melbourne community draws to the attention of the house the failure of the Bracks government to commit appropriate resources to support viable boat ramps in Port Phillip Bay and in particular the Half Moon Bay boat ramp.

Owing to the siltation of the bay around the ramp and an inadequate dredging program, boats are regularly delayed, stranded and damaged.

The response from the Bayside council and the Bracks government has been inadequate to address concerns previously raised following the lodgment of a 1000 signature petition with the council approximately three years ago.

Prayer

We the undersigned petitioners call upon the Bracks government and the Bayside council to fix the problem now and develop protocols for the continuing maintenance of the ramp.

By Mr THOMPSON (Sandringham) (1 signature)

Planning: Oakleigh development

To the Legislative Assembly of Victoria:

The petition of Campbell and Danielle Beadman of 44 Golf Links Avenue, Oakleigh, draws to the attention of the house the overdevelopment at 42 Golf Links Avenue, Oakleigh. Planning application reference TPA/33520 VCAT reference no. P272/2006, points out to the house:

overdevelopment of the site;
impact on streetscape and neighbourhood character;
increased traffic hazards.

The petitioners therefore request that the Legislative Assembly of Victoria:

Whilst we are not against developing this site we consider the current proposal is ill-conceived, with insufficient attention being paid to the prevailing design, mass and scale of development — i.e., box-like structure. It is considered a more appropriate design response would be two to three single-storey period-style dwellings as this streetscape is dominated by significant postwar single-storey weatherboard and brick houses of common functional architectural style, mainly being Californian bungalows and houses of inter-war period with visually prominent roof lines.

By Mr THOMPSON (Sandringham) (129 signatures)

Tabled.

Ordered that petitions presented by honourable member for Sandringham be considered next day on motion of Mr THOMPSON (Sandringham).

DOCUMENTS

Tabled by Clerk:

National Parks Act 1975 — Advice under s 11(3)

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR No 57

Subordinate Legislation Act 1994 — SR No 56

Subordinate Legislation Act 1994 — Minister's exception certificate in relation to Statutory Rule No 56.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 26 February 2003:

Child Wellbeing and Safety Act 2005 — Whole Act (other than Part 7 and section 48) on 1 June 2006 (*Gazette G22*, 1 June 2006).

ROYAL ASSENT

Message read advising royal assent to:

Equal Opportunity and Tolerance Legislation (Amendment) Bill

Financial Management (Miscellaneous Amendments) Bill

Justice Legislation (Further Miscellaneous Amendments) Bill

Melbourne Sailors' Home (Repeal) Bill

Statute Law (Further Revision) Bill

Terrorism (Community Protection) (Further Amendment) Bill.

APPROPRIATION MESSAGES

Message read recommending appropriations for:

Electoral and Parliamentary Committees Legislation (Amendment) Bill

Long Service Leave (Preservation of Entitlements) Bill

National Parks and Crown Land (Reserves) Acts (Amendment) Bill

State Taxation (Reductions and Concessions) Bill

Transport Legislation (Further Amendment) Bill

Victoria Racing Club Bill.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 8 June 2006:

Appropriation (2006/2007) Bill

Appropriation (Parliament 2006/2007) Bill

Energy Legislation (Miscellaneous Amendments) Bill

State Taxation (Reductions and Concessions) Bill

Transfer of Land (Alpine Resorts) Bill.

In putting forward the government business program this week the government is signalling its intention to again provide parliamentary time for members of both sides of the chamber to discuss the appropriation bills. Of course we have already commenced and are a long way into the debate on the general appropriation. We have yet to start the debate on the parliamentary appropriation bill, and we will do that during the course of this week. We have included a smaller number of other pieces of proposed legislation so we can finalise debate on the appropriation and parliamentary appropriation bills this week. It is a very achievable and relaxed timetable, in that it provides sufficient opportunities for members of both sides to join in the debates on all the legislation.

Looking forward to the following week, just by way of early advice, as members can see we are working our way through the orders of the day, but in terms of future orders of the day I would advise the house that members need to take into account the government's desire to discuss the Electoral and Parliamentary Committees Legislation (Amendment) Bill, the

Accident Compensation and Other Legislation (Amendment) Bill and the Transport Legislation (Further Amendment) Bill in the parliamentary week following this. I am just giving members notice so they can target their briefings accordingly and spread their contributions.

An honourable member interjected.

Mr BATCHELOR — I will give further advice on that later.

Mr COOPER (Mornington) — I am very grateful for the fact that at least we know about three of the bills that we will be dealing with next sitting week. I am sure there will be others, and I will be delighted to get that advice very promptly from the Leader of the House when he has that finalised.

The opposition does not oppose the government's business program for this week. This week we are going to be debating and finalising two very large bills — the Appropriation (2006/07) Bill and the Appropriation (Parliament 2006/7) Bill. Although the second-reading debate on the appropriation bill is well on its way, having started last Thursday, now that a different connotation has been placed on the budget the opposition will require further time to be allowed for that debate.

We are very keen — indeed the opposition will seek to do so — to go into the consideration-in-detail stage on the appropriation bill, having regard to the fact that not even one week after the Treasurer delivered the budget in this place there is a \$600 million black hole in the budget because of the collapse of the sale of Snowy Hydro.

We want to have some time to investigate that and look at it in some detail, given that the Treasurer made considerable play about how important that was, especially to the education sector. While the debate is well under way on the appropriation bill, we certainly do not see it as something that can be just slipped through. We give notice to the government, here and now, that we want some time during the consideration-in-detail process to look at the Appropriation Bill (2006/07) in some detail.

I again draw the attention of the house to the fact that after this week there will be 17 sitting days left for this Parliament prior to the election, and after five new bills have been introduced this week, the house will have 20 pieces of legislation on the notice paper, which need to be dealt with in those 17 sitting days. I have a deep suspicion that we will see more bills introduced next week as well. We seem to be heading towards a logjam,

and it is a logjam that could easily be avoided by good management. I ask the Leader of the House and government members to look at that in terms of the times this place sits and to look at avoiding a situation where we have bills guillotined with inadequate debate or consideration during what used to be called the committee stage but is now called the consideration-in-detail stage.

Of those 20 bills, 13 are now listed on the notice paper, 5 will be introduced this week, as we have just heard, and in addition the house will also have to deal with the Channel Deepening (Facilitation) Bill and the courts legislation. On this side of the house, we are very anxious to deal with those. The member for Nepean and I have a particular interest in the channel deepening legislation, and we want to see it debated.

We abhor the fact that the government is just allowing this legislation to sit there and not be debated despite the fact that there is enormous community concern about this issue. People in the community want to hear what are the views of this Parliament, and they particularly want to hear the views of members of the government on that legislation.

Honourable members interjecting.

Mr COOPER — You bring it on for debate and you will hear my views all right, don't worry about that! This is the great problem.

The SPEAKER — Order! The member will address his comments through the Chair.

Mr COOPER — Speaker, I was responding to an interjection that the member for Yuroke wanted to hear my views. I am prepared to put my views to the house on the legislation, but that will depend on the government bringing the bill forward for debate.

I repeat that the two pieces of legislation that are sitting at the bottom of the notice paper need to be brought on for debate. We are keen to debate both of them. In the meantime the government should pay some attention to the way it is programming legislation through the house during the remaining 17 sitting days. We do not want a logjam that will see debate in this house truncated.

Mr MAUGHAN (Rodney) — The Nationals do not oppose the government business program, with three bills listed for passage this week; that is fair enough. We can get those through without any difficulty. I understand the appropriation bills will be finalised this week. The member for Mornington has indicated members on this side of the house want to speak on the appropriation bills and particularly the effect the

\$600 million black hole will have on the construction of schools throughout our community and the delays that will occur. It is a \$600 million black hole in the state budget, and we want to know how the government will cope with that. The Premier has already said it will delay many of those important school projects.

This week is not a bad week, with the Transfer of Land (Alpine Resort) Bill and the Energy Legislation (Miscellaneous Amendments) Bill to be dealt with today, the State Taxation (Reductions and Concessions) Bill tomorrow and the remaining time built around the appropriation bills. The Parliament will have to organise its time to allow every member of Parliament who wishes to speak in the appropriation debate to do so. All members of The Nationals want to make a contribution on those bills and are keen to go home straight after 4.00 p.m. Thursday.

We are keen also to see the Channel Deepening (Facilitation) Bill debated. As the member for Mornington indicated, it has been sitting on the notice paper for more than 18 months. We are certainly keen to see the bill proceed.

The Minister for Agriculture spoke very strongly today about the importance of the dairy industry, which is one of the biggest exporters from this state. That industry, along with many other export industries in this state, are being progressively disadvantaged because large container vessels are not able to load to capacity in the port of Melbourne at the moment. The channel deepening project is absolutely vital to the state of Victoria. We want to know where the government stands on this issue. One suspects there are some divisions in the government, which is why they do not want to go ahead with it. The member for Yuroke is very vocal, and I want to know where she stands on the bill. The Minister for Small Business — —

The SPEAKER — Order! The member, on the subject of time.

Mr MAUGHAN — We think that bill should be on the government business program. We look forward to its being brought forward for debate, because as the member for Mornington has already said, we are coming up to a logjam. There are a lot of bills to be dealt with in the remaining 17 days of this Parliament, and I suspect not only that we will have more bills but that we will have much longer sitting hours in order to get through the government's legislative program.

I remind the government it was pretty hot on family friendly sitting hours when it was in opposition. I hope it keeps that in mind as we get into the final weeks of

this session and the government clearly remembers the lectures it gave this side of the house when in government about family-friendly sitting hours.

We will not oppose the government business program and will cooperate with the government this week. We look forward to completing the government business program without sitting ridiculous sitting hours before we end the parliamentary session.

Motion agreed to.

MEMBERS STATEMENTS

Wilmott Park Primary School: upgrade

Ms BEATTIE (Yuroke) — Today I take this opportunity to congratulate the principal, staff, school council and families of the Wilmott Park Primary School. The school community has worked closely with me over the past 12 months as we have sought to progress their building works, and my work in lobbying for the \$1.66 million of funding that was announced in last Tuesday's budget has been greatly assisted by the efforts of the school community. They deserve much praise for the committed and cooperative way in which they have worked with me to secure this fantastic outcome for its students.

I would like to particularly thank principal Evan Hughes and school council representative Phillip Nicholson who have demonstrated wonderful leadership of the school and proven that by working together we can deliver results for the benefit of our local students.

I met with some of the students on Thursday morning; it was great to see their reaction to the news and see first hand their excitement at the prospect of \$1.66 million being given to their school. They are particularly looking forward to the new music facility.

I also attended a celebration put on by the principal and staff on Friday afternoon. They told me how excited they were to be getting new facilities. I wish the Wilmott Park school community well as it embarks on its next stage of progress and know it will continue to do a wonderful job in providing great educational outcomes for the students of Craigieburn.

Melbourne Recital Centre: construction

Ms ASHER (Brighton) — I draw to the attention of the house the cost of and time blow-out in the recital hall and Melbourne Theatre Company's new home. It is shaping up as one of the biggest botches of the Minister

for Major Projects in the other place. This project, at a cost of \$61 million, was announced by the Premier on 20 February 2002. The government was to make a contribution of \$36 million, including \$4 million for a pedestrian bridge. The project was to be completed in 2007.

The current situation is that the project's total cost is now \$120 million, with a taxpayer funded contribution of \$82 million. The blow-out is now \$59 million overall, with \$46 million of taxpayer funded blow-out; and the project is running two years late.

The excuse for the blow-out offered by the minister, as he told the *Age*, was the acoustics. However, on 1 June he told Parliament in the other place, 'We cannot have the facility vibrating from traffic on the streets around it'. The problem for the minister is that in last year's budget, \$27.2 million of additional funding was given for this project to 'introduce greater vibration isolation'. It is all very well for the minister to claim this year that the additional funding came for vibration works, because that was also the claim last year.

As yet, \$10 million of the project is still unfunded. The minister told Parliament that philanthropic trusts were raising the money. We will see if that occurs. Most curious of all is that the \$4 million pedestrian bridge is no longer needed because of land acquisitions. This must be the only government on record which can translate a \$4 million saving into a \$46 million blow-out. Bring on the fourth Minister for Major Projects!

Budget: Ballarat East electorate

Mr HOWARD (Ballarat East) — The last fortnight has been another very productive and exciting time for the Ballarat East electorate. In the week before last I had the pleasure of visiting Mount Helen kindergarten, Daylesford child-care centre and Wallace kindergarten to celebrate their receipt of a total of \$10 000 funding from the state government to assist with upgrade works at these centres. All up, I was pleased to share the news of a total of \$56 326 funding for 16 kinders, child-care centres and service providers across the Ballarat East electorate. It was very pleasing for me to see how appreciative the kinder staff and mums and kids were of this additional new funding.

To add to this, last Friday I was very pleased to visit Glenlyon to share with members of the Glenlyon shire hall committee news of their success in receiving \$40 000 state funding from the Victorian environment heritage grants which will support the next phase of the upgrade of the historic Glenlyon hall — something that

the committee have looked at for some time, planned for and have been very excited to receive.

Later the same day I visited the new Buninyong recreation centre, a \$1.85 million partnership development of the Ballarat City Council supported by Buninyong Football Club and other user groups and further supported by \$750 000 of state funding. On that day the Buninyong Cricket Club was successful in receiving \$14 651 for new cricket nets on that site.

Rutherglen Winery Walkabout

Mr JASPER (Murray Valley) — I remind the house that Victoria's original wine festival, Rutherglen's Winery Walkabout, is to be held over this coming Queen's Birthday long weekend. The walkabout grew from humble beginnings in the late 1960s and showcases Rutherglen as the premier wine-producing area of Victoria

The Winery Walkabout weekend has won numerous state and federal awards, including best festival in Australia. It is a Victorian icon event and attracts a huge crowd to the range of wineries to sample wines, complemented by fine foods.

A critical part of the weekend is the Rutherglen Country Fair, conducted in the closed main street of Rutherglen on Sunday and attracting over 350 stalls with food and entertainment. One of the features of the fair is the celebrity grape-treading competition, where I challenge two other members of Parliament to participate in this event. This year the two Victorian education ministers are to take part. The Minister for Education and Training is participating for the first time, together with last year's winner, the Minister for Education Services — so the battle is on. As usual, I will be dressing up for the occasion and am now in full training to win back the coveted prize. To visit the wineries and to participate in the wine tasting a special souvenir glass is required, which I now present to each of the ministers on behalf of the wineries.

The SPEAKER — Order! The member knows he is not allowed to do that. I ask the Clerk to remove them from the member and bring them to me.

Mr JASPER — Don't use them, though! For a great weekend I urge members to visit the north-east for the Rutherglen Winery Walkabout Weekend.

George Barker

Mr HERBERT (Eltham) — I rise to recognise the contributions and achievements of the late George Barker, who was a stalwart and pillar of the performing

arts in the broader community of Eltham and whose funeral I recently attended.

George's great sense of humour and determination meant that he was terrific to work with and a formidable person for any person in our community to say no to. In particular George's involvement in the Eltham Little Theatre stood out — on and off the stage. He was recently awarded the 2002 Jagajaga Australia Day award for community service, largely through his work for that important local group. George enriched the lives of those who had the honour of meeting him, working with him and befriending him. He will be sadly missed by our community.

I said in my inaugural address to this Parliament that a love of the arts has been significant in the development of the Eltham community. I named a number of significant contributors, including Alan Marshall, Clifton Pugh, John Perceval and Alistair Knox. I have no hesitation in saying that George Barker continued this tradition of passing on a love of the arts to future generations. His artistic work and his persistent activism will endure, ensuring that the arts is at the top of the political agenda of people like me.

I would like to have noted in this house my offer of sincere condolences to his family and loved ones. May he rest in peace.

Seniors: Mornington Peninsula

Mr DIXON (Nepean) — Seniors on the Mornington Peninsula have been made to suffer once again by this heartless government. The Bracks government's recently released transport plan says:

Free travel will be provided to Victorian seniors on Sundays within metropolitan Melbourne and within major regional centres such as Geelong, Ballarat and Bendigo.

This is blatant discrimination against the thousands of seniors in my electorate, which has the highest proportion of seniors in the state. The Bracks government has forgotten them. Surely the seniors in my electorate would derive as much enjoyment from a free day of travel as anyone in Melbourne. In fact, as most shops on the peninsula are open on a Sunday, free travel would be an extremely practical and useful option for them.

Even if seniors in my electorate choose to use their cars, this heartless government is waiting for them with another bat. There was no relief in this year's budget from the \$80-a-year car registration fee that this government introduced. The seniors in my electorate have worked as hard at anybody in their working lives

and have contributed to make Victoria such a great state. The only thankyou they have got from this government is an \$80 registration charge and no free Saturday travel.

Schools: Narracan electorate

Mr MAXFIELD (Narracan) — I rise this afternoon to talk about the magnificent support the Bracks government has been giving to education right through the years in my electorate. Not so long ago I visited the Yarragon preschool and the preschool at St Luke's in Moe, where we announced funding for their playgrounds as part of funding for preschools right across my electorate.

Following on from that is the work that is now going on as secondary schools in my electorate have received Leading Schools funding. Lowanna College in Moe, Trafalgar High School, Warragul Regional College, Drouin Secondary College and Neerim Secondary College have all received funding. Following on from that is the magnificent announcement in the budget that we would receive \$4.2 million for the Moe South Street Primary School. I cannot tell you, after visiting that school on Friday, how absolutely excited they were. What a great day it was!

I was with the member for Morwell and the Premier at Traralgon South Primary School, which is also getting additional funding. Following on from that, on Friday I had parents thanking me for the magnificent decision by the government to support them with \$300 a year. One lady who had twins going into prep next year indicated to me how much she appreciates the fantastic support from the Bracks government — not to mention parents of children going into year 7. This is a magnificent budget for education in my electorate. It is about the Bracks government delivering right across the board for the educational needs of our community.

Budget: schools

Mr SMITH (Bass) — I wish to highlight the concerns of the people of Bass over the most disgraceful and misleading budget brought before this house of Parliament for many years, the last one having been brought by Rob Jolly, the Treasurer in the Cain government in the 1980s — and we know what sort of damage he led this state into.

This government committed money that was not guaranteed from the Snowy Hydro sell-off, promising as it did in the budget papers and in the media releases by the Minister for Education and Training, \$100 million in expenditure on much-neglected school

facilities and much-needed maintenance. Why have our education facilities reached this parlous state when this government has had record financial opportunities to keep schools fully maintained and to get rid of those small, dingy, dilapidated and rotting portable mod 2 classrooms that seem to be spread right across Victoria and most certainly throughout my electorate? Six hundred were promised, few have been delivered.

It is just another broken promise by this Bracks government, which seems to be going from broken promise to broken promise. Education is going to suffer and my students are going to suffer — and then this government is going to suffer in November this year.

Children: Burwood electorate

Mr STENSHOLT (Burwood) — What excellent preschool and child-care centres and before and after-school care programs there are within my local area! They provide essential and much-valued services to local families. Burwood is a great place to live and raise a family. In particular I commend the work of the staff and the voluntary committees of all the centres, many of which recently received funding for minor facility upgrades. They include the Ashwood children's centre, which I visited last evening, the Wattle Park children's services centre, which will receive funding for tables and chairs, and the Craig family centre in Ashburton, which will receive a fridge and art and craft and play equipment.

Last week I visited the Hartwell child-care centre, which will receive \$5000 for shade sails and chairs. The Surrey Hills Baptist children's centre will receive \$10 000 for soft-fall areas, while the Box Hill South preschool will get outdoor hollow blocks. The Highgate Grove child-care centre will receive funding for a rainwater tank, while St James' in Box Hill South will be helped to fund landscaping, books and play equipment. Other centres receiving support include the Burwood preschool, the Florence Road preschool in Surrey Hills, the Fordham Avenue kindergarten in Camberwell, St Dunstan's kindergarten in Camberwell, the Summerhill Park kindergarten and the St James Wattle Park kindergarten.

Funding will also go to the outside-school-hours programs at the Solway Primary School and St Scholastica's school at Bennettswood. St Schol's is very appreciative of the funding, and someone from the school rang me up the other day to say what a great job we have done. Finally, the Deakin and Community Child-Care Cooperative in Burwood will also receive \$5000 for outdoor equipment. These are all great preschools, child-care centres and before and

after-school care programs in my area. I commend the work they do to the house.

Cancer: Shepparton services

Mrs POWELL (Shepparton) — I recently received a letter from a woman in my electorate alerting me to the plight of a number of cancer sufferers in the electorate. She wrote:

For the last five weeks we have been trying to obtain the drug Tamoxifen for my husband, who has a rare form of cancer which is hereditary. Through his local doctor ... he has been ordered to take this drug in order to contain his tumour. We were prescribed this two years ago and [it] was granted under the PBS scheme then. Now it seems he cannot have it on the PBS due to these reasons:

1. He is no longer receiving chemotherapy.
2. It is commonly used to treat breast cancer and [is] a woman's drug.
3. The high dosage that he has to take in order to contain his tumour ...
4. It is too expensive for government to provide.

This lady's husband has a disease called familial adenomatous polyposis, or FAP. This is a hereditary disease that has been passed on through his genes. His son and daughter have been diagnosed with FAP, and both had their large bowels removed. Unfortunately his son lost his fight against cancer in March 2005 at the age of 25.

The woman raised a number of other issues about his treatment at Bendigo hospital. She said:

I have talked to many cancer patients and they become very stressed with the continual waiting time they wait for treatment ... in our case many hours and on top of that the travelling time. At Bendigo we at times would have to leave by 7.00 a.m. ... and not arrive home till 9.00 at night.

There is a real need for coordinated cancer treatment in the Shepparton district, and I urge the government to assist.

Energy: You Have the Power campaign

Ms MARSHALL (Forest Hill) — It was with great pleasure that I joined the Minister for Environment and the Minister for Energy Industries in the other place at the launch of the You Have the Power, Save Energy campaign on 5 June. We were joined by environmentalist and horticulturalist extraordinaire Jamie Durie, who has not only a deep understanding of the issue of climate change but also the ability to inspire Australians with his down-to-earth attitude and to educate with his no-nonsense, commonsense approach.

The You Have the Power, Save Energy campaign highlights the amount of hidden greenhouse gas emissions produced by Victorian households every day by using black balloons to illustrate a typical household's emissions. With the help of the students from Footscray West Primary School, 654 balloons were brought into the room, each representing 50 grams of greenhouse gas. This is what is produced on average every day by every household in Victoria, yet by making a few basic changes we can reduce greenhouse gas emissions and our power bills at the same time. To cut our energy bills simply turning our thermostats down to no more than 20 degrees, washing our clothes in cold water and turning appliances off at the switch when they are not being used will make an enormous difference.

Studies have shown that just a 2° Celsius increase in the average temperature would mean more bushfires, more severe storms and a 7 to 33 per cent decrease in Melbourne's water supply. This campaign shows Victorians that they truly have the power to save energy by making some very simple changes that could not only save them money but save the environment as well. Congratulations to the ministers, Jamie Durie and the children of West Footscray Primary School.

Crime: incidence

Mr WELLS (Scoresby) — This statement condemns the Bracks government and the Minister for Police and Emergency Services for misleading the Victorian community in relation to the level of violent crime in the state. The 2006–07 state budget papers reveal that violent crimes against the person in Victoria are expected to increase by 6 per cent in 2005–06, despite a targeted reduction of 2 per cent — that is, the government expects more violent crime offences will be committed against Victorians this financial year.

This expected 6 per cent rise in violent crimes against the person totally contradicts the police minister's rhetoric that Victoria is a safe place to live. Labor's rhetoric simply does not add up. In addition, official Victoria Police crime statistics show that violent crimes against the person have increased by an overall 23 per cent since the Bracks Labor government was elected in 1999. The crime statistics reveal that since 1999 assaults are up an alarming 42 per cent, abductions and kidnappings are up 30 per cent, homicides are up 21 per cent and rapes are up 18 per cent. There were also a record 33 000 Victorian victims of crime in 2004–05, an overall increase of more than 11 per cent, or 3000 victims, on the previous year and a worrying increase of 27 per cent in the five years since 1999–2000. Victorians expect and

deserve a higher level of law and order policing and enforcement in this state.

Frankston electorate: environmental programs

Dr HARKNESS (Frankston) — Yet another beneficiary of the Bracks government's highly successful \$3 million volunteer small grants program, which is helping to increase volunteering across the state, is the Kananook Creek Association. This fantastic Frankston organisation will receive \$4000 to acquire a laptop computer, projector, and roll-down screen, which will be used to recruit and train new volunteers. The Kananook Creek — Let's Really Get Into It! program will allow new volunteers and participants to establish a low-cost canoeing club on the creek.

I have always been most impressed by the Kananook Creek Association and its leadership, which invests considerable time and thought in improving the creek and organising activities. This money will help to broaden volunteering options and create new volunteering opportunities for people of all ages, genders, abilities and backgrounds. The program offers organisations the chance to attract a broader range of people, benefiting both the organisations and the new volunteers.

The member for Hastings and I are strongly urging schools in Frankston and on the Mornington Peninsula to apply for grants of up to \$2000 for projects to improve the health of local rivers and creeks. Up to \$25 000 in grants is being made available for local schools under the young water care grants program. Melbourne Water and Landcare Australia are partners in the program, which is designed to encourage schools and students to value their local waterways and help protect the environment. It is part of the wider Mitre 10 Junior Landcare grants program.

This is a great way to get school students thinking about their local environment and about the impact our everyday activities have on water quality. Our rivers, creeks and wetlands are highly valued by local communities, and the work of the volunteer groups, individuals and school students involved in the Melbourne Water young water care grants program is invaluable in helping to protect and improve them. I am proud to stand up for Frankston and support local community organisations, schools and the local environment.

Disability services: travel assistance

Mr COOPER (Mornington) — I draw the attention of the house, and in particular the attention of the

Minister for Community Services, to the plight of Lydia Christopherson and her parents. Lydia is 21 years of age and profoundly intellectually disabled. For the last two and half years she has been attending day training at Disability Opportunities Victoria at Rosebud.

The fees for her attendance have risen from \$240 per quarter over and above government funding to \$680 per quarter over and above government funding. This equates to a 280 per cent increase in just two and half years. Disability Opportunities Victoria has told Lydia's parents that the reason for this huge increase is the cost of transportation coupled with a large decline in the transportation subsidy provided by the Bracks government. Mr and Mrs Christopherson have described this cut in state government funding to disabled people like Lydia as an insult to the disabled and the families who struggle to support them.

On many occasions in this house I have pleaded with the government to properly fund its grandiose disability plan, but it has failed to listen and to act. It is the disabled and their families who are left to pick up the increased costs while this government wastes billions of dollars on its other political adventures. How cruel and unfair is this situation for one of the most vulnerable groups in society?

Schools: Clayton electorate

Mr LIM (Clayton) — I rise today to congratulate the ongoing and thorough commitment to education in Victoria by the Bracks Labor government. The allocation of over \$1 billion to the education and training system in this year's budget is especially relevant to constituents in my electorate of Clayton.

Clayton is an amazing electorate when it comes to education. It boasts a world-class university campus, 3 secondary schools, 12 primary schools, numerous preschool centres and 1 very important special needs school. It is this special needs school that I want to bring to the attention of the house.

The Monash Special Development School has made a significant contribution to and impact on education in the local area and surrounding areas. This important school does vital work in educating students with special needs and has a total student body number of about 140. Nevertheless and unfortunately, until now it has been situated on a small under-entitlement site in Clayton North.

As part of the commitment by the Bracks government this school is now receiving a massive \$4 million

injection of funds to enable its relocation to a portion of the ex-Brandon Park Secondary College site in Mulgrave. These vital funds will allow the refurbishment of some of the existing buildings and the provision of a new administration area, classrooms and associated spaces.

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

Snowy Hydro Ltd: sale

Mr JENKINS (Morwell) — I would like to thank the Premier for his quick response to the backflip of Prime Minister John Howard's federal Liberal-National coalition over the sell-off of the Snowy Mountains hydro-electric scheme. As members are aware, the Bracks government remained opposed to the privatisation of the hydro scheme right up until the New South Wales and federal governments decided to progress with their privatisation, effectively stranding Victoria as a minority shareholder in a private electricity company.

The Bracks government and the Treasurer should be congratulated on spending this government's time in attempting to guarantee irrigators allocations and natural flows should the scheme be privatised. At the same time we gave a clear statement of principle that any windfall gain from the sale of shares in the privatised company would be invested in schools for our kids. It is a matter of record that the federal government's backflip, followed by that of New South Wales, allowed this government to maintain its interest in this landmark iconic scheme.

It is now incumbent upon the federal government to walk away from its proposed sell-off of the backbone of our telecommunications network, Telstra. The federal government has failed to deliver on service improvements and guarantees to regional customers prior to any consideration of the sale. The federal government has failed to convince regional Victorians of the safety of the service and must withdraw.

The timing and method of John Howard's move from privatisation's biggest fan to its quickest rat has also wiped off billions of dollars from the value of its majority shareholding. In the name of credibility and consistency, the Howard National-Liberal federal government needs to back off now.

Kilsyth Football Club

Ms BEARD (Kilsyth) — Last Friday I had the pleasure of attending the Kilsyth Football Club's sponsors lunch. As well as being a sponsor, with the

member for Monbulk, I enjoy being the no. 1 ticket-holder. The Kilsyth Cougars team has struggled over recent years but has always played a strong and important role in the Kilsyth community — a community which itself has struggled to attract funding and programs for an area that significantly lacks community facilities.

Mike O'Meara, the outstanding president of Kilsyth Football Club, has sought to involve the club in the local community. Kilsyth Football Club has also sought positive interaction with and support from the Eastern Ranges Football Club, which has chosen to locate in Kilsyth.

The Shire of Yarra Ranges should be congratulated for its positive involvement in Eastern Ranges locating in Kilsyth. I look forward to Eastern Ranges footy club playing its games in Kilsyth and becoming a strong presence in our local community. In return I am sure the Kilsyth people will support the Ranges team.

Kilsyth footy club is hoping to form strong links with the local veteran community and proposes a home game to commemorate the participation of local veterans of the Vietnam War leading up to Long Tan Day. I congratulate the club for this initiative.

The community spirit of Kilsyth Football Club seems also to be resulting in improved on-field success under this year's new coach, Ron Butfield. Its win two weeks ago over the previously undefeated Whitehorse Pioneers was followed up by the close match I attended on Saturday against Chirnside Park, when it ran on strongly for a great win. The club also has a strong commitment to junior football under the enthusiastic guidance of junior president Tony Eastwood.

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

Seymour Bushland Park Reserve

Mr HARDMAN (Seymour) — I rise to congratulate the Seymour Bushland Park Reserve committee of management, the Mitchell Shire Council and the Trust for Nature which celebrated the launch of the placement of a conservation covenant on the Seymour Bushland Park Reserve on World Environment Day.

The creation of the Seymour Bushland Park Reserve was a forward-looking move by the Seymour community some time ago, and it is one of the last remnants of the box-ironbark forest in this area. Since the park began from its humble beginnings it has

become a wonderful area where varieties of flora and fauna now thrive.

What was special about the launch of this covenant by the Trust for Nature is that an important remnant of the regions and, indeed, Victoria's bushland is preserved for future generations. One of the speakers at the event was Dr Colin Officer whose passion for the environment encouraged him to lead a dedicated committee of volunteers, who have literally nursed the area back to a healthy environment with signage and 3.5 kilometres of walking trails for people to enjoy, learn about and take part in healthy activities.

World Environment Day was established by the United Nations to highlight the environment and empower local communities to take environmental issues into their own hands and act on them. This project was certainly a great example of that.

Congratulations go to the Seymour Bushland Reserve committee of management, the many local people who have contributed their time and equipment to bringing the park back to the wonderful state it is in now, the Mitchell Shire Council for its foresight and the Trust for Nature for the work it did to bring about this covenant on the park.

Voice-over-Internet protocol

Mr LEIGHTON (Preston) — If you have broadband Internet at home but still make your phone calls on a traditional land line, you are paying too much. Savvy consumers are embracing voice-over-Internet protocol (VoIP) and saving themselves a heap.

VoIP allows users to make their phone calls via the Internet at a fraction of the normal cost. Calls between the same service are free. For example, using Skype in January, I spoke to someone in the United Kingdom for half an hour each night for free. Some providers — for example, Freshtel — offer 10 cents untimed calls anywhere in Australia. Added features already include video and the option of a real or regular phone number that anybody can dial from a traditional phone, and it does not matter where in the world you are to receive the call.

Since VoIP is free, it removes distance as a consideration from communication. Now friendships and business communications can easily be maintained across international boundaries. We are truly becoming a global village.

While VoIP is used by enthusiasts and business, it is rapidly spreading across the community through word of mouth. This is the major reason why Telstra's shares

are languishing as the market factors in the impact of new technologies. I would not buy Telstra shares, and increasingly consumers will not be rewarding Telstra for high charges, failing to meet community service obligations and not being responsive to what their consumers want. These days you do not even need a computer to be switched on to be using VoIP. I urge consumers at home to try VoIP.

New Peninsula Baptist Church, Mount Martha

Ms BUCHANAN (Hastings) — Last weekend I had the humbling pleasure of attending the National Day of Thanksgiving service at the New Peninsula Baptist Church. Walking into the ministry at Mount Martha you feel the strong sense of community that this church engenders.

Senior pastor Dale Stephenson warmly welcomed me into his congregation, and the band played some very eloquent songs of praise. I met many people who were embraced in and by their faith and supporting their community in many positive ways. One such program has been the very successful Creating Opportunities and Casting Hope mentoring project, which is now spreading to many other neighbourhoods. I consider this mentoring program, recently evaluated by Monash University, to be best practice in terms of both support for participants and the training and ongoing support of mentors, and I highly commend it to the house.

New Peninsula's commitment to community caring does not end there. Its very popular Powerhouse program enables hundreds of Mornington Peninsula youth to socialise and enjoy group activities in a safe and supervised environment. With a focus on nurturing self-esteem and connection with the community in a positive and stimulating environment, the many trained volunteers are contributing to developing active, caring and responsible community members.

At the thanksgiving service associate pastor Glenda Holbrook gave a compelling dissertation on aspects of the *Da Vinci Code* novel from a Christian's perspective, and I congratulate Glenda for the very extensive research she undertook.

I thank all who are part of the New Peninsula family for their warmth and welcome and for their collective and passionate belief in the good in this world. Some words from *Genesis* sum up New Peninsula's philosophy so well:

God looked at what he has done, and all of it was good.

I wish them well in their future endeavours in their faith-based and secular community building programs.

DISTINGUISHED VISITOR

The ACTING SPEAKER (Mr Savage) — Order! I would like to take this opportunity to welcome to the house the Ambassador of the Islamic Republic of Afghanistan, His Excellency Mohammad Anwar Anwarzai.

TRANSFER OF LAND (ALPINE RESORTS) BILL

Second reading

Debate resumed from 4 May; motion of Mr THWAITES (Minister for Environment).

Opposition amendments circulated by Mr THOMPSON (Sandringham) pursuant to standing orders.

Mr THOMPSON (Sandringham) — I desire to move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until the government provides a guarantee to the Victorian community and key stakeholders that no high-level development will be undertaken on Mount Stirling and that Mount Stirling will remain a pristine area administered consistent with the recommendations of the Mount Stirling environment effects statement of May 1996'.

The bill before the house has ignited significant interest amongst those people with an interest in conserving the existing environment on Mount Stirling. At the same time the bill makes a number of changes to the security of tenure relating to Crown lease interests on a number of alpine sites. The *Mansfield Courier* noted on 31 May 2006, under the heading 'Stirling bid a hot topic' that anger has arisen as mountain authorities reignite the accommodation debate.

According to the report by Victoria Brown:

Mount Stirling resort authorities have sought state government approval to evaluate 'small scale' accommodation on the mountain.

Mount Buller and Mount Stirling Resort Management Board (RMB) chief executive officer Phil Nunn confirmed accommodation evaluation was part of the Mount Stirling 2011 strategic management plan which was submitted to Minister John Thwaites for endorsement this week.

I might note that it was a very strong position of the Labor Party's a number of years ago that there should be no development of this nature above the snowline. I continue with Victoria Brown's article, which quotes Mr Nunn as saying:

We wanted to evaluate if at some stage in future, there might be an opportunity to create higher visitation by offering accommodation —

while it is noted that:

There is no proposal at the moment to do so ...

The issue has ignited serious concern. Mr Nunn commented:

We are keeping our options open and will consult everyone on this matter, including visitors to Mount Stirling.

Even if it were to happen, the accommodation will be small scale and in keeping with the nature-based environment at Stirling.

I make the comment to the house that the opposition is opposed to such a proposal and wishes to preserve the conservation values that currently exist on Mount Stirling. I return to the article:

According to the Mount Stirling development task force, headed by its chairman Dr Alan Kerr, the Mount Buller and Mount Stirling Resort Management Board had made it clear in a meeting with the task force last week that it was enthusiastic about 'high-end user' accommodation developments on Mount Stirling.

Again, the opposition strongly opposes the notion that there might be high-end user accommodation above the ski line or at Mount Stirling. The article goes on:

The task force was formed in 1993 to research and promote appropriate tourism developments on Mount Stirling and cited the state-funded Mount Stirling environment effects statement ... which had rejected accommodation options for Mount Stirling, as evidence the mountain should be left alone.

Dr Kerr noted:

We thought the EES had finally put to rest inappropriate development proposals on Mount Stirling, and we are dismayed that this jewel in the crown of our alpine resorts is again under threat ...

We are not against appropriate tourism development on Mount Stirling and we are not against high-end user accommodation in the Mansfield district, but this is not right for Mount Stirling and the minister must unequivocally and publicly reject the idea from the start.

A Liberal Party member for Central Highlands Province in the other place, Mr Stoney, agreed with:

... the task force's sentiments and said the proposal is out of step with the expressed wishes of people who use Mount Stirling.

Mr Stoney noted:

When the proposal for a gondola on Mount Buller and downhill ski lifts on Mount Stirling was abandoned eight years ago, the general consensus around Mansfield was some

development was necessary, such as a higher altitude day centre and perhaps serviced huts ...

If these practical ideas were implemented, visitation to Mount Stirling would have tripled ...

The opposition has stated its position, and the reasoned amendment clearly, strongly and unequivocally emphasises the position of the Liberal Party, which is that the house should refuse to read this bill a second time:

... until the government provides a guarantee to the Victorian community and key stakeholders that no high-level development will be undertaken on Mount Stirling and that Mount Stirling will remain a pristine area administered consistent with the recommendations of the Mount Stirling environment effects statement of May 1996.

The bill will achieve a number of other purposes at the same time. For the purposes of the debate I would like to give a general outline of the bill, which proposes to amend the Transfer of Land Act 1958 and the Alpine Resorts (Management) Act 1997 to give alpine resort management boards powers to facilitate the registration of leases by allowing for variations to be recorded in the land registry. Lodging will be made simpler and will give resorts powers to grant leases or licences for a stratum of land relating to airspace and the like. It also deals with issues like subleases and their registration through the head lease.

By way of background, the *Alpine Resorts 2020 Strategy*, which was released in June 2004, provides a guide to the long-term planning and management of Victoria's alpine resorts. The government, through the Alpine Resorts Coordinating Council, made an examination of lease issues. This was reported in the *Alpine Resorts — Registration of Leases* recommendations document of July 2005. The bill seeks to implement some of the actions recommended in the review. Regarding the provisions, it removes the requirement for duplicate copies of Crown leases to be lodged with the land registry and it allows variations of Crown leases to be recorded on the title. These variations do not include changes of parties to the lease, the term of the lease nor the land that is leased.

It amends the Transfer of Land Act 1958 to refer to both Crown leases and freehold leases. The surrender of leases is modernised and made clearer. It gives resort management boards the power to grant leases in stratum, on dimensional areas on, over or under land — for example, levels overhanging a footpath. VicRoads consent will be required where the stratum is over or under a road, and similar provisions that will apply to stratum leases will apply also to licences.

In relation to Mount Stirling, since the bill was introduced evidence has come to light that the Bracks government had plans for a high-level development on Mount Stirling, as a strategic plan has appeared on the Mount Buller and Mount Stirling Resort Management Board's web site and earlier alluded to the concerns of the representatives of the Mount Stirling task force which has expressed deep concern about the government's plans to overdevelop the pristine Mount Stirling.

Plans by the Labor Party to overdevelop Mount Stirling go back to the mid-1980s when there was a \$350 million proposal which the then Labor government was considering for Mount Stirling. There has been significant community opposition activated from time to time, which has seen conservation values promoted to a high end irrespective of what some of the objectives of the government may have been.

The Liberal Party has a distinguished record on conservation in this state with a number of achievements. In recent years we have seen the implementation of marine parks, which was the result of a prolonged study by the Environment Conservation Council and, unusually at the time, the Labor Party did not implement all the recommendations of the ECC in the proposal for a system of marine parks and marine sanctuaries along Victoria's coastline. It left out Cape Howe in Gippsland, which the opposition then called Cape Why as it sought to ascertain why this particular recommendation of the ECC for a marine-protected area was left off the final recommendations. The proposed marine sanctuary at Ricketts Point was also left out of the original bill that the government brought into this chamber. It was through the keen work of the Liberal Party of the time that Ricketts Point was brought back into the consideration and radar of the government and introduced as part of the final scheme.

One slight irony of the day, which the minister at the table, the Minister for Community Services, as a former environment minister, might appreciate, is that just prior to the 2002 state election the government chose to launch its marine parks plans from Ricketts Point, the park it originally chose to leave out of the system of marine parks and sanctuaries for Victoria.

Other environmental improvements in which the Liberal Party has played a strong role include the establishment of the Environment Protection Authority, the formation of the Land Conservation Council and the establishment of the Trust for Nature, which have all been significant environmental achievements on the part of the Liberal Party, and should remain part of the public record. The series of parks and systems and

protected areas across the state have served this state well.

Bill Borthwick, a former minister in this place and Liberal Party deputy leader, had a strong hand in developing a system of parks in Victoria. They were graded parks: there were national parks, state parks, state reserves and other classified areas. Having a graded system of parks where different levels of protection might be afforded enabled a variety of activities to take place in those areas. Some tremendous legislative work was undertaken as the empowering legislation underpinning our great national parks was progressively updated and upgraded. Also in the last Parliament there was the work of the Liberal Party in supporting the recommendations of the ECC regarding the box ironbark forests in Victoria. So the Liberal Party in approaching this debate comes from a background of strong commitment to preserving and maintaining clear conservation values.

The bill before the house in relation to the Mount Stirling development task force raises a number of concerns. I would like to put on the record a press release from the chairman of the Mount Stirling task force, Dr Alan Kerr, dated 28 May 2006:

Abandoning the Mount Stirling EES, the Mount Buller and Mount Stirling Management Board is proposing 'high-end user accommodation' on Mount Stirling.

The about-to-be-released *Buller Stirling 2011 Strategic Management Plan* will go to Minister Thwaites for endorsement on Monday, 29 May, with section 5.3 actioning an amendment to the alpine resorts planning scheme to allow for accommodation on Mount Stirling.

...

The Mount Stirling environment effects statement 1997 rejected accommodation options for Mount Stirling. The state-funded EES was exemplary in its process and provides a comprehensive planning document for the future of Mount Stirling.

The Mount Stirling development task force was formed in 1993 to research and promote appropriate tourism developments on Mount Stirling and today Chairman Dr Alan Kerr stated, 'We thought the EES had finally put to rest inappropriate development proposals on Mount Stirling and we are dismayed that this jewel in the crown of our alpine resorts is again under threat'.

Mount Stirling provides a unique combination of proximity and wilderness in the Alps and has always been about affordability, accessibility and diversity of use in an unspoilt natural environment. It is a delicate balance and these latest proposals would fundamentally alter the Mount Stirling experience to the detriment of all Victorians.

Not only is this latest idea contrary to the EES but it has no user group support and while the board's management plan

states a desire to establish a shared vision this seems very one-eyed to me.

We are not against appropriate tourism development on Mount Stirling and we are not against high-end user accommodation in the Mansfield district but this is not right for Mount Stirling and the minister must unequivocally and publicly reject the idea from the start.

Ms Lindell — What about the ski slopes?

Mr THOMPSON — The question has been raised by way of interjection, ‘What about the ski slopes?’. I presume the idea for ski slopes on Mount Stirling would have been discussed on numbers of occasions over decades, but reached a high point in the late 1980s when the Labor government was considering ski slopes. I refer the chamber to a letter to the editor in the *Age* of 29 May 1995, headed ‘Facts on threats to Mount Stirling’ which asked a question of the Honourable Barry Pullen, who was then the shadow environment minister. The question was posed:

Where has he been for the past 10 years?

I remind members of the chamber, including the members for Carrum and Yan Yean, that Mr Pullen was asked where had he been for the past 10 years — that is, between the periods of 1985 and 1995. The letter asks:

More precisely, where was he in 1989 when the previous government, in which he was a minister, proposed a real taxpayer-funded fully fledged \$350 million downhill resort for the mountain with an alpine village accommodating 5000 people?

Where were the members for Carrum and Yan Yean when that proposal was being debated?

This becomes a reasonably useful lesson in history for those members in the chamber who are referring to other development proposals affecting Mount Stirling, because the real genesis goes back to 1989 when the then Labor government proposed — and I repeat it:

a real taxpayer-funded, fully fledged \$350 million downhill resort for the mountain with an alpine village accommodating 5000 people.

The bill before the house achieves a number of purposes. It seeks to amend the Transfer of Land Act to provide strong security of tenure for those stakeholders on the mountain. There is concern, certainly on the part of the opposition, about high-level development that could be undertaken on Mount Stirling. It is for these reasons that the opposition earlier moved its reasoned amendment to the second-reading motion on the bill. The amendment states:

That all the words after ‘That’ be omitted with the view of inserting in their place the words ‘this House refuses to read this bill a second time until the government provides a guarantee to the Victorian community and key stakeholders that no high-level development will be undertaken on Mount Stirling and that Mount Stirling will remain a pristine area administered consistent with the recommendations of the Mount Stirling environment effects statement of May 1996’.

The opposition is grateful for the good work of a number of stakeholders in this area, including Martin Hunt and Dr Alan Kerr, who assisted with contributions to the debate today.

Dr SYKES (Benalla) — I rise to speak on the Transfer of Land (Alpine Resorts) Bill. The provisions of the bill have the general support of leaseholders of premises in the alpine resorts. As the previous speaker said, the bill is part of the process of implementing the recommendations of the Alpine Resorts Coordinating Council’s investigation into alpine resort leases and possible strata title models. That said, I support the Liberal Party’s reasoned amendment to exclude Mount Stirling from the provisions of the bill.

As has been outlined, there was extensive consultation on the future of Mount Stirling in times gone by. The conclusion was that the vast majority of people wanted Mount Stirling to remain in its pristine state and that there should be limited infrastructure development on the mountain. In fact, when relevant legislation was before this house 12 to 18 months ago the government rejected a request from me for a basic people mover to transport cross-country skiers from the car park area up to the top of Mount Stirling. We are now looking at the possibility of a high-level development.

I refer to the letter I also received from Mr Hunt. It outlines the concerns of the Mount Stirling development task force about the possibility of high-level, high-end accommodation on the mountain, and those concerns have been shared by various other people. If there is any substance in that, then the concerns of the local people are justified, and the adoption of the member for Sandringham’s reasoned amendment would allow the government to put their minds at rest, if that is the issue; if it is not, then we have concerns that will worry local people and visitors to the pristine Mount Stirling. That concern is one of a number of concerns that have been raised with me over recent months, particularly when I have contacted people seeking their response to this legislation.

Other concerns raised with me include the encouragement of a top end of town development or luxury accommodation at Mount Hotham. It is being argued that it is making it increasingly difficult for the man in the street to have affordable family holidays at

the snowfields. Other concerns have also been raised in relation to the perceived over-management of alpine resorts and certainly about problems at Falls Creek with the turnover of the chief executive officer there. Hopefully, the new chief executive officer will settle in and provide some stability.

The concern of a number of people is that they do not see sufficient benefits coming from the current level of management. There was a suggestion that there is time to revisit the management model. At an absolute minimum we need to encourage the ongoing efforts for a closer working relationship between the nearby local shires — that is, Alpine shire for Falls Creek and Hotham, and the Mansfield shire for Mount Buller and Mount Stirling.

There are also fears that the cattlemen's huts such as Wire Plains Hut and other historic buildings were going to be removed in the interests of having a cleaner, neater high country. Fortunately the Wire Plains Hut issue has been resolved as a result of the Mount Hotham Alpine Resort Management Board inspecting the hut, deciding it was in reasonable condition and had appropriate heritage value to justify its retention. Again, there is ill-ease among people who have been going to the mountain for a long time.

Another concern raised as a result of my consultations is about the location of the Mount Hotham sewerage water recycling facilities. That is something I will be looking at this week when I go up to Mount Hotham for the opening of the ski season.

A lot of these concerns impact on leaseholders and their ability to continue to afford to be in the high country during the winter or, in fact, at any time during the year. There have been concerns expressed about the fire safety requirements that are to come in, particularly the requirements for wired-in smoke alarms and sprinklers. I believe that issue is being worked through and that commonsense is going to prevail, so that providing the buildings meet certain very high fire safety standards, these particular requirements may not be imposed. That would be a victory for commonsense and consultation.

I will not spend too much time on the other broader issue of the management of alpine parks in general, or on weeds and vermin control; I will leave that to another day. But another concern is about the protection of buildings — that is, the assets that leaseholders have up there. The concern relates to restrictions on the ability to carry out fuel reduction measures within the confines of the resorts.

In particular, that was raised as an issue about Mount Buller. There are a number of concerns about the long-term future of the high country, and it is important for the government to look at the concerns being raised. At a minimum I ask that ministers and government members who visit the high country this weekend for the opening of the ski season listen to the local people and take on board the concerns they raise, because they are legitimate concerns that need to be factored in to our thinking about the long-term future of the alpine resorts.

I am fortunate that the electorate of Benalla has the major alpine resorts of Falls Creek, Mount Hotham and Dinner Plain, Mount Buller, Mount Stirling and Mount Buffalo. I also claim Lake Mountain, although the member for Seymour claims electoral ownership of it as well, so that is disputed territory. Something that the government has made an issue of, and the alpine resorts and people of the high country have made a point about, is that these areas are seen as not just ski fields but as resorts all year round — that is, with appeal over the four seasons.

That is particularly relevant at Falls Creek, where some of Australia's Commonwealth Games athletes trained and where there is a push to have an altitude training centre established for athletes. Falls Creek also provides wonderful opportunities for bushwalking and for people to generally enjoy the magnificent alpine high country. These resorts are extremely valuable to the economy of north-east Victoria and particularly to towns such as Mansfield, Bright and Mount Beauty. In August I will be going up to Falls Creek again for the Kangaroo Hoppet, a wonderful international cross-country ski event which is a great income boost for the area.

I now move to the bill specifically, but I may come back to comment more broadly on the resorts if time allows. As I mentioned earlier, the bill is part of a process of implementing the Alpine Resorts Co-ordinating Council's recommendations regarding the registration of leases in alpine resorts which seek to assist with more flexible leasing provisions for accommodation and other assets in the alpine resorts. Part of that involves increasing the leasing and licensing powers of the alpine resorts management boards.

It is appropriate that these provisions are brought before the Parliament, because the current situation is one of a range of leasing arrangements that often reflect when leases were first commenced, with variable degrees of satisfaction in relation to security of tenure and a clear understanding of who owns what, who has what responsibilities and what are the rights of individuals.

As I understand it, the best of the current situation is where a leaseholder has a share in an overall company and there is a particular sublease for an apartment in a building. As I understand from our briefing this morning, the Transfer of Land Act currently requires the registration of all alpine resort leases, but this requirement has not been enforced because of some difficulties with the current legislation.

The bill before the house will make it more attractive for leases to be registered, and it is intended that in future all new heads of leases will be required to be registered — that is, that requirement will be enforced. It is still intended that subleases will be voluntary although lessors will be encouraged to register those leases. Those two requirements have the broad support of the people I have consulted, because it will give greater security of tenure and a more sound legal base, which is commonsense.

The move towards full strata titles is more complex, and that has been recognised in the report. It also concerns a number of the stakeholders I have spoken to. Clearly there needs to be further consultation with the affected groups — that is, the stakeholders — so that in taking on board this complex set of issues the simplest and most commonsense solutions are found. Apparently satisfactory arrangements exist in New South Wales, but that state was fortunate in that it had a less complex situation to deal with in the first place. Clearly this should not be an exercise in reinventing the wheel. We should look at what is going on in New South Wales, take advantage of the experiences there and apply them where appropriate in Victoria.

Clause 11 of the bill amends the Alpine Resorts (Management) Act 1997, giving power to grant leases in stratum. According to the second-reading speech:

This provides for leases over a dimensioned area below, on or above the surface of the land and will allow the boards to lease, for example, a building where the upper levels overhang the footprint of the building.

That seems to be commonsense. With modern architecture in particular, it is not unusual for upper storey accommodation to project out above the bottom part of the building. That projection may go over public land, and this amendment will address the legal aspects of that. Expanding on that, the second-reading speech says that clause 11:

... will give boards greater flexibility in the shape of the land and airspace they lease, subject to the same controls that apply to exercising any of their leasing powers. There are additional controls in the clause that mean that before a lease for a stratum of land can be granted, proper consideration must be given to easements and services, and —

importantly —

access by a lessee or licensee of other land.

That will protect the interests of the lessor of a particular parcel of an asset but also put that in the context of looking after the interests of the other people in the area.

The feedback I received from the constituents I consulted is, as I said, generally supportive. Keith Boxer often comments to me on alpine resorts issues, and his comments are generally encouraging. In an email to me, he said:

... the advantages of having registered leases and subleases has led to easier financing for ski clubs to carry out renovations and extensions and has enabled investors to buy apartments using reasonably easy to obtain bank finance.

This bill seems ... to bring these advantages to the other alpine resorts and also brings some simplification to the process hopefully making registration easier and simpler.

Keith Boxer prefaced that by saying his experience relates to Mount Hotham where those advantages already exist; so there is support for the notion. Keith Boxer did raise some concerns about the issue of providing for releasing strata of assets overhanging public land, but that has been covered in my earlier comments.

We also look at some feedback that I received from a Benalla lady, Prue Dobbin, who has recently purchased an apartment at Falls Creek. She, again, is supportive of the bill stating that her:

... overall impression was that this bill was intended to align the leasing powers of the resort management boards (as the lessor leasing Crown lands) with those same powers of a private lessor leasing freehold land.

That is another constituent supporting the content of this bill.

The Mount Buller Ratepayers Association has been provided with legal input by Hunt and Hunt, but the association makes the point that in relation to this particular bill:

As you can see there is general support for the registration of alpine leases, but we believe there are not the required safeguards in place yet to proceed with registration of strata or stratum leases or licences.

Again, that is consistent with what is sought to be achieved by this bill.

This bill will be of assistance in providing security of tenure and a clearer and more flexible arrangement, and that is going to be important for the long-term

development of the alpine resorts in north-east Victoria. The other things that will be important to ensure the sound economic development of these alpine resorts include, in the case of Falls Creek, the sealing of Bogong High Plains Road. We are pleased that the state government has committed \$2 million towards that cost, and we are looking for continuing support from the state government to lobby the federal government to kick in its share as well.

There is another role for the state government to adopt in taking a more flexible approach to what activities can go on in our national parks. Dog sled races were being run at Falls Creek, but they are not allowed now because of bureaucratic red tape which relates in part to sled dogs not being allowed in national parks, even though they are in harness and unlikely to go absent without leave when under the control of the sled master. There is a need to think laterally and break through that red tape so that broader forms of entertainment can be made available to enable people with a breadth of interests to enjoy the high country.

I am going to Mount Hotham this weekend to enjoy the opening. Hotham provides really challenging skiing for those at the leading edge of skiing. As reported in the *Border Mail* recently, Hotham is undergoing an absolute property development boom which, I think Keith Boxer pointed out, reflects the greatest security of tenure associated with the leasing requirements there, and which this bill intends to make available to the other ski fields. Hotham is steaming ahead, but there are concerns that a lot of the developments on Hotham are at the top end of town and that is putting pressure on families and family ski opportunities.

The other ski field in the area that is probably less affected by this bill but still is an important part of the overall high country experience in north-east Victoria is Mount Buffalo with its chalet. The Mount Buffalo Chalet is an absolutely perfect location to enjoy the snow or a break in summer with some old-fashioned luxury. A successful example of various groups working together earlier this year was when, as a result of sitting down with the Alpine Conservation and Access Group, the Burbank brothers at Mount Buffalo Chalet, Parks Victoria and Sir Andrew Grimwade and myself, we were able to come up with an arrangement which is looking to protect the existing flora — what is known as ‘the Grimwade collection’. The future of that flora collection is now well protected, but encouragingly it was support from all those groups to undertake another survey of the flora on Mount Buffalo as part of the overall process of identifying what we have got there, what changes have occurred over the 100 years since von Mueller did a survey, way back in

the 1800s. Generally this is an example of cooperation. I record in *Hansard* my gratitude to Sir Andrew Grimwade for his encouragement to the Mygunyah Foundation to make available the funds for the survey that will be undertaken in the coming months.

I refer to the issue that the member for Sandringham touched on in the beginning concerning Mount Buller and Mount Stirling. Mount Stirling has been the poor relation in the mountains. It has had difficulty generating income, and there have been cross subsidies from the other resorts. One of the cost-saving solutions was to bring Mount Stirling under the management of Mount Buller to have a Mount Buller-Mount Stirling management board, and most people see benefits in that.

But the local people have spoken out and said that the uniqueness of Mount Stirling is in its pristine high country cross-country skiing experience, and there is strong resistance to development, or any significant development. Therefore we ask the government to put things on hold until all options are explored and we fully understand what is going on. At this stage The Nationals support the reasoned amendment of the opposition in that context, though the rest of the bill makes a lot of sense.

Ms LINDELL (Carrum) — It gives me great pleasure today to speak in support of the Transfer of Land (Alpine Resorts) Bill. This government has a strong commitment to strengthening regional economies, protecting our natural environment and ensuring the sustainable use of our resources. That is why in June 2004 it released a blueprint for the future of Victoria’s alpine regions, the *Alpine Resorts 2020 Strategy*. The strategy recommends the amendments that are actually being made in this bill. Specifically it is about making head-lease registration in the alpine area more attractive. The bill is about simplifying the process of registration, cutting red tape and providing more security for investors, leading to greater investment in the alpine region. Being strongly supportive of the alpine community, the commitment of alpine resorts management boards must be commended by this government. They, along with many others from the alpine industry, are leading by example in demonstrating how to manage a sustainable alpine region.

This bill amends the Transfer of Land Act 1958 to include new leasing provisions, and it amends the Alpine Resorts (Management Act) 1997 to add to the leasing and licensing powers of the alpine resort management boards. The proposed changes are supported by all key stakeholders, including the five

alpine resort management boards at Falls Creek, Mount Baw Baw, Mount Buller, Mount Stirling, Mount Hotham and Lake Mountain. The land registry, the Alpine Resorts Coordinating Council and lessees and apartment owners also support this bill.

A discussion paper and supporting background paper concerning lease registration and strata registration issues was released for public comment on 21 October 2004, and in July 2005 the Alpine Resorts Coordinating Council released its recommendations to the public. They included that the government proceed with implementing processes to allow for the registration of alpine resort leases and subleases, the facilitation of the registration of leases and the creation of titles by enacting the legislative changes before us today, along with amendments to enable leases and licences to be granted for a stratum of land. This bill does away with the necessity for duplicate leases to be prepared, thus saving time and money, and under these changes Crown land leases will be treated in the same way as freehold leases. Leasing or licensing a stratum of land — that is, a dimensional area below, on or above the surface of the land — allows leases or licences to be given for things such as pedestrian overpasses, balconies which overhang the boundary of a building and the construction of tunnels.

In the few minutes left for my contribution I want to refer to the Liberal Party's gross hypocrisy in the amendments it seeks to this legislation today. In 2004 the Minister for Environment, John Thwaites, amended the Alpine Resorts (Management) Act 1997 to specifically protect Mount Stirling from major development. Section 38(3) of the act states:

- (3) In relation to Mount Stirling Alpine Resort, the Mount Buller and Mount Stirling Alpine Resort Management Board must exercise its functions under sub-section (1) subject to the following principles —
 - (a) that the resort must be planned for, developed, promoted and managed as a nature based tourist, recreational and educational resource for all seasons of the year; and
 - (b) that there are not to be any ski lifts in the resort.

The government believes Mount Stirling should be for low-impact activities, not for major development, and the amendment to the Alpine Resort (Management) Act made in 2004 ensures that protection. Of course that is not the only legislative protection the government has made to protect the highly important environmental areas of Mount Stirling.

What the member for Sandringham missed in his contribution was that Liberal Party legislation sought to

excise 285 hectares of the great Alpine National Park in 1997. The National Parks (Amendment) Act 2000 provided for the inclusion of that area back into the Alpine National Park. This government actually went further than just bringing those hectares back into the national park; it introduced an excise policy to ensure that decisions such as the one made by the previous government to excise the 285 hectares from Mount Stirling could not happen again.

The move by the previous government to excise land from the Alpine National Park to build ski lifts was a significant attack on the integrity of the National Parks (Amendment) Act, and it struck at one of the fundamental principles of national parks — that they should, in the words of the preamble to the act:

... be reserved and preserved and protected permanently for the benefit of the public ...

The current bill before the house, coupled with current government policy, sufficiently protects Mount Stirling from major development, and therefore the proposed amendments are unnecessary and in many cases just show how out of touch the Liberal Party has become. The member for Sandringham in his contribution gave us a long list of environmental credentials of the Liberal Party, and in the past I think it has been broadly accepted that Liberal governments have been quite progressive when it comes to the environment.

Certainly a former Liberal Premier, Mr Hamer, was, and the legislation that put in place the green wedges around Melbourne is testimony to what Liberal governments can do. Unfortunately the last Liberal government we had in this state did not live up to that heritage and tradition, and for members of the opposition today to come in here and cry crocodile tears about Mount Stirling after the outrageous attack they made in the last government when they had the opportunity to protect areas in the Alpine National Park is hypocrisy at its utmost.

As far as environmental credentials go it will be a long time before Victorians can view the present Liberal Party in the same way as many of us view the Hamer government of the past. If you look at the Liberal Party's opposition to the removal of the cattle grazing licences, I know there are Liberals who would have quite openly supported the government's excluding cattle grazing from the Alpine National Park, but when the crunch came and when push came to shove they lined up with their Liberal mates. They could not carry the argument and the environment had to succumb to petty party politics of the worst kind.

This is just another in a long list of occasions when the environment has come in second place. It is not protected by the Liberal Party in any sense now or in the last government. It is a long time since we have seen a Liberal government which cared for the environment and which was prepared to put the environment before a cheap political trick where it thought it could gain from some sort of wedge politics and a handful of votes which could see it spend some time in the sunlight. I can assure members opposite that they will continue to be spurned by the Victorian public until they get serious about protecting the environment.

Mr McIntosh (Kew) — At the outset I should state that I am a member of the Ormond Ski Club up at Mount Hotham. Under the articles of association of that club I would be a residual beneficiary in the event of that company being wound up or going into liquidation. One of the company's principal assets is a lodge at Mount Hotham — it has a Crown lease over a large piece of land at Mount Hotham.

With those words I rise to point out that the general purpose of the legislation is certainly something to be welcomed. As a one-time secretary of the Ormond Ski Club I know that one of the difficulties we always had to deal with in relation to our Crown lease was that it was different from other forms of land title and it was very difficult to secure funds for any proposed development or redevelopment, as was desired at one stage when I was a member of the committee of that club. The ability to register those leases in a way most people who own or lease land would recognise is very much a welcome process. It will enable people to deal with their land as they see fit. I have no doubt that it will ensure ongoing development and provide security of tenure for not only the lease-holders but also the people who mortgage that land and attain some security in it.

However, it is interesting to note that while the member for Carrum has been talking about what occurred back in the 1990s in relation to Mount Stirling, whatever else happened it was a demonstration of a government that listened to a substantial number of concerns that were being raised. I remember having a number of discussions with Andrew Ramsay, who remains the president of Ski Australia, about that resort. Even at the height of the debate I indicated that it was my view that it would not go ahead. I still have a bottle of champagne which remains unpaid for by Mr Ramsay, who still has an expectation that Mount Stirling will be developed in the near future. Essentially that has been put on hold.

We have seen in recent events in relation to Mount Stirling that the proposal for development is still alive

and well. It may not be the gondola or ski lifts but at this stage the joint committee of management of Mount Buller and Mount Stirling has put forward in its strategic plan the idea of developing high-end accommodation up at Mount Stirling. When the Mount Buller Resort Management Board took over Mount Stirling some three years ago it became apparent that in its current configuration Mount Stirling was a major economic drain on the people at Mount Buller. It just does not have the facilities or the capacity to be economically sustainable.

While the merger was a welcome move, it would appear that the people at Mount Buller are starting to realise that they need to develop Mount Stirling in a way that might provide a profitable outcome. There are many ways that could occur. I have had the benefit of talking to representatives of the Mount Stirling task force. I have also had an opportunity to talk to the Honourable Graeme Stoney, who is an upper house member for that area. Indeed, I have visited Mount Stirling on numerous occasions, both as a cross-country skier and as a hiker in the summer.

I am aware of the lack of all-weather road access and — I say this with no degree of condescension — that primitive resources at Telephone Box Junction, which is below the snowline. It is an epic trip to some extent for anyone wanting to go to the snow at Mount Stirling. I note from some of the material that has been provided that some 140 schools visited Mount Stirling last year alone. Any mechanism that would facilitate that, in the nature of a higher alpine access road or a day visitors' centre, should be considered.

However, the idea of accommodation was expressly ruled out during the environment effects statement (EES) process under the previous government. The EES report ruled out any notion of accommodation at Mount Stirling. It is a matter of some concern that the people in the Mansfield area and the high country read in the *High Country Times* of 31 May that the Mount Buller and Mount Stirling development task force had put forward a proposal for accommodation above the snowline at Mount Stirling. I quote from the *High Country Times* of 31 May:

The task force met the resort management board last week and claim 'the board —

that is, the Mount Buller and Mount Stirling Resort Management Board —

made clear its enthusiasm for what the board calls high-end user accommodation developments on Mount Stirling.

In a letter to the Honourable David Davis, a member for East Yarra Province in another place, copies of which were sent to the Premier, the Minister for Environment, a number of other ministers and members of the opposition, it was said over the hand of Martin Hunt, the secretary of the Mount Stirling development task force, that:

We have recently become aware of a proposal by the Mount Buller Mount Stirling alpine resort management board to have the Mount Stirling planning scheme amended to allow for a significant 'high-end' accommodation facility on the mountain.

This proposal abandons the findings and fundamental directions given by the Mount Stirling EES for the future use of the mountain; for example, a higher altitude facility for cross-country skiers and improved access to the mountain for all user groups.

The amendments proposed by the opposition essentially excise Mount Stirling from the operation of this bill. It can apply quite happily to the other resorts like Mount Buller, Mount Hotham and Falls Creek but should not apply to Mount Stirling because there should not be any form of development on Mount Stirling. There should be no form of Crown lease above the snowline at Mount Stirling. It is inappropriate. The amendments recognise what apparently the government has accepted in the past and what is consistent with the EES.

We suggest there is a more clandestine approach to this and that there is a proposal to develop Mount Stirling in a way that is inconsistent with what the community wants or expects — and certainly in a way that is totally unnecessary in this regard, save and except that the Mount Buller people believe this may be a way of paying the bills. I think that would be unacceptable to the house.

Secondly, the reasoned amendment proposes that this bill not be read a second time until we get a watertight guarantee from the government that this will not occur and that Mount Stirling will not be developed in a way that is inconsistent with the original environment effects statement. It is a simple proposition. If the government is fair dinkum about supporting the EES going back to 1996, which the Kennett government accepted and which this government says it accepts, it ought to come clean and provide a guarantee that there will be no accommodation development on Mount Stirling inconsistent with that EES — in other words, no high-end development — and that it will be left in the condition it is now in. If it is fair dinkum it will give that guarantee or, alternatively, and in a more concrete way, it will excise from the operation of this bill the Mount Stirling resort.

Those matters relating to land title could sit quite happily at Mount Buller, Mount Hotham and Falls Creek, but they should be excised from the operation of this bill, because everyone in this house would accept that there should be no accommodation development at Mount Stirling. This would be a simple way of the government's demonstrating its bona fides, rather than shoving it under the table and doing another shabby deal along the lines of the Transurban development.

Ms GREEN (Yan Yean) — It gives me great pleasure to join the debate on the Transfer of Land (Alpine Resorts) Bill. It is important to understand the background to the bill. The majority of land in Victoria's alpine resorts is Crown land, permanently reserved under the Crown Land (Reserves) Act. The resorts occupy less than 1 per cent of the state's public land but are subject to approximately 380 leases and 1500 subleases.

We have five alpine resort management boards that manage the resorts of Falls Creek, Mount Baw Baw, Mount Buller/Mount Stirling, Mount Hotham and Lake Mountain. I am pleased to say that I have skied at four out of the five of these resorts and enjoyed it very much. Each board, with the prior approval of the minister, has the power to grant leases and licences for any Crown land in the resort. The resorts are tourist destinations and have various forms of accommodation, including lodge accommodation — our family are members of the Marouka Lodge at Mount Hotham, where I hope to spend some time this year — and increasingly apartment-style accommodation. Unlike other tourist destinations, because these are on Crown land, tenure is by way of Crown lease and not freehold.

Late last year a discussion paper and supporting background paper on lease and strata registrations were released for public comment. Public meetings were held, and the submissions overwhelmingly favoured the amendment of current practice in favour of encouraging the registration of leases. In July 2005 the Alpine Resorts Coordinating Council released its recommendations to the public, which included a recommendation 'that the government proceed with implementing processes to allow for the registration of public resort leases and subleases'. That has formed the background to the bill.

I am proud to be a member of the Bracks government, which is passionate about Victoria's alpine region. The region has contributed so much to our way of life, economically, socially and environmentally. It is part of a very important industry that contributed \$129 million to our economy and provided 3700 jobs in 2000.

Through this process the Bracks government, as we have seen with the development of this bill, has worked hard to bring alpine stakeholders together to explore how we can lead the way in alpine sustainability in order to ensure that our alpine resorts remain viable both economically and environmentally. We want to provide for continuing improvement in the management of Victoria's most precious assets in one of the state's most spectacular natural environments. That is why in June 2004 we released a blueprint for the future of Victoria's alpine regions, the *Alpine Resorts 2020 Strategy*. That strategy was overwhelmingly welcomed by those involved in the industry.

The government also recognises that the strategic management frameworks that the alpine resorts operate within need to be constantly examined and revised so they meet the changing needs of the community, the industry and the environment. The *Alpine Resorts 2020 Strategy* recommended the amendments being made by this bill. It is about simplifying the process of registration, cutting red tape and providing more security for investors, thus leading to greater investment in the alpine region in a sustainable way. The Victorian government is strongly supportive of the alpine community, and we commend the commitment of our alpine resort management boards. They, along with many others from the alpine industry across Australia, are leading by example by showing how to manage a sustainable alpine region.

As I said before these changes are overwhelmingly supported by all the key stakeholders. The bill does away with the necessity to prepare duplicate leases, thus saving time and money. Under the proposed changes Crown land leases will be treated the same way as freehold leases. A new provision will allow for the variation of any registered lease to be recorded in the land registry, which means that a registered lease can be updated easily rather than surrendered and reissued, as is currently required. The bill clarifies issues relating to the application of the Transfer of Land Act to both Crown and freehold leases. It enables alpine resort boards to issue a lease for a stratum of land.

The member for Sandringham, in moving a reasoned amendment, is flying a political kite, as the amendment implies that our government has a plan to secretly develop Mount Stirling. Nothing could be further from the truth. However, I recall that the government of which the member for Sandringham was a member proposed that. I recall that in the 1990s the then Liberal government planned for extensive lifts on Mount Stirling and, as I recall, a sky train, or funicular railway, and a gondola in the sky. Nothing like that has been seen in Victorian resorts, but that was proposed by the

government that the member for Sandringham was a member of. What hypocrisy! Victorians have not forgotten the Kennett government, and they know the Liberal Party would do it again, because it still stands for nothing.

Our government has moved to protect the Mount Stirling resort. It legislated to do that in 2004 by amending the Alpine Resorts (Management) Act so that the resort had to be planned for, developed, promoted and managed as a nature-based tourist, recreational and educational resource for all seasons of the year and so there would not be any ski lifts in the resort. The government could not have been any clearer than that. The opposition is making it up if it says anything different.

The government believes Mount Stirling should be reserved for low-impact activities, not major development. The 2004 amendment was sufficient to ensure that, but that is not the only amendment the government has made to protect high-value environmental areas. The government amended the National Parks (Amendment) Act in 2000 to provide for the inclusion of 285 hectares that had been excised by the previous government in 1997 for the purpose of developing ski lifts in areas of high conservation significance in what is now the Great Alpine National Park. We know the opposition says one thing but means another.

In his contribution the member for Benalla contended that the building of high-end accommodation at Mount Hotham is precluding access to alpine areas by 'the ordinary man in the street' — his words not mine. If he knew anything about his own electorate and the development of Mount Hotham he would know that the pioneers of this great mountain were workers and tradies who established the ski associations and clubs which exist to this day.

I look forward to joining the minister and the men and women of the ski associations at the opening of the season at Mount Hotham this coming weekend. I know the minister is very committed to the notion of affordable access and accommodation at the ski resorts, because he has mentioned this publicly on many occasions. I commend the operators, the boards, the lift companies and everyone associated with this fantastic industry for their commitment, particularly since the dreadful fires of 2003, and I wish them a great 2006 season.

I congratulate the minister and the Alpine Resorts Co-ordinating Council for the work on this bill, for its development and for ensuring it has the support we

have seen from the stakeholders. I put on record my opposition to the Liberal Party's politically motivated and hypocritical reasoned amendment as I believe we have previously stated that we will not develop Mount Stirling. I commend this bill to the house.

Mr HONEYWOOD (Warrandyte) — It is always a pleasure to follow my colleague the member for Yan Yean on any debate. She is the member who has presided over the biggest cut to the Warrandyte State Park budget in the history of that state park. She talks the talk of the environment but the reality is that she allows her Minister for Environment to cut budgets to state and national parks, and she knows what I am talking about.

Ms Green — On a point of order, Speaker, the member for Warrandyte has misled the house, and I ask him to withdraw. I have never asked the minister to cut the budget to Warrandyte State Park. The member has presented an untruth to the house, and he has misled the house.

The ACTING SPEAKER (Mr Seitz) — Order! I do not uphold the point of order because the honourable member has not made any unparliamentary remarks. If the member for Yan Yean feels she has been misrepresented, she can clarify that in a personal explanation.

Mr HONEYWOOD — We look forward to interrupting the flow of the government members' debate on successive bills tonight as a result of the deliberate time wasting efforts of the member for Yan Yean.

The hypocrisy of Labor on this bill is amazing because some of us have been here long enough to remember how Labor members campaigned against the building of any hotel or high-end style accommodation facility at Wilsons Promontory. They had former Premier Joan Kirner down there in a caftan and they were standing on the beaches. There they were, arguing against any commercial development on Wilsons Promontory.

The then Minister for Conservation and Land Management, Marie Tehan, put forward the argument that it would be appropriate for parents with disabled children or grandparents who may be infirm and who wanted to visit their family who might be camping at Wilsons Promontory — given the isolation of Wilsons Promontory from the rest of the urban areas and given that Foster is so far from the promontory — to have some sort of accommodation facility down there. Labor canned that, fought against it and stopped it.

Yet here we have a piece of legislation that does exactly that to Mount Stirling. It allows commercial development and allows high-end accommodation on the most pristine natural environment that government after government has chosen to protect from such development. That is the hypocrisy: Labor members, who thought they were onto a good media story in Wilsons Promontory, think they can sneak in high-end accommodation on a pristine, natural-environment mountain. Let the record show that this government is a government of hypocrisy when it comes to the environment.

The purpose of the bill is to amend the Transfer of Land Act 1958 to include new leasing provisions and to amend the Alpine Resorts (Management) Act 1997 to add to the leasing and licensing powers of the alpine resorts management boards. Essentially the bill will facilitate the registration of leases by allowing for variations to any registered lease or sublease to be recorded in the land registry. Apparently this provision will give greater flexibility for all registered leases, whatever their nature, including Crown leases.

The bill also facilitates lease registration by clarifying which of the leasing provisions in the Transfer of Land Act 1958 applies to Crown leases. Further, the bill requires only the original lease to be lodged for registration and allows for immediate conversion of original Crown grants to electronic form. Currently leases are not registered, and it is argued that the official registration of lease agreements provides greater certainty and security for investors in alpine resort infrastructure.

The particulars of the bill are the agreed actions in the *Alpine Resorts 2020 Strategy*. The community and other groups such as the Mount Stirling development task force agree with a majority of the bill's provisions, as they are particularly relevant to resort-style, high-end accommodation such as that on Mount Buller. However, the bill contains no specific provision that excludes Mount Stirling from further development. In fact, despite the carry-on and the attempt to camouflage the reality by the member for Yan Yean and other government members today, it is argued that the provisions of the bill will facilitate or encourage inappropriate development on the mountain.

Currently there is an application to the Minister for Environment from the Mount Buller and Mount Stirling Resort Management Board to have the Mount Stirling planning scheme amended to allow for a significant high-end accommodation facility on the mountain, and of course the member for Yan Yean did not bother to mention that. This accommodation

proposal, which is very similar to what was proposed at Wilsons Promontory and which Labor opposed, is part of the Mount Stirling 2011 strategic management plan which was submitted to the minister for endorsement on 29 May this year. Phil Nunn, the chief executive officer of the board, claims that they simply want to evaluate whether there might be an opportunity to create high visitation by offering accommodation. However, he stated in the *Mansfield Courier* of 21 May:

There is no proposal at the moment to do so.

According to the chairman of the Mount Stirling development task force, Alan Kerr, the board had made it clear in a meeting with the task force that it was enthusiastic about high-end user accommodation developments on Mount Stirling.

The task force was formed in 1993 under the previous Liberal government to research and promote appropriate tourism developments on Mount Stirling. The task force cites the state-funded Mount Stirling environment effects statement 1997 which rejected accommodation options for Mount Stirling as evidence the mountain should be left alone to retain its uninterrupted wilderness landscapes.

I will quote from Alan Kerr of the task force:

We thought the EES had finally put to rest inappropriate development proposals on Mount Stirling, and we are dismayed that this jewel in the crown of our alpine resorts is again under threat.

The task force is not against high-end accommodation in the Mansfield district, nor is it against appropriate tourist development on Mount Stirling — but so-called high-end accommodation facilities are not right for Mount Stirling. It should be categorically rejected by the minister from the start, hence our principled stand as an opposition with our reasoned amendment.

We come to this debate with totally clean hands, having examined the proposal for Mount Stirling when we were in government, having rejected proposals such as gondolas and the like for Mount Stirling because of the very strong arguments put up by local members such as the Honourable Graeme Stoney in another place and the member for Benambra, who will follow me in this debate. As I recall, they were very strong arguments indeed, and they persuaded the then Premier and government to not proceed with any gondola or any such inappropriate development on the mountain.

But here we have a Labor government talking the talk on the environment while not being prepared to support the opposition's reasoned amendment to put an end to

this type of inappropriate development for all time. It is quite prepared to come in here, knowing full well that a high-end, Wilsons promontory-style hotel is proposed for this pristine mountain, and say, 'Trust us, we love the environment. We are not going to do anything'. We do not trust this government, because we know that it talks the talk but in practise the actions it takes are often designed to do things that are against the environmental interests of this state.

The Honourable Graeme Stoney from the other place also featured in the same 31 May *Mansfield Courier* article, stating that the proposal is out of step with the expressed wishes of people who use Mount Stirling. I quote Mr Stoney:

More than 140 schools and many individuals treasure the unique experience Mount Stirling offers, which is accessible back country, and a proposal such as this will destroy that wonderful community asset and must be resisted.

On 19 March 1997, during a second-reading debate on the National Parks (Amendment) Bill, which involved the commercialisation of Wilsons Promontory, the then member for Greensborough, now the Minister for Community Services, said in relation to proposed developments at Tidal River:

The promontory is threatened by commercialisation. The problem is that once commercial activities get in they lead insidiously to more and more development ...

The government —

she was talking about the then Liberal government —

sees national parks as resorts where commercial developments are appropriate instead of as places where the priority is conservation and visitors facilities are a secondary consideration and not appropriate if they will destroy the conservation value of areas.

The minister —

she was talking about the late Marie Tehan —

needs to acknowledge the principle that conservation comes first. National parks are about conservation, not commercial development, and conservation should take precedence over commercial developments and visitors and recreational facilities.

Here is the key quote:

Such developments are fine, but they can take place outside parks where there is plenty of space for 105-bed hotels, gourmet meals served three times a day, local wines, saunas, spas, tennis courts and golf courses.

This is an interesting situation. Why will this Labor government not ensure that these high-end accommodation facilities, which were so mocked when it was in opposition, are built in Mansfield and

surrounding areas? Why is it set on allowing these resort-style facilities to be developed on the mountain? That is the hypocrisy of Labor when it comes to environmental management. Those words go back to the minister. The member for Greensborough, who ironically went on to become Minister for Environment, proclaimed in her speech that once commercial developments got in they inevitably lead to more insidious commercial development. So the very resort-style accommodation that she describes could be on the cards for Mount Stirling.

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

Mr HARDMAN (Seymour) — I rise to support the Transfer of Land (Alpine Resorts) Bill. The purpose of the bill is to amend the Transfer of Land Act 1958 to include new leasing provisions and to amend the Alpine Resorts (Management) Act 1997. It is about proactively ensuring continual improvement in the management of our alpine region.

The Bracks government has done the work which guides this legislation and its actions by completing the *Alpine Resorts 2020 Strategy*. The bill makes head-lease registration in the alpine area more attractive. It cuts red tape and provides investors with more security, which will lead in the end to more investment. It sounds like the work of a really good government that is both pro-business and pro-environment and works towards making the best of our natural resources.

The Seymour electorate is blessed with one of the resorts in question, Lake Mountain. It is only a 2-hour drive from Melbourne and is a great place for families to enjoy their first experience of the snow. The Bracks government has provided significant support for this world-class cross-country skiing venue. It has been transformed from a destination where the infrastructure consisted of a small timber building, car park and pretty good toilets to one that has a venue with a presence. It has a restaurant, visitor centre and ski-hire facilities in a modern, energy-efficient building that provides a sense of arrival. The road to get there has also been improved by the Bracks government, making it safer for people who are travelling up from Melbourne.

Recently I was involved in the Victorian Employers Chamber of Commerce and Industry's MPs in Business program at Lake Mountain. It was a very interesting experience, and it was great to hear of the plans for the future of that resort from the chief executive officer, Richard Rogerson, and his team and to learn about the general operations of the resort, the issues it has and

what it offers the community. Lake Mountain is not only a world-class cross-country ski resort but also unique. It differs from the overseas resorts they were talking to me about that day. For example, New Zealand has wonderful cross-country ski resorts, but you cannot ski through the trees there in the way you can at Lake Mountain.

It was great to talk to Richard, Jo McInnes, who is contracted to do the marketing, and Sam Hicks, who operates Marysville Tourism, about the strategic work they are doing to jointly market Lake Mountain and Marysville. They are perhaps doing some of the things the member for Warrandyte was talking about, such as marketing accommodation places and great restaurants to support the skiing activities on Lake Mountain.

The bill provides a balance between protecting our environment and ensuring a sustainable use of resources. It also supports our regional economies. These resorts provide jobs and bring important tourist dollars to our communities, making them sustainable and great places to live, work and raise a family into the future.

Mr PLOWMAN (Benambra) — This bill is about two issues. The first and most important is about Mount Stirling. The mountain has retained an area of pristine nature which I think is one of the most attractive skiing areas in the whole of Victoria and, indeed, Australia. Looking back at the history of the possible development of Mount Stirling, it is interesting to note an article in the *Herald Sun* of 13 September 1995 by Lainie Barnes. I quote from the article, headed 'Leave Stirling alone, says ALP':

Mount Stirling should remain a pristine, natural environment unscarred by the development of a ski resort, the state opposition declared today.

Opposition Leader, John Brumby, who was to ski to Mount Stirling today, said any development should reflect the mountain's cross-country skiing and bushwalking values.

'Labor totally rejects plans to turn Mount Stirling into a downhill skiing resort', Mr Brumby said ...

That was the position of the opposition as it was in 1995, and that is the position that we arrived at in our party room because of a very strong and virulent debate on this issue. In 1995 there was a very powerful move to have a gondola put between Mount Buller and Mount Stirling, with the associated development to go with it.

If you were a downhill skier and you needed more area, I can understand why that would have been a reasonable proposition, but there are still areas in

Victoria to be developed for downhill skiing. There are certainly areas on all of our major mountains to be developed for accommodation. There is absolutely no need to change Mount Stirling from what it is. There should never be any development of this nature on Mount Stirling. This part of the legislation leaves the door open for the government to go ahead with that sort of development, but it must be stopped and should never occur.

I was fortunate in 1954 to ski on Mount Stirling. I had made, by cutting and carving, my own skis from two sticks of mountain ash, which I carried home on a bicycle. I skied first on Mount Stirling in 1954, and I have enjoyed skiing ever since. I wish I still had those skis, but unfortunately they suffered the demise of breaking, and I am afraid they are not still with me. Having spent all that time in making those skis, the enjoyment of skiing on Mount Stirling was just superb. It is a memory that I will never forget.

One of the things I really enjoy now is ski touring, particularly with members of my family, and camping out in the snow in your own tent. Knowing full well that your equipment is up to standard and that you can do it safely is one of the most extraordinary experiences you can enjoy, and it is something that I have certainly had great pleasure in being able to do. I say that because we need to keep these areas pristine. I do most of my skiing on the Bogong High Plains, which gives you the same experience — it is a wonderful area, but Mount Stirling, for those people from Melbourne who want to find a resort closer to their homes, provides that same experience. Mount Stirling should never be affected by the sort of development this legislation leaves the door open to.

The second part of the legislation deals with the alpine resort's 2020 strategy, which was released in June 2004. The Alpine Resorts Co-ordinating Council undertook an examination of the leases issue. I have had long and detailed correspondence with residents and lodge owners at Falls Creek. I would like to quote briefly from one of the letters that came to me from Mr Julian Newton Brown of Julian's Lodge. This area is no longer in my electorate — it is now in the area of the member for Benalla — but this correspondence came to me in 2002 after the initial review was done. It states:

Site valuation. The ARC was brought into being by the Cain government with the object of bringing skiing within the financial reach of all citizens. It did not do so. In the late 80s we were deemed to be the owners of our sites for the purposes of land tax. We received a hefty increase in site valuation under that government, which is out of proportion to freehold values. Eg. at Hotham there is a parcel of freehold

land, centrally placed, of approximately 8500 square metres. It was sold in 1993 —

bear in mind that this is freehold —

for \$300 000 and then in 1997 for \$600 000 or about \$72 per square metre. My site of 646 square metres less easement of 76 square metres equals 570 square metres valued at \$400 000 or \$702 per square metre.

This is the point: it is 10 times the value of freehold. In other words, those leases are valued at 10 times the value of freehold land. That is the value on which the owner or the lessee has to pay land tax. The letter continues:

The same system is used to provide a value for site rental. In the case of Cedarwood Lodge with 115 beds, sold in 2001 for \$830 000, the site value was greater than —

the value that the whole site and building was sold for, which brings into question whether these values are realistic or not. If this legislation did justice to the leases on all the major mountains of Falls Creek, Mount Buller and Mount Hotham, they would review the value of these leasing sites. The letter also states:

Crown land leasehold versus freehold. I have yet to hear any argument convincing or otherwise as to the need to keep land in alpine resorts as leasehold. Many parcels of former Crown land have been taken up for agriculture and once developed to a certain standard have been freeholded ... The pioneers of alpine resorts have developed a valuable industry in spite of poor land tenure and consequent financial borrowing problems ...

As he said in the letter:

... it is time those efforts were recognised in the same manner as in agriculture.

He finishes the letter to me by talking about the future. He said:

Firstly bring the alpine resorts under the ministry of tourism where we rightly belong. There may be a chance of correcting some of the problems outlined above.

I tend to agree with that sentiment. Two government departments are responsible for these skiing areas in Victoria, but the Department of Sustainability and Environment does not have the interests of the skiing industry at heart. I believe tourism authorities should be managing our alpine resorts. These are, after all, the major tourist attraction in Victoria. Each of those three resorts attracts more visitors in about 16 weeks than Uluru, or Ayers Rock, does in 12 months. That puts it into perspective. These resorts are extraordinarily valuable tourism resorts for Victoria; they should come under the tourism portfolio.

I applaud what Julian Newton-Brown said in his letter to me, and I suggest that if the government is fair dinkum about this legislation, it should look at that aspect of the leasing side of the resorts and sites.

Ms BUCHANAN (Hastings) — I rise to make a brief contribution to debate on the Transfer of Land (Alpine Resorts) Bill. I certainly support this bill. The bill's intent is very clear: it is to enhance the administrative process by which alpine leases and variations to alpine leases are registered. Basically the crux of this bill is to have a sound management and recording framework for the registration of alpine leases. Equally the implementation of such processes will provide greater certainty and greater confidence for investors. If I could just reinforce what the member for Seymour said, the bill is about continuous improvement in the management of alpine regions.

I listened to the contribution of the member for Sandringham. I would probably give him 1 out of 20 for addressing the actual content of the bill, but I would give him minus 5 out of 20 for his spin on this bill.

Mr Honeywood — On a point of order, Acting Speaker, in the same spirit in which the member for Yan Yean jumped to her feet to raise a point of order during my speech, what this member is now doing has nothing to do with the bill. Providing a scorecard for the contribution by an opposition member makes a mockery of this Parliament. Are we going to start to hold up signs in Parliament saying who got what, and for what speech?

If the member for Yan Yean wants to start this process and if members of the government want to make a mockery of the passionate contributions by members on this side of the house, then we are going to be in for a long night.

The ACTING SPEAKER (Mr Seitz) — Order! I have heard enough on the point of order, and I do not uphold it as no unparliamentary terms were used.

Ms BUCHANAN — Thank you, Acting Speaker. It is for exactly for that reason that I will not be supporting the amendments that were disappointingly proposed by the opposition.

I want to bring to the house's attention and again reiterate section 38(3) of the Alpine Resorts (Management) Act 1997, which was inserted in 2004, specifically as it relates to Mount Stirling. It says that:

In relation to Mount Stirling Alpine Resort, the Mount Buller and Mount Stirling Alpine Resort Management Board must

exercise its functions under sub-section (1) subject to the following principles —

- (a) that the resort must be planned for, developed, promoted and managed as a nature based tourist, recreational and educational resource for all seasons of the year; and
- (b) that there are not to be any ski lifts in the resort.

I have a lovely affinity with Mount Stirling. It was the first place I ever saw snow in Australia, and I had visited it just prior to the birth of my first child. Within 24 hours of leaving Mount Stirling I had delivered baby no. 3. It has afforded great passive recreational opportunities to me and my family.

Nothing in this bill will change this intractable focus — that is, the capacity of the relevant authorities to assess the existing or future development proposals in the context of environmental, social or economic impact with due regard to existing planning approval processes.

The bill provides for the alpine resorts management boards to have the ability to grant leases over a dimensioned area below or above the surface of the land, for purposes such as overhanging balconies or pedestrian overpasses, and also above and below roads in the resorts. There is no mention of any direct decision-making power on high-level development approvals at all within this bill.

I note with interest that while the members opposite have indicated opposition to this bill, I have not seen any firm policy coming from the opposition on it. That is called having a two-way bet. This bill will ensure that the planning and approval processes we saw running rampant under the last Liberal government will never be in place again.

The member for Sandringham spoke of the role of the Environment Conservation Council in relation to the introduction of our great marine parks and sanctuaries. He failed to mention how his Liberal government kneecapped the previous authority, the Land Conservation Council, slashing from its make-up community and environmental group representatives. That was another example of the shattering of democratic processes carried out by the Liberals whenever they are in government.

I can commend to this house two fantastic marine park sanctuaries in my region — Mushroom Reef at Flinders, and the excellent marine reserve in the southern part of Western Port. Neither would have been ratified if the Liberals were in government. Also in my region we have seen the great increases in the size of the state park on French Island. Members will recall

that this island was the subject of intense interest by the Liberals back in the 1960s — —

Mr Honeywood — On a point of order, Acting Speaker, this bill is specific to Mount Stirling. In terms of relevance, the member is now talking about French Island; she is talking about marine national parks; we have been taken around the world. This is a very specific bill, and whilst any member can make a comparison with whatever hypocrisy occurred on a similar issue regarding another park, it behoves the member to come back to the relevance of the analogy she is trying to make.

The ACTING SPEAKER (Mr Seitz) — Order! I do not uphold the point of order, because I am sure the member for Hastings was making a passing reference — as the member for Warrandyte did in his contribution.

Ms BUCHANAN — It certainly is a passing reference, and it is also very interesting in making that passing reference back to the 1960s that still, more than 45 years later, local Liberal MPs in the Western Port and French Island regions have categorically failed to rule out the introduction or implementation of nuclear power plant facilities or infrastructure within those regions.

The ACTING SPEAKER (Mr Seitz) — Order! The member will return to the bill.

Ms BUCHANAN — In closing, I would like to commend the fantastic work of the Alpine Resorts Co-ordinating Council and the alpine resorts management boards, and I wish everybody associated with the forthcoming ski season a very successful, healthy and prosperous season. I commend this bill to the house.

Mr JASPER (Murray Valley) — I rise to support the comments made by the member for Benalla in relation to the proposed legislation. He provided detailed background about the high country, the alpine resorts and this legislation. I want to also thank the Minister for Environment for making available people from his department to brief members of the opposition and provide detailed information about the provisions of the legislation.

I noted with interest the comments made by the member for Benambra, who talked about his early involvement in snow skiing and how he had made his original skis. I indicate to the house that, as a person who has had a long-term involvement with skiing, particularly at Falls Creek, I still have my original skis with the old cable bindings and lace-up boots, which

are adorning the wall in our rumpus room at Rutherglen. Those skis go back to my commencement with skiing back in the 1960s.

Mr Holding — You hang on to them. They'll be back in fashion soon!

Mr JASPER — No, I am sure the old skis will never come back into fashion, because they do not have the same safety equipment on them as the skis of today do, nor do they have the features that make it easier for people to ski, as the member for Benambra would attest. The length of those earlier skis took an expert to handle.

I pay tribute to those who were involved in the development of the industry, too — from the honourable member for Benambra back to Tom Mitchell, a former minister in this house in the 1950s. He was a gentleman of great repute. He was very much involved in the skiing industry and with skiing in the Olympics back in the 1930s, which many people will not remember. But they will be aware of his great involvement in and support for the industry.

I was commenting particularly on my involvement with the skiing industry, my being a member of the Albury Ski Club since the 1960s and my family having an interest in a development at Falls Creek.

I will go back into history a bit. In the 1980s we saw developments that took place with the Labor government of the time supporting the industry. We had an Alpine Resorts Commission established under which the alpine resorts, which were operating individually up to the latter part of the 1980s, were all brought together. There is no doubt that there was strong pressure to bring the resorts together to provide more appropriate management for them and to develop the industry. Unfortunately, through the 1990s there was a lack of support for individual resorts to control their own management, and the government indicated that it would pool the revenue produced by the alpine resorts and distribute it as it saw fit. From Falls Creek's point of view that was certainly a difficulty because the resort was raising a fair bit of revenue but was not able to control the expenditure of that revenue at Falls Creek.

We have seen a break-up of the old Alpine Resorts Commission and a return to a situation where each resort is managed individually, and that has had some benefits. But many people, particularly in local government, are certainly concerned that there could be better management of the resorts if they were brought under local government management. This is a big

issue for the government in looking at how it handles resorts in the future and how to get the best development for them.

I express my disappointment at the lack of support provided by the government. It has said it strongly supports the alpine resorts, that it sees skiing as a great industry for Victoria and talks about it as important to the economy, but in fact it is only paying lip service. I listened to the comments of the member for Benambra about the charges being imposed on people operating in the high country resorts and about the difficulty they have in maintaining an appropriate existence and being able to operate a profitable facility in the resort.

He mentioned Julian Newton-Brown, a long-time resident of Falls Creek whose comments in the letter which he provided to the member for Benambra are pertinent and need to be put on the record. We want not just lip service from the government but greater support and assistance for the industry so it can develop into the future.

I listened also to the comments of the member for Carrum, who spoke about the 1997 act, when the previous coalition government reassigned 285 hectares from the Alpine National Park to extend the Falls Creek resort and provide improved skiing going out to Mount McKay. This was going to be a great development providing an enormous variety of skiing and an input to the industry that would assist Falls Creek, but the then opposition member who became the minister said that once there was a change of government they would return that 285 hectares to the Alpine National Park, which was in fact in the legislation that went through this house.

The honourable member for Benambra and some people in the Liberal Party supported the stand taken by The Nationals, but unfortunately the legislation went through both houses, supported by the Liberal Party in the upper house, which allowed that area of land to be returned to the Alpine National Park, doing a great disservice to the skiing industry generally.

I have covered a lot of issues that I believe are important to mention, and it is disappointing that because of the restriction in time I cannot extend my comments to other areas of this industry, which is not getting the support it should be getting from the government to develop in the future. I repeat that the government is giving lip service to the industry. It is an important industry to the economy of Victoria and the government needs to be looking at how it can assist it by not imposing excessive charges on the people operating in the high country. It is not an industry just

for the elite; it is an industry that can be supported by a lot of people.

The legislation before the Parliament is a result of the recommendations in the *Alpine Resorts — Registration of Leases* report. Many of the recommendations in the report have been accepted, particularly those relating to part A and to part B in relation to leases in the high country, but the report does not refer to the next step of strata titles for that area. I have had some responses from people in my electorate and in north-eastern Victoria that indicate support for the legislation generally.

I want to indicate my great concern about the changes which have not been recognised by the government. Amendments to legislation over the past couple of years have resulted in the situation that if there is a change in property ownership in the high country people are charged stamp duty as if it were a freehold property. I believe there is room for consideration of a lesser charge being imposed because land in the high country is Crown land and under a lease; it is not freehold. I will quote from one paragraph of a letter from Ian Gross, a solicitor in north-eastern Victoria. The letter states:

The current position of the government is that because a combination of leases and shares, or shares alone, when representing apartments, replicate freehold, stamp duty should be payable. What it totally ignores is the fact that the alpine resorts are leasehold and therefore cannot, under any distorted interpretation, ever be construed as replicating freehold.

I want to record my concern. I have made representations directly to the minister, and I have also spoken to people in the State Revenue Office, who support the position that there should be full implementation of stamp duty on changes in ownership of areas in the high country as if it were freehold, when in fact it is leasehold. There needs to be a difference in the stamp duty being charged. That issue is not included in this legislation and it should be. The Nationals support the legislation before the house but will support the Liberal Party's reasoned amendment.

The stand the government is taking on this issue is hypocritical. As I indicated, it is giving lip-service to supporting alpine resorts in the high country when it should be doing more to assist them and to consider the difficulties that are being experienced there. The high country should be made more accessible and more appealing so that people can continue development there.

Mr HERBERT (Eltham) — It gives me great pleasure to speak on the Transfer of Land (Alpine Resorts) Bill. As we have heard today from many

members of Parliament on both sides of the house, Victorians are very passionate about our alpine resorts and alpine national parks, and many people visit them.

I will not speak at any great length about the background to this bill, about the community consultation or the detail of the bill, because it has been debated by many members previously. Essentially the bill makes changes to the way freehold leases are dealt with and it changes the way leases are granted and managed. The measures are supported by all stakeholders. They fit within the strategic management framework of the alpine resorts, and are consistent with the *Alpine Resorts 2020 Strategy*. Essentially they are about simplifying the process of registration, cutting red tape and providing greater certainty in terms of investment in the alpine region, and that is to be commended.

Effective and sustainable management of our alpine resorts is crucial if we are to promote and sustain these magnificent parts of Victoria. Economic management and environmental management go hand in hand when it comes to alpine resorts. As well as bringing great joy to skiers, bushwalkers, campers and, as we have just heard, to many others, they are terrific generators of economic activity locally. In Victoria alone in 2000 alpine resorts contributed \$129 million to local economies and provided 3700 jobs. I am sure this generation of welcome employment is even greater today. Importantly they are strategic population centres which support a lot of other great activities within our alpine national parks.

I am not much of a skier, but I like fishing, bushwalking and a bit of camping now and then. I go to our alpine resorts and alpine national parks. A couple of months ago I was lucky enough to visit the Falls Creek resort, and while it was clear the devastation of the bushfires that had gone through had had a substantial impact on the area, it was also clear that the whole area was being regenerated by many locals and friends of the area who were putting in place a great parks management strategy while also being absolutely intent on beautifying these resorts. You could see that the national parks and alpine resorts were going hand in hand to create an even better and more beautiful environment in the high country. That is one of the great things about Victoria's national parks. They are not just about skiing or about our resorts. They are about being part of a beautiful part of Victoria that thousands of Victorians visit and enjoy every year.

I would like to finish by commending the Falls Creek management and management groups of the other alpine resorts for the fantastic job they are doing in

providing a really great service and in beautifying the area and bringing great joy to thousands and thousands of Victorian families.

Mr MAXFIELD (Narracan) — I rise to support the Transfer of Land (Alpine Resorts) Bill. The purpose of the bill is to amend the Transfer of Land Act 1958 and to include the new leasing provisions. As well as that it will amend the Alpine Resorts (Management) Act 1997 to give leasing and licensing powers to the Alpine Resort Management Board. Other minor amendments are also included in the bill.

As one of the members of Parliament with a downhill resort in their electorate, I am very pleased to speak on the bill. I know the bill will make the leasing of land within an alpine resort more convenient and easier. I note the comments made across the chamber in regard to the bill, and acknowledge the support of other government MPs. They are very supportive of alpine resorts and the jobs that are generated in regional Victoria through the alpine resorts. Since the Bracks government has been in power we have seen a growth in those resorts; the government has properly and sensibly managed them.

It is with a hint of sadness that I read the member for Sandringham's amendment, in which he attempts to throw something in that has nothing to do with this bill. He seems to think that something as important as our alpine resorts and the leasing arrangements is something to play around with, because he has thrown something in that is not relevant to this bill. That is disappointing. There are proper occasions in this house when he can raise other issues — for example, in 90-second members statement — rather than playing around with the bill in a silly and quite stupid way. When you look at the talent on the Liberal Party's front bench, it is no wonder the opposition is in a lot of strife.

In regard to the bill, we need to strongly support our resorts. When we came to power in 1999, the Mount Baw Baw resort in my electorate was on its knees. There was no snow-making, there were disputes on the mountain and the infrastructure was completely and utterly run down. As a result of the Bracks government's intervention it has received some funding, including Pride of Place funding, which means that it is now a transformed resort. It now has Village Central, which provides a small convention centre, hospitality, food, a bar and a coffee area — an area where families can come along — and a small shop as well. It overlooks the mountain. It is one of the only spots in Victoria where you can sit in the snow and look across to the ocean. If anybody in the chamber has not

had the opportunity to go to Mount Baw Baw I urge them to do so this year.

I want to commend the board and the chief executive officer, Leona Mann, who have done a wonderful job in preparing for this season. We are going to have a good season. All we need is a bit of snow. A snow-maker has been installed, compliments of funding from the Bracks government, so the season will be prolonged and extended. If we have a period where we know snow is going to be light, the snow-making equipment we have been able to fund and install will continue the progress of skiing on the mountain.

There are challenges in terms of the power supply. We are looking at whether we can get mains up there rather than having power being generated on the mountain; those are the challenges we are tackling at the moment. Certainly we have a strong team up there. We have some quite experienced staff who are looking forward to the challenges of this season.

Not only are jobs generated on the mountain itself, but also the region benefits. Often people need accommodation off the mountain if they choose not to stay on the mountain, and many visit other places in their travels. For example, the fine food and cheese outlets in what are known as the gourmet deli country throughout the electorate benefit from the ski season. While travelling to and from the snow there are opportunities for visitors to engage in more extensive tourism. Not only are there great economic benefits from the resort, but the area benefits as people travel through the electorate.

The changes proposed to the Transfer of Land Act will enhance leasing opportunities on the mountain and provide a fantastic future for resorts across Victoria, as well as at the Mount Baw Baw resort. I commend the bill to the house.

Mr DONNELLAN (Narre Warren North) — As one who has visited Mount Buller for about 34 years, I find it an honour to speak on the Transfer of Land (Alpine Resorts) Bill. There is a need to address the issue of how leases are treated. Some years ago I had some difficulties regarding a Crown lease in terms of undertaking a development within a family lodge — that is, how we would deal with sublessees and so forth. The proposed changes under this bill will make such a task a lot easier and encourage a more commercial style of development where there are presently small lodges, such as ours, which do not really provide much.

Currently the resorts are established on Crown leases for up to 50 years. Apartments within developments

take up subleases from the head lessees. As I mentioned, there were concerns about that. The changes proposed will make it simpler for leases to be registered. The bill will allow the recording of variations in registered leases, permitting only one Crown lease to be lodged for registration rather than multiples, clarifying the process for registering of leases on an electronic register and providing for the granting of leases in stratum.

Variations to registered leases or subleases will be recorded on a land registry, which will make life a lot simpler and give greater flexibility for all leases. Further, the original and duplicate will be required to be lodged with the land registry. The original will be registered and a duplicate returned to the lessees or other persons. This will do away with duplicate Crown lease documents and provide that the registrar of titles immediately converts the Crown lease to an electronic form, which will make the transfer of leases a lot simpler. People will not have to look through a chain of titles back 50 or 100 years to ensure a title is proper and secure.

The bill will ensure that the provisions of the Transfer of Land Act 1958 apply to Crown leases, so that if a lessee becomes bankrupt the landlord or mortgagee may apply for surrender of the lease and may be able to have their interest registered in the lease, as is the case with any other lease. That will bring things into line with normal, everyday leases.

Clause 8 will allow for the ending of a lease when a landlord has re-entered the property under a court order, as happens with other leases. Clause 11 gives alpine resort management boards the power to grant leases in stratum. This provides for leases over a dimensional area below, above, in between and beyond the boundaries of the building, which makes a lot of sense. I understand these amendments have wide support from stakeholders. I commend the bill to the house.

Ms MORAND (Mount Waverley) — I want to make a brief contribution in support of the Transfer of Land (Alpine Resorts) Bill. Like, many others who have spoken this afternoon, I am a regular visitor to the alpine region. I have been going up there for more than 25 years. I was particularly fascinated by your contribution, Acting Speaker, and the skiing you have been doing over so many years, and I hope you have got some new skis for this season.

The alpine region is a beautiful place. It needs a framework that ensures it remains beautiful and that its environment is protected but at the same time allows the alpine resorts to operate effectively and

economically. Alpine resorts are an important industry in Victoria, with thousands of jobs in winter and growing tourism in summer. Tourism also has an impact along the roads leading to the mountains — that is, the places where people stop along the way to the resorts. You only have to drive through Milawa, Bright, Harrietville and all the other towns on the way to know the impact tourism has not just on the resorts themselves but on the economy of the towns in and around the area.

The proposed amendments in this bill are agreed actions arising from the *Alpine Resorts 2020 Strategy* and are supported by all the key stakeholders — the alpine resorts boards, the land registry, the Alpine Resorts Co-ordinating Council, lessees and apartment owners. As other members have said, the amendments will simplify the process of registration and provide greater security for investors. Further amendments to the Alpine Resorts (Management) Act will allow alpine resort management boards to grant a lease for a stratum of land when exercising their leasing powers. These are commonsense amendments, with measures to ensure that the boards take into account the rights of landowners and lessees and that there is provision for access by leaseholders.

I want to take this opportunity to commend the work of the alpine resort management boards and the great people who work in the industry all year round. They protect and enhance a really beautiful natural asset. I also want to commend the Minister for Environment for his initiatives over many years to improve and protect our alpine resorts. Earlier this year the minister launched a climate change awareness initiative to encourage visitors to our alpine resorts to think about the impact of climate change and what they are doing while they are visiting the resorts.

The Keep Winter Cool initiative was developed by the Alpine Resorts Co-ordinating Council, the Australian Alps Liaison Committee and the Australian Ski Areas Association. It was based on a model similar to that successfully implemented across North America. The campaign will remind visitors to the alpine area of simple things they can do to reduce greenhouse gas emissions and will distribute postcards to visitors to all alpine resorts this season. There will be signs at key sites in the ski fields to raise awareness of climate change and a charter signed by alpine businesses pledging to reduce greenhouse gas emissions. I also want to commend the minister for the launch this week of an initiative to encourage not just users of the alpine areas but every member of the Victorian community to reduce energy use and greenhouse gas emissions.

Households account for 30 per cent of all energy emissions. The simple message is that we can all make a difference to our local environment and to the environment globally, and that will have an impact on the future of our alpine resort industry. With those few words, I commend the bill to the house.

Mr SEITZ (Keilor) — I rise to support the Transfer of Land (Alpine Resorts) Bill. For 11 years as a refugee I grew up in the snowfields of Austria and, similar to you, Acting Speaker, my first skis were a home-made job because we could not afford to buy them. I later moved to Australia and in the 1950s two types of leases were made available. One was for fishing lodges to be set up at Lake Eppalock and the other was for lodges in the high country to be used for skiing. I was approached to join groups in both instances: once when the Ukrainian community built a ski lodge at Mount Buller and the other occasion when an association was formed to build the Waterdowner fishing lodge at Lake Eppalock. Having just arrived in this country I had other priorities to put my money into because there was the requirement to make improvements to the leasehold by building the lodge. Also, the association, group or club was given three years to make improvements and continue the work.

I became aware of those issues at a very early stage in my life, and learnt more about those hobbies and interests. This legislation evolved from the alpine resorts discussion paper and is an attempt to make the system simpler and bring it up to date. Our high country was inaccessible until the Snowy scheme commenced. Roads were built up the mountains to enable access to the snow country. Until that era — I am talking about the late 1950s — there was no access. Roads were built on the New South Wales side so that people could work on the Snowy scheme. On the Victorian side there was no easy road access to get up the mountains. There were mainly tracks, unmade and unsealed roads and fire breaks. We have come a long way since that time, with improvements to our ski resorts, mountain resorts and high country on the Victorian side of our beautiful Alpine National Park.

Credit must be given to previous governments of all persuasions that have endeavoured to save our natural history and natural resources but at the same time allow people to enjoy it. Better land transfer arrangements will enable the head leaseholder or the subleaseholder, if there is a sublease, to buy any apartments that may be built. The new title arrangements will allow the transfer to be processed in a simpler way rather than the lengthy legal procedure that is required now when alpine management boards have to make decisions about individual cases, which virtually involves the

surrendering of leaseholds and reapplying once again for them. The measure goes a long way towards bringing the legislation up to modern day thinking, and allows for the mobility of people and the encouragement of investment.

Previous speakers have said that the land cannot be treated as freehold, which is true, but a Crown land leasehold means protecting the land to keep it available for the whole community so that it does not get claimed as part of private property, as has happened with some prestige waterfronts where certain people have fenced off the beach. This legislation will prevent that from happening in the high country. I commend the bill and wish it a speedy passage through the house.

Mr SMITH (Bass) — This is an extremely important bill. The reasoned amendment put forward by my colleague from Sandringham is also important, and my concerns and I am sure my party's concerns are in regard to Mount Stirling. I am not sure that we have any great difficulties with the development of any of the other mountains, but most certainly my personal concerns are for Mount Stirling.

I know that during the Kennett era proposals were put forward to the government of the day for the development of Mount Stirling. I took the time — and I must say the pleasure — of going up to Mount Stirling to talk to some of the people in that area. I had the opportunity of sitting on the mountain where it was proposed that a gondola would run from Mount Buller across to Mount Stirling.

I must say that the beauty of the area up there would have been completely ruined by a gondola running across it and also by the buildings that would have to be constructed for the gondola to run to and from. Originally I thought that sounded like a great idea, but when I went up there and actually saw what a magnificent and pristine area Mount Stirling is, I recognised that it would be a terrible shame if this legislation went through because it would allow wholesale development to go ahead in that area.

Members of the four-wheel-drive associations were also very keen to take us up there, and they did so when they had their pollies weekend. It was probably one of the highlights of my life to have the opportunity to go up and see Mount Stirling, Mount Buller and that part of Victoria and the beauty we have up there. It was interesting to be able to look across from Mount Stirling to Mount Buller and the village and to see the downhill skiing, and I am sure that is not a problem at all. It is wonderful that we have been able to develop a ski industry in those beautiful mountains and been able

also to build accommodation and lodges and so forth. One would be very concerned about Mount Stirling being damaged in some way if this bill goes ahead. I thank the house for the indulgence of being able to speak for this short time.

Mr HOLDING (Minister for Police and Emergency Services) — I would like to thank all members who contributed to the debate on the Transfer of Land (Alpine Resorts) Bill: the members for Sandringham, Kew, Warrandyte, Benambra, Benalla and Murray Valley, and also the members for Carrum, Yan Yean, Seymour, Hastings, Eltham, Narracan, Keilor, Narre Warren North and Mount Waverley.

It has been an interesting and important debate. As I understand it, the member for Sandringham has moved a reasoned amendment. The government will not be supporting that amendment. This is an important piece of legislation which will amend the Transfer of Land Act to provide for new leasing provisions and to improve the operation of alpine resorts throughout Victoria. I wish the bill a speedy passage.

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

Ayes, 58

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr
Batchelor, Mr	Languiller, Mr
Beard, Ms	Leighton, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms
Brumby, Mr	Lockwood, Mr
Buchanan, Ms	Lupton, Mr
Cameron, Mr	McTaggart, Ms
Campbell, Ms	Marshall, Ms
Carli, Mr	Maxfield, Mr
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms	Mildenhall, Mr
Delahunty, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Robinson, Mr
Harkness, Dr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Herbert, Mr	Thwaites, Mr
Holding, Mr	Trezise, Mr
Howard, Mr	Wilson, Mr
Hulls, Mr	Wynne, Mr

Noes, 26

Asher, Ms	Mulder, Mr
Baillieu, Mr	Napthine, Dr

Clark, Mr	Perton, Mr
Cooper, Mr	Plowman, Mr
Delahunty, Mr	Powell, Mrs
Dixon, Mr	Ryan, Mr
Doyle, Mr	Savage, Mr
Honeywood, Mr	Shardey, Mrs
Ingram, Mr	Smith, Mr
Jasper, Mr	Sykes, Dr
Kotsiras, Mr	Thompson, Mr
McIntosh, Mr	Walsh, Mr
Maughan, Mr	Wells, Mr

Amendment defeated.

Motion agreed to.

Read second time.

Ordered to be considered in detail later this day.

ENERGY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Second reading

**Debate resumed from 4 May; motion of
Mr BRUMBY (Treasurer).**

Mr CLARK (Box Hill) — The Energy Legislation (Miscellaneous Amendments) Bill is, as its title suggests, a bill that makes a range of miscellaneous amendments to various energy legislation — namely, the Electricity Industry Act 2000, the Gas Industry Act 2001, the Gas Safety Act 1997 and the Local Government Act 1989. The amendments to the Local Government Act, which I will come to in more detail later, relate to pipelines and other matters connected with the energy industry.

The amendments are largely mechanical and administrative, and the opposition supports the legislation. The amendments could be said to number nine in terms of the areas that are amended. The first of the amendments is implemented by clause 3, which repeals various sections in the Electricity Industry Act 2000 that confer power on the Australian Competition and Consumer Commission in relation to regulating the charges for connection to and use of the electricity transmission system. Those functions are no longer to be provided by the Australian Competition and Consumer Commission under the national energy market reform program, and accordingly they are being transferred to the Australian Energy Regulator, which assumed those functions on 1 July 2005.

Clause 4 amends section 27 of the Electricity Industry Act. The formal provisions of the clause allow the Governor in Council, by order published in the

Government Gazette, to declare that a person or class of persons specified in the order is for the purposes of the section a relevant customer or class of relevant customers. There are powers given by the amendment as to the form that the order may take. The second-reading speech refers to the various powers that may be exercised by the Essential Services Commission and the discretion that is proposed to be conferred on the commission in relation to retailers of last resort.

Perhaps the most concise way of describing the effect of these amendments is to say that it is intended that the retailer of last resort is to have the prices that it provides to domestic customers supervised by the Essential Services Commissioner, but the policy intention is that the retailer of last resort be able to negotiate with other customers. The order in council, so the opposition has been informed, is therefore intended to declare the low-volume or domestic users who are to be protected through the supervision of the Essential Services Commission, thereby leaving other customers in a position to negotiate prices and other conditions with the retailer of last resort.

Clause 5 makes a similar series of amendments to the Gas Industry Act 2001 to implement a similar regime in relation to the gas industry. Clause 6 relates to the offence of affixing false labels on type A appliances. It is intended to fill a gap that has been identified in the current regulatory regime in the Gas Safety Act 1997 — namely, that while it is an offence to affix a false label it is arguable that it is not an offence in terms of the wording of the legislation to procure someone else to affix a false label. I understand this issue has come to light in relation to a case where someone who was procuring appliances manufactured overseas arranged for a false label to be affixed by the supplier, and a doubt has arisen as to whether that constitutes an infringement. The amendment in the bill inserts a reference to ‘or cause to be affixed’ after the reference to ‘affix’ to put the issue beyond doubt.

The opposition understands this amendment was suggested by Energy Safe Victoria, as was the amendment made by clause 7, which extends the power of a gas inspector to require the provision of information or documents. Clause 7 says that an inspector, with the prior written consent of Energy Safe Victoria, may require the provision by persons of certain documents that are necessary or considered necessary by the inspector in order for the inspector to carry out his or her function of determining compliance with the Gas Safety Act 1997. The amendment made by subclause (4) makes it an offence to refuse or fail without reasonable excuse to comply with an

inspector's reasonably necessary requirements. This brings the powers of gas safety inspectors broadly into line with corresponding powers in relation to the electricity industry inspection regime.

Clause 8 empowers plumbing inspectors to exercise powers in relation to the enforcement of gas safety. Because plumbing inspectors from time to time come across gas safety issues, it is considered appropriate and desirable for inspectors appointed under the plumbing industry legislation to also have powers in relation to gas safety.

Clause 9 modifies and extends the power of Energy Safe Victoria to grant exemptions. At present the legislation allows Energy Safe Victoria to exempt certain persons or classes of persons in relation to the quality of gas they supply, and the amendment being made by clause 9 allows it to exempt persons or classes of persons from the requirement to undertake the testing of gas.

Clause 10 relates to the powers under the Local Government Act that operate when a local road is closed. Those provisions operate to protect the assets of public authorities when a road is closed by allowing the interests of a public authority in assets embedded under the road to be registered on the title. The opposition understands from the briefing it was provided with that a query has been raised as to whether those protections extend to private operators in the gas or electricity industries. To make the position clear, the Local Government Act is being amended to include references to persons who are licensees within the meaning of the Electricity Industry Act 2000 or the Gas Industry Act 2001 and to persons who under the Pipelines Act 1967 are permitted to own or use a pipeline or license to construct or operate a pipeline. So those persons will in future be able to have an easement registered.

Clause 11 makes a consequential amendment to the Local Government Act 1989 by inserting a reference to persons who under the Pipelines Act 2005 are the holders of licences to construct and operate pipelines.

As I said at the outset, the amendments in the legislation are largely mechanical, and the bill is supported by the opposition. We have appreciated the feedback we have received informally from various groups that we have consulted in relation to the bill, including Monash Energy, the Victorian Employers Chamber of Commerce and Industry, the Australian Business Council for Sustainable Energy, the Stanwell Corporation, SP AusNet, Alinta, TRUenergy and the Australian Energy Regulator. No major issues have

been raised with the opposition as a result of our consultation.

However, we would allude to two minor points. The first is in relation to the power being conferred by clause 9 to extend the power of Energy Safe Victoria to exempt a class or classes of persons from the requirement to undertake the testing of gas. It is important that the exercise of the power to grant an exemption needs to be very carefully and prudently exercised in order to ensure that consumers are protected and that they are not exposed to financial costs or safety risks due to the deterioration and the quality of gas supplied. So we would caution that Energy Safe Victoria needs to be careful in the way it exercises that exemption power.

Similarly it is worth making the point, in relation to the extended powers of inspectors being conferred by clause 7 to require information or documents, that that power needs to be exercised in a reasonable manner. It should not be used in an arbitrary or capricious way by inspectors or indeed in an overbearing manner or a manner that is calculated to put pressure on or cause embarrassment or discomfort to the persons required to disclose documents. Rather, it needs to be exercised prudently and sensibly for the purpose of ensuring safety within the gas industry.

Subject to those two comments, as I have said the opposition supports the measures in this bill, and we trust that it will continue the process of effectively regulating the gas and electricity industries in Victoria.

It is worth making the point that those industries were privatised under the Kennett government. Despite the strident opposition of the Labor Party at that time and the predictions of the woe and misery that would follow, upon coming to government the Labor Party has recognised the basic soundness of the privatisation regime that was implemented by the Kennett government not only in selling those assets at prices that appear to have been at the top of the market and to have yielded enormous benefits for the state in reducing our debt dramatically from the \$32 billion or so that the Kennett government inherited when it came to office but also, on top of that, in establishing an industry that is competitive, that has improved reliability of supply, that has improved services in other respects and in the context of a regulatory regime that offers sound protection for consumers. Accordingly it is a big step forward for Victoria compared with the regime that prevailed previously.

It is very pleasing that the current government has embraced, extended and added to the reforms that were

introduced by the Kennett government and that Victorians collectively have been the winners from that reform process. Hopefully under the legislation currently before the house they will continue to be the winners from that process.

The ACTING SPEAKER (Mr Plowman) — Order! Before I call the member for Murray Valley might I say that the performance of the minister at the table is less than courteous to the member speaking, and I would ask that that discontinue.

Mr JASPER (Murray Valley) — I am pleased to join the debate, but in my opening comments I want to acknowledge the presence of the Minister for Education Services. I hope she is in full training for her attendance at the Rutherglen Winery Walkabout over the weekend at the Rutherglen country fair, to defend her title as the champion of the celebrity grape-tread. The challenge is there over the weekend, and I look forward to her attendance, together with that of the Minister for Education and Training.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member, on the bill.

Mr JASPER — In commenting on the Energy Legislation (Miscellaneous Amendments) Bill 2006 I acknowledge the work that has been undertaken by the Honourable Peter Hall in another place, with his investigations into the legislation and the report which he has made to The Nationals indicating our support for the legislation. I should indicate that I have also had brief discussions with a representative from the minister's office, who has provided me with further clarifying information me.

This bill provides minor technical amendments to the electricity industry, the gas industry, gas safety and local government acts. It provides regulation of charges for connection to, and use of, the electricity transmission system, now undertaken by the Australian Energy Regulator, formerly done by the Australian Competition and Consumer Commission.

It also streamlines supplier-of-last-resort contracts, giving greater power to take action against false labelling of gas appliances which is detailed in the ministers second-reading notes and also in the legislation being debated. The legislation defines 'inspector' within the Gas Industry Act to enforce gas installation works undertaken by plumbers. Finally, when a local government closes a road under the Local Government Act, the existing electricity, gas and pipeline rights will be preserved despite the closure.

This is basically housekeeping legislation. It cleans up a number of issues regarding the energy industry. As referred to in my discussions with the representative from the minister's office, this is commonsense legislation, and there has been consultation with the industry and the various stakeholders. It allows for the Essential Services Commission to perform more effectively and efficiently. As far as Energy Safe Victoria is concerned, the bill streamlines the processes for its management of the energy industry as a whole.

There is no doubt that legislation often needs to be reviewed to improve the efficiency of the delivery of services to the people of Victoria by various regulatory organisations. It is also interesting to see some cleaning up of the regulations that apply to the industry. In general terms I indicate my concern and the concern of The Nationals about the overregulation we have in the state of Victoria.

I constantly receive representations from people in business and industry and from constituents in my electorate of Murray Valley expressing great concern about the regulation-making powers of governments at both the state and the federal level. At present we generally have overregulation, leading to concerns by people involved in business about the returns and other information they need to provide to government. State and federal government regulations often overlap, which supports people's claims that Australia is overregulated.

I indicate my strong support for the three tiers of government. I believe each tier — federal, state and local — has responsibility to implement the various acts or regulations that come within its control. We now have great competition between the federal government and the state government when it comes to their respective powers. We have a continuing extension, with the federal government seeking to control more of the activities undertaken throughout Australia. As a strong supporter of the state system, I believe we need to be very protective of the rights we have in Victoria. We need to protect people from the overregulation that might be imposed by the federal government.

I also make it clear that the regulation-making powers we have across Victoria and Australia make it extremely hard for businesses to operate effectively. They are taking more and more time to provide the necessary returns and meet the requirements of the state and federal governments — and indeed local government. Many people say to me, 'It is hardly worthwhile being in business under the regime that is operating in Australia'. I believe Australia has the greatest economy in the world. We need to encourage

people to be entrepreneurial, to take on challenges within private industry and to create employment.

There is no doubt that governments — in particular, state Labor governments — are seeking to employ more people. In Victoria we increasingly see activities being undertaken by government, indicating more regulation, which in turn affects the ability of industry and business to operate effectively. In recent times I have said in reaction to the activities of the Labor government that although it is looking to implement all these regulations and increase the number of people working within government, it cannot employ everyone. Victoria's economy and its development are subject to the encouragement of private enterprise. People in private enterprise need to be profitable so that they can employ people and expand their operations.

At present we are facing difficulties with the world economy. While the Australian economy is doing well with the export of minerals, the goods — not the services — that people require for everyday living are being manufactured overseas and brought into Australia. I acknowledge that the bill seeks to reduce regulation and increase efficiency within the energy industry, but we need to be careful not to increase the regulation of industry in Victoria.

People would see additional regulations as making it more difficult for them to survive and continue in the industries they operate in. From the information that has been provided to me regarding this bill, it appears that its provisions are commonsense moves that clarify issues of concern. The Nationals will support the legislation.

Mr HARDMAN (Seymour) — I rise to support the Energy Legislation (Miscellaneous Amendments) Bill. The purpose of the bill is to amend the Electricity Industry Act 2000 to repeal the provisions conferring power on the Australian Competition and Consumer Commission in relation to transmission pricing. It amends the Gas Industry Act 2001 in relation to the supplier-of-last-resort provisions, and it amends the Gas Safety Act 1997 to improve its operation. It also amends section 207C of the Local Government Act 1999 to define 'a public authority'.

Clauses 4 and 5 bill amend section 7 of the Electricity Industry Act and section 34 of the Gas Industry Act. In my brief speech on the bill I will concentrate on these changes, because they are practical and necessary amendments that aim to ensure all Victorians have security of energy supply. This is important for families, businesses and communities, because they rely on a secure energy supply, particularly in rural

Victoria, where there can be market failures as a result of a lack of people in particular areas. This bill goes to protect those people — and they are the people whom I strongly represent in this house. The amendments require energy retailers in certain circumstances to act as suppliers of last resort in order to prevent a customer being left without a retailer. An example is when a customer's normal retailer ceases to be licensed or ceases its trading activity.

The bill also streamlines the Essential Services Commission's approval process, which is great, because, like the previous bill debated by the house — the Transfer of Land (Alpine Resorts) Bill — it is about cutting a bit of red tape and allowing for flexibility and changes that might need to be made when the clauses of contracts are substantially similar in their terms. The Bracks government is doing its part to reduce the administrative burden on business, which means cutting red tape. We hear from businesses on a regular basis about what they want from government, and that is the most important thing.

It is important also that we protect consumers from false advertising. It is great to see an amendment to clause 6, which enables Energy Safe Victoria to prosecute a person who acts as either a principal or an agent in the false labelling of appliances. That is done through section 71B of the Gas Safety Act, which currently provides that a person must not affix on a type A appliance a label which falsely represents that the appliance has been approved or authorised by Energy Safe Victoria.

It is a great bill. The amendments are only minor. It is great to see that the opposition has come to the table to support this important piece of legislation, and I commend the bill to the house.

Mr HONEYWOOD (Warrandyte) — The bill in question makes amendments to the Electricity Industry Act 2000, the Gas Industry Act 2001, the Gas Safety Act 1997 and the Local Government Act 1989. The bill repeals redundant provisions which confer power on the Australian Competition and Consumer Commission (ACCC) in respect of the regulation of charges for the connection to and use of the electricity transmission system.

It is an outcome of the national energy market reform program. The functions that were provided by the ACCC have now been transferred to the newly formed Australian Energy Regulator, which assumed these functions on 1 July 2005. The bill also seeks to streamline the Essential Service Commission's approval process in relation to the submission of tariffs,

terms and conditions by energy retailers under the conditions of last-resort supply due to a customer being left without a retailer because of licences being ceased, or trading activities having stopped for other reasons.

Essentially it is aimed at ensuring that a customer is not left without a retailer, and the conditions agreed to between the customer and the last-resort retailer must be approved by the commission. On that issue alone it behoves us to remind ourselves of the groundbreaking reform enshrined by the previous Liberal government in terms of providing real competition instead of what had always been a state government-owned monopoly.

The shadow Treasurer played a role at that time with the then Treasurer, Alan Stockdale, in leading Australia when it came to reforming our distribution system for our energy retailing system. These reforms have now gone from being just Victorian, state-based reforms to being nationwide. The National Electricity Market Management Company, the national regulator of electricity distribution across state boundaries, was formed on the back of the fact that there was a previous Liberal government that did so much to enshrine the competitive principles when it came to power generation, power transmission and the retailing of power.

It is very interesting when you look at the current debate on nuclear power and other alternative power, and you think that the privatisation of the coal-fired power stations that occurred back then was absolutely criticised by the Labor opposition at the time, yet the privatisation managed to recoup for the taxpayers of Victoria some \$22 billion or thereabouts of the \$35 billion debt that we inherited from the inept Cain and Kirner governments. Could you ever get that \$22 billion today? You would have to say no, you could not, because at the end of the day it was the first time that a state had gone out and attempted to dismantle in a creative and competitive way its state-based monopoly and ensure that it got value for taxpayers money.

The work of Alan Stockdale and the current shadow Treasurer will go down in the history pages of Victoria and the rest of Australia as having provided the leading reform of the times. If a government at the federal level were to decide to go down the pathway of nuclear power, which is currently being debated — notwithstanding a number of state governments having said they would not support it; indeed the state opposition has voiced similar concerns in the *Age* newspaper of today — coal-fired power could become redundant in a very short time. So it was a fantastic thing that was achieved by the previous Liberal

government in being able to recoup \$22 billion of state debt by way of the privatisation of our coal-fired power generators.

On the one hand, Victoria does not suffer because we have 500 years supply of brown coal, while on the other hand we suffer because brown coal, as we all know, creates the most carbon and is the worst when it comes to efficiency. It is not a very good and efficient energy source. Therefore Victoria would be the loser if any international or national carbon-trading regime were to be enforced.

Having had briefings in Washington on this issue, I know it is not going to be too long before the United States Congress moves in this direction. In fact 13 north-eastern states of America have already decided that they are going to have state-based carbon trading regimes. What that will mean is that gradually, notwithstanding Senator McCain and the US Congress's failed legislation, we will find that even America will come on board with the whole issue of carbon trading and penalties for countries that do not do the right thing when it comes to greenhouse gas emissions.

Therefore it is very important that we look at the different strategies and scenarios when it comes to alternative energy sources. It is very important that we do not just dismiss out of hand the different types of energy generation. Whilst the opposition supports this bill because it is about streamlining various regulations and adding value to the current system of tariffs and arrangements that apply, it does have a number of concerns going into the future.

One of those concerns, as the shadow Treasurer has quite correctly pointed out, is the issue of inspectors. I know when I was the Minister for Tertiary Education and Training we had very real concerns about one of the unfortunate by-products of the dismantling of the old State Electricity Commission of Victoria. The SECV used to do all the testing of young apprentices in the electricity industry. I have to pay great tribute to those in the electricity industry, be they the small electrical contractors or the larger electrical companies, for getting together and putting up a wonderful one-stop-shop testing facility in Carlton, which still exists. That electricity industry testing facility ensures that all apprentices going through the quality testing regime will be required to pass the very rigid examinations of the electricity industry's training program at that testing facility.

That having been said, this bill creates a concern insofar as inspectors, having received written consent from

Energy Safe Victoria, will require a person to give information to and assist the inspector to the extent necessary for the purpose of determining compliance with the act or the regulations. This amendment makes possible prosecutions for failure to provide information under the act. That in itself is okay. But the bill also amends the Local Government Act, which currently preserves any right, power or interest held by a public authority in relation to infrastructure in or near a road, where a local council deviates or discontinues a road or part of a road. 'Public authority' is defined in the act, but this definition does not include energy companies and therefore does not reflect the privatisation of Victoria's energy sector.

The issue of most concern, as I mentioned before, is in relation to the quality of gas testing. As the shadow Treasurer highlighted, if we are not careful in terms of broadening the ability for various persons to test the quality of gas in the home or in commercial premises, we could have some major safety issues. With that proviso, the opposition is pleased to support the legislation.

Mr CARLI (Brunswick) — The Energy Legislation (Miscellaneous Amendments) Bill is an omnibus bill. It makes a number of amendments to the Electricity Industry Act, the Gas Industry Act, the Gas Safety Act and the Local Government Act. The bill contains a number of small but very important amendments that will protect consumers as a result of the changes to the regulatory power regime in Australia.

The first part repeals redundant provisions in the current Electricity Industry Act which deal with powers to regulate charges for connections that belong to the Australian Competition and Consumer Commission. Those changes are as a result of a national ministerial decision from a Council of Australian Governments meeting. It was decided to transfer powers dealing with regulatory charges, connections and the use of transmission systems to the Australian Energy Regulator, which has been performing this function since 1 July 2005, so clearly there are some redundant provisions in the current act which this amending legislation removes.

The other important issue in terms of the emergence of a series of retailers and competition in both the electricity and the gas market is the issue of the retailer of last resort. This is a scheme designed to ensure continued supply of energy to customers of a retailer if for some reason that retailer has their licence revoked or if their right to trade in a wholesale market is suspended. If a retailer were for some reason to have

their licence suspended or revoked, there would still be a provision for there to be a retailer of last resort.

That means in practice that the nominated retailer must submit to the Essential Services Commission proposed tariffs and terms of conditions for the supply of electricity or gas to customers in the event that that retailer is required to be a retailer of last resort. The amendment clarifies the Essential Services Commission's approval processes and ensures it is able to define the various tariffs, charges, terms and conditions so that in the case of a retailer undergoing some problems or for some reason no longer being able to provide gas or electricity services, there would still be a retailer of last resort. There would be protection for consumers, because tariffs and conditions would be controlled by the Essential Services Commission.

There are also important amendments to the Local Government Act in terms of the preservation of rights upon road closure. In the case of a road closure it is important that electricity and gas companies have access to the land and the easements that belong there so they can access sewers, drains, pipes, wires, cables or other things that may sit on the roads to which they need to have access. Previously the act allowed for that right to belong to a public authority. The retailers are not public or government companies, so this legislation will ensure they have those rights and opportunities to maintain the pre-existing easements that currently sit under those roads.

There is no attempt here to limit local government's power or to take any power away from local governments; it is really to ensure that the same easements rights that have been there previously for government-controlled companies remain for private providers.

There is also an amendment to the Gas Safety Act to deal with false labelling. There was an incident with appliances that had been wrongly labelled in Italy. They came to Australia with false labels affixed which showed a compliance which was not accurate. The existing legislation did not allow the Essential Services Commission or another body to intervene, hence the reason for this amendment. Its purpose is to clarify that the persons who act as principals in the false labelling of appliances may be liable under the provision. It is not expected that this will capture third parties who on-sell appliances with false labels attached. The amended provision will be clearly aimed at people who seek to bring in appliances that are falsely labelled and at prohibiting the fraudulent representation of those appliances.

The bill also amends the Gas Safety Act in relation to persons carrying out gas fitting work. The bill will ensure that any plumbing work meets certain requirements. 'Plumbing work' may include installation, relocation or replacement of any gas-using appliances. Such plumbing must comply with the Gas Safety Act and any regulation under it.

These amendments will ensure that work carried out in the installation, renewal, commissioning, replacement, modification, relocation, repair or maintenance of a gas appliance or gas installation is done in compliance with certain standards and requirements. The amendments seek to strengthen the Gas Safety Act and ensure that there is compliance with plumbing requirements and that the number of faults that occur in the installation of gas equipment can be reduced.

The Plumbing Industry Commission has advised it has the appropriate procedures and personnel in place to issue infringement notices for a breach of section 72 of the Gas Safety Act, and therefore it supports the proposal. These amendments will very much strengthen safety requirements.

This omnibus bill will also amend the Gas Safety Act in terms of inspectors' powers to require information or assistance. It will provide that an inspector may require a person to give information, documents or reasonable assistance to the inspector for the purpose of investigating a gas incident or an emergency or for the purpose of determining compliance on safety issues. That is a similar regime to the one which currently exists with the Electricity Safety Act, and it basically allows for inspectors to carry out necessary investigations in those circumstances.

This small but significant bill amends a number of acts. It will strengthen protections for consumers and implement safety protections. As the previous member noted, there is competition between retailers in the provision of gas and electricity in Victoria. Clearly, in that sort of competitive market we have to ensure protections are in place in case companies get into difficulties. As I said, it is an important piece of legislation. I wish it a swift passage.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Ms BUCHANAN (Hastings) — It gives me great pleasure to make a contribution to the Energy Legislation (Miscellaneous Amendments) Bill. I certainly support this bill, the intent of which is very clear. As the lead speaker for The Nationals said, the bill contains commonsense provisions to further secure the supply of energy; they cut down on red tape for

businesses and allow for the effective dispersal and continued provision of power to communities across Victoria.

In my brief contribution I would like to focus on two aspects of the bill — firstly, the provisions for the installation of safe gas appliances; and secondly, the process involving the retailer of last resort. This bill has a strong focus on the monitoring and enforcement provisions in the Gas Safety Act. These amendments enable Energy Safe Victoria to further enhance the monitoring of gas safety standards.

This is a very important provision not only for all Victorians but certainly at this time for commercial and domestic properties in the Hastings electorate, specifically the townships of Balnarring, Balnarring Beach and Somers, which are currently going through the conversion from bottled gas — or no gas — to pipeline natural gas as part of the Regional Infrastructure Development Fund natural gas extension program, these being just some of the many sites going through this vitally important energy transition in this state.

The amendment regarding the falsifying of appliances not endorsed by Energy Safe Victoria will further aid and ensure the prosecution of those who deliberately falsify standards-appropriate appliances, and consumers and tradies who are purchasing gas appliances can now feel confident of both the quality and safety of the products they are using. Many people in the Hastings electorate are going through the process now of comparing gas appliances and gas goods for their households, and they need to know that those standards are being adhered to in a very rigid manner.

Further, the definition of 'inspector', as detailed in the amendments in the bill, will lead to better accountability and integrity in maintaining the reputation of fair dinkum tradespeople like our great plumbers. This bill is about safety for consumers and safety in terms of the reputation of our highly regarded tradespeople, particularly our plumbers when it comes to the installation of gas appliances.

The last point I want to make is on the issue of the retailer of last resort provisions. In line with the recent reforms, which other members have alluded to, and the direction of the newly formed Australian Energy Regulator, which was established in 2005, under the usual circumstances that apply when a retailer ceases trading it could mean that traders and customers in the region would be without power. That in itself can be a deadly situation. It can be economically devastating for businesses and householders alike, for employers and

their communities, not to mention the health, heating and production issues that go with the sudden lack of power.

This bill will allow, under certain circumstances, operating energy retailers to act as retailers of last resort. The safeguards that are built into the bill, as per the tariff terms and conditions between suppliers and customers being approved by the Essential Services Commission, will further ensure that those important safeguards in relation to the provision of a good rate of power will continue through the interim.

In conclusion, members of the opposition have made reference to the privatisation of utilities as being a panacea for all Victoria's woes in the 1990s. It is pertinent to mention at this stage that if we had not privatised our gas and fuel organisations, we would not have to worry about a bill like this today, because the then Gas and Fuel Corporation and the State Electricity Commission of Victoria would have, as part of their processes, certainly ensured they did not need financial incentives from the government to roll out natural gas extensions to Victoria. We certainly would not have had to worry about the provision of energy from an electricity or gas perspective across the state, which is what we need to safeguard now. I commend this bill to the house.

Mr ROBINSON (Mitcham) — I will make just a brief contribution this evening in support of the bill, particularly in support of clause 6, which will insert into the Gas Safety Act a provision making it an offence for individuals to affix labels to appliances which falsely represent that the appliance has been approved or authorised by Energy Safe Victoria. This is an eminently sensible provision and protection that ought to be afforded to Victorian consumers.

Just taking up the comments made by the member for Hastings, I believe very strongly that one of the consequences of privatising the energy industry in Victoria, with the subsequent introduction of numerous players, has been a propensity in some quarters to look to gain a competitive edge through ignorance or avoidance of proper consumer protections. That is something the government of the day needs to be conscious of. In support of that I quote from the Consumer Affairs Victoria annual report for 2004–05, which talks about the agency's need to obtain an enforceable undertaking from Energy Australia, a business engaged in the retailing and distribution of electricity. The reports states:

... Consumer Affairs Victoria believes that Energy Australia or its agents engaged in misleading and deceptive conduct,

and the making of false representations ... in the course of its door-to-door marketing campaign ...

This is not the sort of thing that happened when we had monopoly providers with a very high and guaranteed level of consumer protection. Sadly it is the reality in an energy industry which has been privatised and where we have a number of competing agents. The insertion of this protection into the legislation is a very sound step and reflects well on the government and on its efforts to look out for the interests of consumers. I will be strongly supporting it, along with the other provisions of the bill.

Mr LIM (Clayton) — If there is one subject that is going to dominate political discussion over the next few decades, not just here in Victoria but throughout the world, it is energy. Of course in some ways energy has not really been off the political agenda for the past 60 or 70 years. For example, one of the causes of the Second World War was the scramble for energy resources in the Pacific region. Then there was the oil shock of the 1970s, and now we have 'peak oil' to occupy our attention. Only yesterday we read in the *Age* that the Australian big six-cylinder car is a dying breed and that six of the best-selling cars in Australia are now small four-cylinder vehicles.

One thing is clear: until someone finds out how to extract abundant energy from tap water, the energy problem is not going to go away. To its credit the Bracks government is at the forefront when it comes to energy politics. We are not setting our hopes on some sort of *deus ex machina* — for example, the ever-tantalising dream of controlled nuclear fusion — to get us out of trouble. Instead this government is dealing with the energy issue here and now in a concrete and practical way. The Bracks government was the first to introduce 5-star energy-efficient housing in Australia, and we now have the Victorian government's major push on saving household energy, which was announced this week.

As well as being speedily reactive to energy issues such as the emerging crises in the supply of energy and global warming, this government continues to be proactive in relation to energy administration. The world of energy administration is a rapidly changing one, and even comparatively recent acts of Parliament are now in need of revision.

This bill amends the Electricity Industry Act 2000, the Gas Industry Act 2001, the Local Government Act 1989 and the Gas Safety Act 1997. For example, clause 6, which the member for Mitcham mentioned, makes an amendment to section 71B of the Gas Safety Act that will enable Energy Safe Victoria to

prosecute anyone who falsely labels gas appliances or who allows false labels to remain on gas appliances. This amendment has been made necessary by the actions of an importer of falsely labelled appliances who could not be prosecuted under the current legislation.

Other amendments — for example, an amendment to the Local Government Act — have been made necessary by the privatisation of Victoria's energy industries. An amendment to the Electricity Industry Act is required to reflect the fact that regulatory functions are no longer provided by the Australian Competition and Consumer Commission but have now been transferred to a new authority, the Australian Energy Regulator. These changes are essential and important in ensuring fair and efficient energy administration in this state. I commend the bill to the house.

Mr HELPER (Ripon) — It gives me a great deal of pleasure to stand briefly to support the Energy Legislation (Miscellaneous Amendments) Bill. I welcome the comments of the government members who have supported the legislation, but of course I also appreciate the comments of the opposition in support of it.

In the few moments I have I want to concentrate on a number of areas. Firstly, the bill repeals provisions which conferred powers on the Australian Competition and Consumer Commission in respect of the regulation of charges for connecting to and using the electricity transmission system. Resulting from the national energy market reform program, these ACCC functions have been transferred to the newly formed Australian Energy Regulator.

Secondly, the bill makes provision for energy retailers in the gas and electricity sectors to act as suppliers of last resort, which a number of previous speakers have mentioned. It is about protecting the supply of energy to customers in circumstances where, for instance, the existing retailer ceases trading activity.

Thirdly, another objective of the bill is to provide for the conditions of a contract between a supplier of last resort and a domestic customer to be approved by the Essential Services Commissioner, clearly a measure to ensure fair and transparent contract conditions.

Fourthly, the bill provides for amendments to the Gas Safety Act which prohibit a person from causing a label to be affixed to a gas appliance which falsely claims that the appliance is approved or authorised by Energy Safe Victoria. This results from a particular incident

where a misleading label was affixed overseas. Currently the act only prohibits a person from affixing a label, and in that incident the person actually affixing the label resided outside the Victorian jurisdiction. With those brief comments, I commend the bill to the house.

Ms DUNCAN (Macedon) — It gives me great pleasure to speak on the Energy Legislation (Miscellaneous Amendments) Bill. As has already been said, this is an omnibus bill that amends the Electricity Act 2000, the Gas Industry Act 2001, the Local Government Act 1989 and the Gas Safety Act 1997. It does a number of other things, including highlighting the importance of the Essential Services Commission. Certainly in my recent dealings with electricity and gas pricing and with the roll-out of natural gas around the Macedon Ranges, I have come to appreciate the role of the Essential Services Commission more than ever, so anything we do to promote and extend its powers is a positive step forward.

I would like to speak briefly on clause 6, which amends section 71B of the Gas Safety Act. The bill provides that a person must not affix a label on a type A appliance which falsely represents that the appliance has been approved or authorised by Energy Safe Victoria (ESV). Again, this is part of our ongoing consumer protection. It is important that there be a prohibition on persons who affix a false label or who cause a false label to be affixed to an appliance and then claim it is an appliance that has been approved or authorised by ESV. It is important that consumers have confidence in authorities like ESV so that anything that is approved or authorised by it has merit. It is important that we ensure that these authorisation procedures are followed correctly. In effect, this amendment will enable ESV to prosecute persons who act either as principals or agents in the false labelling of appliances. This is an ongoing issue, which this bill seeks to address. I commend the bill to the house.

Mr HOWARD (Ballarat East) — There are occasions when one can be very passionate about the bill one speaks on. This is not such an occasion. However, it is important from time to time to introduce omnibus bills like this to ensure that we address issues appropriately. This bill deals with energy issues associated with safety in the electricity and gas industries. This government established the Essential Services Commission and over time it wants to ensure that relevant legislation benefits the people of the state and that appropriate changes are made to the way the commission operates.

This bill brings about a number of relatively minor but significant changes to ensure that the Essential Services Commission will work better. The bill will align safety issues in the gas industry with the way safety issues in the electricity industry are dealt with. I am pleased to see that those adjustments have been made and that changes in the bill address broader issues related to the Australian Energy Regulator.

This bill is significant. Our energy supplies need to be appropriately regulated in this privatised energy industry market, and this bill addresses that. I cannot conclude without noting that the people of Creswick are now warming themselves as a result of natural gas being supplied to a large part of Creswick. We are pleased that the government was able to provide funding to support a natural gas extension to Creswick. Its uptake in Creswick has been very pleasing, and those people will be influenced by the outcome of this bill. Winter is approaching across the state but it seems particularly so in the Ballarat and Creswick area, and those residents will benefit from the supply of natural gas.

The changes brought about by this bill will enable energy usage to be appropriately regulated and safety issues to be managed. For those reasons I support the bill before the house.

Ms DELAHUNTY (Minister for the Arts) — It is with pleasure that I conclude the debate on the Energy Legislation (Miscellaneous Amendments) Bill. It is appropriate as the chill settles on the state that we have this debate in Parliament about the delivery, safety and regulation of energy in this state. I would like to thank speakers on both sides of the house who contributed to the debate: the members for Box Hill, Murray Valley, Seymour, Warrandyte, Brunswick, Hastings, Mitcham, Clayton, Ripon and Macedon, and the member for Ballarat East, who struggled through a very important contribution despite his voice straining.

This is an important piece of legislation which makes amendments to the Electricity Industry Act 2000, the Gas Industry Act 2001, the Gas Safety Act 1997 and the Local Government Act 1989. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

APPROPRIATION (PARLIAMENT 2006/2007) BILL

Second reading

Debate resumed from 30 May; motion of Mr BRACKS (Premier).

Mr CLARK (Box Hill) — The Appropriation (Parliament 2006/2007) Bill is, as its name implies, the bill that provides Parliament with the annual appropriation necessary to fund it for the financial year ahead. The appropriation in this bill sits alongside special appropriations that also make certain funds available to the Parliament. Each year the debate on this bill is an opportunity for us to not only assess the appropriation being made to the Parliament but also consider more broadly what we are achieving as a Parliament with the funds that are being made available to us, to consider how Parliament is operating in the context of the government of the day to achieve the objectives for which we are being funded and to consider the particular initiatives proposed for the Parliament which are reflected in the bill before us.

When we look at exactly what this Parliament is achieving with the money that is being appropriated for its use, each year — and this year is no exception — we have some very serious thinking and self-questioning to do, because we are vested not only with a lot of public money but, even more importantly, with very serious responsibilities on behalf of the public in the democratic process, and we need to be prepared to be self-critical in assessing our performance and looking at ways in which we can do things better.

In that regard we can examine ourselves at two different levels. We can examine the particular measures of our performance that are contained in the budget papers, and then we can look more broadly at exactly what value we are adding and what we are achieving on behalf of the citizens that we represent.

Looking first of all at what we are achieving as reflected in the budget papers, budget paper 3, *Service Delivery 2006–07*, sets out in respect of the Parliament, as it does for the various departments of the government, the money that is proposed to be spent in delivering various outputs. In recent times the output structure for the Parliament has been changed quite radically, and that is referred to at page 270 of budget paper 3, where we see that a wide range of previous outputs have now been consolidated into the single output, ‘Provision of information and resources to Parliament’. That output takes the place of the former outputs of information provision, information access,

research, public relations and education, *Hansard*, sessional indexes and committee transcripts, and support services. That of course reflects the revised administrative structure for the Parliament that has been introduced in recent years.

That has been the subject of debate on previous occasions in this chamber, and I do not want to reiterate all that has been said previously, but I make the point that I, and I believe most members on this side of the house, remain concerned about the new administrative structure that has been introduced. It seems to us to be very top heavy and to have removed autonomy from a number of units within the Parliament that have previously provided very good service to members based on independent and professional skills.

That is not in any way to denigrate those people who have accepted appointment within the new structure. I have no reason to doubt that they are doing the jobs that have been assigned to them in this new administrative structure to the best of their abilities. However, there still seems to be no adequate justification for the revised structure, which seems to have in many respects replaced the professionalism and expertise with generic administration to no particular benefit and indeed to disbenefit in many respects.

Perhaps one amongst many ways of illustrating the extent to which different functions within the Parliament have now been aggregated is to look at the output summary set out on page 271 of budget paper 3, where we see in the proposed 2006–07 budget that out of a total output summary of \$115.9 million, \$57.6 million is for the single output group of Parliamentary Services, which is the aggregation of many of the previously separate functions within the Parliament. That on the face of it is around 50 per cent of the total appropriation, but the position becomes even more acute when one realises that the Auditor-General's office comprises \$26.8 million worth of output, and of course the Auditor-General's office administratively operates separately from the Parliament.

So if you look at the remaining functions, Parliamentary Services takes up well over 50 per cent of the core services of the Parliament and dwarfs the other outputs of \$9 million for Legislative Council, \$16.8 million for Legislative Assembly and \$5.7 million for parliamentary investigative committees. So we have a concentration into a multilayered administrative structure, as I said for little apparent benefit and with considerable detriments.

When we look to the actual performance measures in the budget papers, we see they have become very skimpy and inadequate and raise quite a number of issues as to the particular items and the particular numbers that are recorded. It is perhaps worth looking at pages 416 to 417 of budget paper 3 on the discontinued measures, of which there are many. Some of them I do not think will be missed because they were not particularly informative in the first place. However, there are some the disappearance of which does seem strange, such as the visitor sessions on the Parliament web site. However you technically measure visits to the web site is a matter for debate, but surely the extent to which people visit and use the parliamentary web site is a valuable measure of performance. The explanation for its discontinuation is:

Monitoring of this performance measure is no longer informative as sessions on the Internet site do not necessarily impact on costs of deliver —

and I have quoted that verbatim. Not only is it an ungrammatical explanation, but it does not make a lot of sense, because performance measures are not there simply to reflect costs of delivery, they should be there to reflect the extent to which the Parliament or whatever entity it is that is being measured is adding value and achieving results for the money that is being expended by it. So that departure is strange.

When we turn to the performance measures that are there, we find that they are at a level of aggregation which makes them pretty useless. Indeed under the heading 'Quality' we have a measure of 'Satisfaction with quality of information provided'. Given the diversity of services provided within the Parliament, what does this measure tell us? If it goes up or goes down, to whose credit or discredit is that to be attributed, given that there are so many different functions within the Parliament that are providing information? Then there is the question 'To whom is the information being provided?'. Is it information to members, is it information to the public or is it information to other sections within the government? Again, the question of members, staff and officers being satisfied or better with the services provided attracts exactly the same line of criticism.

Another one in the same category is under the subheading 'Items processed for retrieval'. Perhaps one should not jump to conclusions, but the first reaction is that presumably it is a measure of the library's performance, but then it may be a measure of the papers office's performance, or it may be a measure of both; it is not really possible to tell. The measures are very limited, and I must say that I think they give a hopelessly inadequate account to the public of what the

Parliament does or what standards of service and performance are being achieved.

When we look at the actual figures that are attributed to some of these items, they raise questions of their own. If we start at the subheading 'Items processed for retrieval' we see that the actual figure in 2004–05 was 39 141. The target for 2005–06 was reduced to 27 000, the same as the expected outcome and the same as the target for 2006–07. There is a very similar pattern with the item under the subheading 'Visitor sessions on library intranet site'. The actual in 2004–05 was 52 707, the target for 2005–06 was 40 000, and the expected outcome for 2005–06 was also 40 000, as was the target for 2006–07.

With each of these measures two questions arise. Firstly, why has the target fallen so sharply in 2005–06 compared with the 2004–05 actuals? Whatever the unit that is being measured in the case of items processed, what is the reason for the fall? Is it a reflection of deteriorating performance? Is it to do with efficiency, or is there some other explanation as to why less items need to be processed? The budget papers are totally silent. Secondly, why is it expected that there are only going to be 40 000 visitors to the library intranet site in 2005–06 compared to 52 707 in 2004–05. There is no explanation whatsoever.

Further, the point needs to be made that it is very surprising indeed that for all these measures and for many others set out on page 274 of budget paper 3 the expected actual figure is identical to the target for 2005–06. I have to say that that raises the very strong suspicion that these expected outcome numbers are purely speculative, that the relevant staff in the Parliament have felt under an obligation to fill in the relevant box and send the data over to the Department of Treasury and Finance for printing in the budget papers, and that there has not been any effective measurement of performance and so they have simply stuck in the target number as the expected outcome in order to get the piece of paper off their desk and over to Treasury and Finance. That is not the way it should be done, particularly this year when the budget is being delivered so much later than in other years. One would have thought there would have been a better opportunity to get an accurate measure.

For all of these reasons the system of measurement and accountability to the public through the budget papers for the Parliament's performance leaves a great deal to be desired; and collectively as an institution, in particular those who have positions of management authority within the Parliament, we need to look at improving our performance on that score.

When we move more broadly beyond the measures in the budget papers, again we all have to ask ourselves how well we are performing in achieving our functions and objectives of contributing to better legislation and better public policy outcomes in Victoria. I have to say, having sat in the chamber from 8 o'clock when we resumed after the dinner break to listen to the conclusion of the debate on the Energy Legislation (Miscellaneous Amendments) Bill, that it was a singularly unedifying display of the Parliament in operation.

Sitting on this side of the house I could see member after member of the government benches leaping to their feet making a contribution of approximately 2 minutes or so and sitting down again, adding very little value to what previous members had said. The same briefing folder was passed from member to member, quite frankly with the obvious purpose of simply fulfilling their quota so that they could claim credit for having made yet another contribution to the Parliament. At least the member for Ballarat East had the good grace to in effect engage in some self-deprecation in the way he made his contribution. It is not a value-add on the part of this chamber to the democratic process in this state; in fact it degrades it immensely.

We are as an institution continuing to debate by techniques that are largely unchanged from centuries ago. We are still proceeding by discourse in this chamber with very little adaptation to the possibilities for better communication, debate and public engagement that are afforded by modern technology through enhancements that have taken place in other areas to provide better and more effective communication and deliberation. That of course does not even start on the issue of how the government of the day treats the Parliament. So when we review what we are doing on behalf of the citizens of Victoria, we need to start asking ourselves much more broadly how we can perform better to add value to the democratic process on behalf of those whom we represent.

As I alluded to, we need to evaluate our performance as a Parliament in the context of how the government of the day is interacting with us as a Parliament. In that regard I thought it was perhaps timely to refer back to some of the things that were said in 1999 about how Parliament could operate better and to some of the promises and commitments that were being made by the party that ended up forming government in 1999 about how it would improve the operation of Parliament for the sake of citizens, and compare that with how we are actually performing. I think it gives us a pretty striking illustration of how far short we have

fallen from what was being promised at that time. If we look through the Independents charter and the Labor Party's response to that charter we see promises such as:

Empowering the Auditor-General to report and comment on the information provided in the budget papers on budget day ...

We contrast that with the reality that the Auditor-General signs off on a review which basically says that he has looked at the numbers and the assumptions and cannot on the face of it find anything that does not add up, which is hardly a capacity to review and comment in the way that was being proposed.

We see promises such as consulting with interested parties within the community before developing new legislation. We contrast that with the promises that were made and then dishonoured about how the Melbourne 2030 planning strategy was going to be put before the people before it was adopted. It was rushed into operation prior to the 2002 election in breach of that promise and with no opportunity for the public to respond to what was proposed.

Mr Stensholt interjected.

Mr CLARK — The member for Burwood interjects and asks why I was not at the Box Hill town hall. The answer is I was at the Box Hill town hall on the two occasions presentations were made and we sat around doing one of those whiteboard exercises with concepts and big pictures. The presenters promised when they completed that second round that they would come back to us for the third round and show us the actual plans. Those plans never appeared. That was the occasion that really mattered and that was the occasion that was never delivered.

We also had the promise from the government that its members would desist from personal vilification of community leaders. When we look at some of the diatribes that are being heaped by the current Minister for Planning on various civic leaders around the state we wonder where that commitment has gone. We saw a commitment to establish standing committees to review legislation and the operation of government, similar to the operation of the Senate. I do not know where that one has gone — it was very quickly forgotten.

There were proposals to revise both sessional and standing orders of Parliament to include a requirement that ministers actually answer questions during question time.

Ms Asher — It is a comedy festival.

Mr CLARK — As the member for Brighton says, it has become a comedy festival. The man who is now the Premier said:

As Premier in the Bracks Labor government I personally commit to the following:

Instructing all ministers to answer questions directly and in a manner that does not waste the time of the Parliament; and

Lead by example, by answering all questions specifically with the required detail to fully inform members of the Parliament of the issue raised.

I invite people to read the *Hansard* of today or indeed any other recent day and see how well that commitment is being delivered. The now Premier said:

I commit a Bracks Labor government to:

...

The introduction of issues of public importance debates on every parliamentary sitting day other than on a day when grievance debates are held.

We saw a commitment to providing specific opportunities, by way of agreement, to debate private members bills. I think some Independent members have found that one hard going. We have seen Parliament, even in the first term of the Bracks government, divided into first-class, second-class and third-class members of Parliament. Opportunities for opposition members to bring forward private members bills, even a bill that had been passed in the other place and would have introduced vital reforms relating to public liability insurance, have been stymied when it comes to this house.

We also saw a commitment to:

Establish a Victorian constitutional commission of eminent persons, representative of the Victorian community, to review the constitution and if required prepare a series of questions to be put to the Victorian people through a referendum or like mechanism.

We saw a constitutional commission that came up with the recommendations the government wanted but we certainly did not see any referendum on that issue, just as so far we have not seen any inclination from the government to put its proposed charter of human rights to a referendum. It is all very well to talk about democracy but when you are making these fundamental changes to the constitutional structure of this state, referenda seem to have dropped off the agenda.

We saw a commitment to treat all members of Parliament, including Independent members, with

courtesy and respect. I think that is another one that was quickly forgotten once the change of government took place. I have not even reached the promises that were made about the Freedom of Information Act, which is vital for the effective operation of this Parliament.

The promises were about reducing the restrictions on access to documents on the ground of cabinet confidentiality, removing the restrictions based on commercial confidentiality to the extent of the New Zealand act, removing obstructions such as excessive cost and appeals against document release, and amending the act to compel ministers to provide an explanation to the house as to why they have determined the public interest is served by appealing from a decision of the Victorian Civil and Administrative Tribunal to release documents. I do not recall the Treasurer coming into this house to explain why he is taking the opposition to the Court of Appeal to try to prevent access to the public sector comparator for the Mitcham–Frankston freeway project.

We had a promise to reduce time gaps permissible before providing documents, and a commitment from the now Premier to the following:

Adhere to the Freedom of Information Act's requirement to respond to all requests within the 45-day time limit set down in the act; and —

this is the crunch one —

Establish internal disciplinary procedures for public servants who fail to comply with the act.

We saw Mr Brouwer exposing the failure of the government on that account. How on earth is the Parliament and how are we as members of Parliament supposed to perform our duties and wisely use the resources entrusted to us under this bill when we are being stymied in performing our functions as members of Parliament by the contempt with which the current government is treating the Freedom of Information Act?

As a Parliament we operate under the constraints of a government that treats this Parliament with contempt, that has changed the sessional and standing orders in this and another place so that we are in the outrageous situation now where a bill can be pushed through both houses of this Parliament and into legislation without having been debated in either chamber. I defy any of the members opposite to explain in their contributions how that can produce an effectively operating Parliament.

This is in stark contrast to the previous government which through all the so-called dark years of the

Kennett era never once restrained the capacity of members in the other place to debate as long as they wished. The member for Brighton was a member of that house and she can corroborate the many tedious hours and that the Honourable Theo Theophanous and others were allowed to hold forth for as long as they saw fit. The only reason the government business program was introduced to this house was the deliberate obstructionism of Tom Roper, the then member for Coburg, who was making a mockery of the forms of this house and trying to frustrate the democratic process rather than taking part in it.

This Parliament operates under very difficult constraints at present. I have to say that we look very poor indeed when we are compared with many other state parliaments around this nation.

I turn finally to examine some of the specific initiatives that are proposed for the Parliament in this year's budget, which are reflected in the bill before us. I refer to page 341 of budget paper 3 about the output initiatives and the asset initiatives. We have a proposal to provide \$3 million for the 2006 election costs. The point should be made that this is of course not the cost of conducting the election, it is the cost to the Parliament consequent upon the election. It is primarily the Parliament's estimate of the cost of relocating offices consequent on the changes in membership of both houses that are likely to result from the election. We all have our views, expectations and hopes as to what the extent and direction of the changes in the composition of the Parliament might be, so this figure is the Parliament's best estimate of the costs that might be incurred.

We have \$100 000 provided for the Legislative Council sitting that took place in Colac in November of last year. We have \$1 million of output initiatives and \$2.5 million of capital initiatives for the intended relocation of part or all of the Department of Parliamentary Services to new accommodation at 55 St Andrews Place. That is the building currently occupied by the Department of Justice. As we were informed some time ago, a very large number of officers of the Department of Justice are now relocating to the building on the site of the former Southern Cross Hotel at the corner of Exhibition and Bourke streets. It is a very lavish building in which the government is the anchor tenant, at very high rent. That will free up space at St Andrews Place.

It is not clear on the information that has been provided to the opposition by parliamentary officers as to whether it is intended that the entire Department of Parliamentary Services will move to 55 St Andrews

Place, and therefore 157 Spring Street will be vacated, but there will be some movement there to backfill the space being vacated by the Department of Justice.

The last of the output initiatives is the \$100 000 provided for the recruitment and appointment process for the next Victorian Auditor-General. That process, which concluded recently, was carried out on a bipartisan basis by the Public Accounts and Estimates Committee.

There is also in the asset initiatives of the Parliament a sum of \$1.2 million being provided for a chamber sound system replacement in both the Legislative Assembly and Legislative Council chambers. Some members have noticed that a new sound system was installed in this chamber not so long ago — and I also understand there is a new sound system in the chamber in the other place — and the opposition has been informed that this funding is as much for some of the wiring and connections within the Parliament building as a whole as it is for the sound system in the actual chambers.

These initiatives in the budget are relatively modest and unexceptional. The crucial issue for this Parliament, as I referred to earlier in my remarks, is not so much the money that is being spent but what we are achieving for that money. At all levels — in our actual measurement of accountability to the public for what we are doing, in the broader picture issue of how effectively we are doing our job and what opportunities there are for us to structure our operations in a way that takes advantage of better ways of communicating and engaging with the public in the democratic process, and finally in how we interact with government and the way in which the government of the day treats this Parliament — there is vast room for improvement. Hopefully, after the November election much of that improvement under a change of government will be able to take place.

Mr RYAN (Leader of The Nationals) — The Appropriation (Parliament 2006/2007) Bill is very important legislation as it entails those appropriations that make this place function. It is imperative that this place, being very close to the hearts of all of us, is able to function in a way that does best service to the people of Victoria.

I say that in the sense that when you stand back from all of this, one of the things we must continually recognise is the fact that in coming to this place as elected representatives, we have a role on behalf of the people who bring us here which is imperative to the way the state functions. A significant element of that necessarily is to ensure that the appropriations that are made in

favour of the Parliament happen in a manner that best enable us in turn to serve the purpose which brings us here in the first place as those elected representatives.

There are many elements and many aspects to it. The member for Box Hill has addressed many of those in his contribution this evening. Not the least of those is the need for an ongoing improvement in the way technological provision is made for the way in which this Parliament functions. I think it an imperative that in the course of the way the Parliament does its work, that all the technological advances that can be brought to bear that better enable us as parliamentarians to be able to have the functions of this place discharged in a way that does justice to its role, are a very important aspect of this legislation and the appropriations that are made pursuant to it.

I am aware, as are all of us, of the need for our capacity to access information which is the basis of so much of the debates that occur in the course of the Parliament's work. I hope that the Treasurer, in his other role as minister responsible in this place for information technology, continues to do what I think in fairness must be said has been one of the elements that he has brought to his role in ensuring that the Parliament of Victoria is able to access technological advances that are appropriate to its needs.

I must say as an observation that that has been borne out over the course of the last 12 months in particular because office requirements around Parliament have had to be modified, changes have had to be made, changes are ongoing, and the opportunity for those sorts of technological advances to occur is replete. As the changes in office locations around the building have resulted from the shifts that have happened, there has been the opportunity afforded for the introduction to various members of better technological advances that once upon a time would not have been available to those members or to all of us.

In the way in which the Parliament functions at large, I must say some of the aspects of the committee system will continue to evolve in a manner that will better serve our purposes. I think the notion of second-reading speeches and the way in which they are dealt with in future is something we need to further consider. The fact that ministers stand here, doing reading lessons for literally hours at a time during the course of any given session of Parliament, in this day and age is something of a nonsense. We have to get a better way to deal with that which does justice to the importance of the second-reading speeches.

On the one hand we need to strike the proper balance between the importance of those events occurring and bills being introduced in a manner appropriate to the circumstances of the respective pieces of legislation, while, on the other hand, we have the ridiculous concept of a minister standing up and simply reading page after page of prepared script in a way that truly is an embarrassment to all concerned. We must surely be able to arrive at some sort of solution to what I think otherwise is a burden upon this Parliament and a feature of it that is a throwback to times gone by.

In this age of technology we should be able to construct a system that will do justice to the way in which legislation is introduced into this place and in a manner which better accommodates what I at least see as the problems we have at the present time.

I take the opportunity to pay due credit to all of those who contribute in the various ways to the way Parliament functions in the sense of the everyday, practical things. I hope that the appropriation legislation continues to support all those people in their various ways in the manner that it should. While coming from me, in particular, the notion of ensuring that areas of operation around this Parliament — such as the maintenance of the magnificent gardens and its surrounds — those issues are not often reflected upon in this place.

I think they are one of the imperatives, and I would hope there is enough support for the work that is undertaken by those people who are engaged in those important tasks. Similarly, there is an enormous amount of maintenance that is necessary to enable Parliament to function. All of us who work in this place see them every day — those who in their various respects have responsibility for painting, cleaning or general maintenance duties. I would hope sufficient appropriation is being made to enable those important tasks to be carried out.

Some would be pleased that I am not required to make the lengthy contribution that would be appropriate for a primary piece of appropriation legislation. Suffice it to say, The Nationals support this bill. It is a necessary element of the parliamentary process. Despite what might be said about the other appropriation bill, which concerns the provision of funds to Victoria at large and which we continue to debate, I hope that in this instance sufficient funding is made available to guarantee that Parliament can continue to operate in the way it deserves. After all, it is in this place — in this very chamber — that the democratic process of the state is founded. It is incumbent on the government of the day to support it appropriately. On behalf of The Nationals I

trust the legislation now being debated will serve that purpose.

Mr STENSHOLT (Burwood) — I am delighted to speak in support of this bill. I join the Leader of The Nationals in saying what a great job parliamentary staff do, right through from the Clerk to the cleaner of the toilets, and from Hansard to the people in the library. I am very disappointed in the member for Box Hill, who said the performance of parliamentary staff leaves a great deal to be desired. I think it was rather churlish for him to make that comment in this debate. The staff of Parliament do a marvellous job serving us as members of Parliament and as representatives of the people. They do an excellent job in the Parliament.

I note that at the heart of this bill is the funding provided for various parliamentary services, including those of the Auditor-General. I point out that the previous government did not have much respect at all for the Auditor-General reducing his funding down almost to zero in terms of the staff he had. This bill has a range of provisions. I agree with the Leader of The Nationals' statement that we have a marvellous building which needs to be looked after, particularly in terms of maintenance. It is an historic building.

We are just having the 150th anniversary of the Parliament's first sitting, and of course most of the building dates from a similar era. In terms of the funding made available in that regard, last year \$9 million was provided for a three-year heritage asset management strategy. The parliamentary officers, the Speaker and the President, did an assessment and have prioritised the replacement of the beautiful vestibule tiles, with their great motto. Some members will have noticed that the outside stonework is deteriorating, and funding is provided in this bill for its restoration.

As the member for Box Hill mentioned, one of the main things this bill provides funding for is the relocation of the Department of Parliamentary Services to new accommodation at 55 St Andrews Place, which is being vacated by the Department of Justice. I note that some 15 years ago Ian Smith, the then Minister for Finance, proposed the consolidation of parliamentary staff at 55 St Andrews Place. That dream is now becoming a reality. Rather than it just being talked about, it will be done and delivered. It is very good that staff from 35 Spring Street and 157 Spring Street are going to move into 55 St Andrews Place. It will further improve the effectiveness and efficiency of Parliamentary staff because of their close proximity to each other.

Having served on a committee in the past, I know that 35 Spring Street is a long way away in terms of communication. Being just next door will make a massive difference. I am sure it will result in improvements in efficiency and output for the committee system, which we value so much in Parliament.

Being hearing impaired, something dear to my heart is the improvements to the parliamentary sound systems. A couple of years ago an FM radio system was put in for people with hearing aids such as myself. However, some people on the back benches, including some new members of the back bench, find it difficult to hear debates. I also understand it is difficult to hear debates from the public galleries. The funding provided for the updating and replacement of the chamber sound system will I am sure improve the performance of Parliament, both in this chamber and in the other house.

I should mention again that I was disappointed with some of the comments the member for Box Hill made about the performance of parliamentary staff. I do not wish to dwell on this, because I know we want to move this debate on, but I note that the Leader of the Opposition — the second-choice, new Leader of the Opposition — denigrated the process of 90-second statements, calling them cheerios. Members statements are a chance for members of Parliament, whatever side they are on, to represent the interests of their electorate. One of the major roles of a member of Parliament is to represent the constituency which they are elected to serve. It is a fine and marvellous tradition of the house for people to be able to get up and talk about their constituency —

Mr Plowman — On a point of order, Acting Speaker, this bill is quite specific. It relates to the appropriation for the Parliament. I do not think the member is speaking on the bill, and I ask you to bring him back to the bill.

Mr STENSHOLT — On the point of order, Acting Speaker, since the member for Box Hill spent approximately 10 minutes talking about such processes, I ask the indulgence of the Acting Speaker.

The ACTING SPEAKER (Mr Ingram) — Order! Lead speakers do have slightly wider parameters to cover a broader subject matter than other members of the Parliament. I do not uphold the point of order. Whilst the member might have strayed occasionally just prior to the point of order being raised, he was actually touching on the operation of the Parliament. I ask the member to make sure that he does stay on the bill before the house.

Mr STENSHOLT — I am delighted to speak on this bill in respect of the Parliament and the parliamentary processes. This bill also covers the role of the Auditor-General. I congratulate the new Auditor-General, who has been recruited and appointed. As we know, in terms of the output initiatives for this financial year, some funding was provided for that, and the Public Accounts and Estimates Committee played a role. With regard to the Auditor-General's office, there are statements on output and funding. I have great respect for that particular office, as indeed does this government. It does a fine job. I am sure the funding provided to it in this bill will ensure that it continues to do the particular job it performs as part of its parliamentary services in reporting to Parliament. I commend this bill to the house.

Ms ASHER (Brighton) — I wish to make a few comments in support of the Appropriation (Parliament 2006/2007) Bill. In particular I wish to support the tenor of the comments put to the Parliament by the member for Box Hill. I did not hear any criticism of the staff of the Parliament; in fact I heard the reverse. The member for Box Hill went out of his way to indicate what a sterling job many members of the staff do, but he did make a range of comments relating to the key performance indicators (KPIs) that have been abandoned and those that have been put forward in the budget in relation to the Parliament.

I wish to refer to page 125 of budget paper 4, which provides a comparison between the 2005–06 revised budget and the 2006–07 budget. The comment has been made that there has been an increase in total operating income of \$5.5 million, or 5 per cent. That specific increase relates to the consequences of the election to be held in November this year and the relocation of offices of the Department of Parliamentary Services and parliamentary committees. Clearly in relation to the costs that will be incurred as a consequence of the election there will be substantial changes to the manner in which the upper house is elected, and I would assume that at minimum those figures would reflect the office changes in that area, quite apart from anything else that may take place in the Legislative Assembly.

I also want to touch on the output initiatives on page 341 of budget paper 3 and to pick up on what was said previously. In the 2006–07 budget \$3 million has been set aside for the 2006 election consequence costs — I guess that is probably the correct term for that — the regional sitting of the upper house in Colac, the relocation of offices of the Department of Parliamentary Services, the recruitment of the

Auditor-General and the \$100 000 that was set aside for that particular process.

I also want to make reference to the chamber sound system replacement. I note from the briefing given to the opposition that we are not going to have a replacement but rather an upgrade to it, and I would certainly hope that is the case because the systems in both chambers, according to my knowledge, are relatively new.

I also want to make reference to the discontinued key performance indicators that were touched on so adequately by the member for Box Hill. The reason there are so many discontinued KPIs for the Parliament is that they will now reflect the structural change that was brought in by this government and, from recollection, quite vigorously opposed by this side of the house. Previously there were six categories: information provision; information access; research; public relations and education; Hansard, sessional indexes and committee transcripts; and support services. All of these have now been amalgamated into the new 'Provision of information and resources to Parliament'. I want to make just a couple of comments in relation to these.

Previously there were many KPIs that were very relevant to members of Parliament, such as: satisfaction with the quality of information provided, accuracy of speech extracts, Hansard timeliness, and other Hansard KPIs. All of these KPIs were very significant to the ordinary daily running of the Parliament. What has happened in the restructure — and this is now reflected in the new KPIs for the Parliament — is that there has been a significant merging and, quite frankly, some of the KPIs are almost meaningless.

I refer, for example, to the new general KPI which absorbs the previous areas: Provision of information and resources to Parliament.

One KPI is 'Members, staff and officers satisfied or better with the services provided'. I would have thought the quality of services varies significantly across the Parliament. I think most members of Parliament have a very high opinion of the services provided by Hansard and indeed a very high opinion of the services provided by the parliamentary library. I would not say that is entirely true of every area, although with this merged KPI, which is simply 'Members, staff and officers satisfied or better with the services provided by the Parliament', I would think merging all of the previously separate working organisations within the Parliament makes a nonsense of this.

I also make the point that the 2006–07 target of 73 per cent satisfaction is a fairly low target percentage, given some of the other numerical targets that have been set in previous years.

I also want to make reference to the fact that one of the aims of both the Council and the Assembly is, as it has always been, the enhancement of public awareness of Parliament, and I think that is an area where the Parliament and all elected members of Parliament could do more. I think the awareness of what a state Parliament does overall is very low. You can have your school visitations and other key performance indicators but it is incumbent on not just parliamentary staff but on all of the elected members to look at how we can make our contribution to that area as well.

I also refer to the chart on page 271 of budget paper 3 which details the breakdown in the output summary for Parliament. Of the funding of \$107.4 million, \$25.9 million is allocated to the Auditor-General's office, \$8.8 million to the Legislative Council, \$16.4 million to the Legislative Assembly, \$50.8 million for parliamentary services and \$5.5 million for the parliamentary investigatory committees. The member for Box Hill made the very valid point that there is a significant amount of expenditure for parliamentary services with somewhat lesser amounts in other areas.

I conclude my comments by reiterating my support for the bill and my concern at the fact that the restructured parliamentary services organisation has resulted in what I believe are diminished key performance indicators set for the Parliament. I also place on record my thanks to both Hansard and the parliamentary library for their outstanding work.

Ms BEATTIE (Yuroke) — It gives me great pleasure to speak on the Appropriation (Parliament 2006/2007) Bill. I will make a few brief remarks, and I am pleased to see the bipartisan support for this bill; apart from a few churlish remarks, there is great bipartisan support for this bill.

First of all, there is money there for the 2006 election costs. We all know that the November state election is coming up. There is money there for the relocation of newly elected members' electorate offices. With the new style of upper house, I am sure there will be much relocation of offices.

I also want to talk about the appropriation for the Legislative Council regional sitting. As members know, the regional constituents took great delight in Parliament going out to the regions. I am sure it was

greatly appreciated by those regions and is something that, in my view, should happen more in the future. I know that it is a great strain on the staff of Parliament, but we should occasionally take Parliament to the people. I am a great supporter of those regional sittings, as I know many members are.

There is an appropriation for the relocation of parliamentary services to move into 55 St Andrews Place, which is now the Department of Justice building. The affected parliamentary staff will be those now staffing the parliamentary committees at 35 Spring Street and those across the road at 157 Spring Street.

On that, I would also like to say that I hope there will be a shopfront provided at St Andrews Place. We have a shopfront across the road to advertise Parliament. The tours of Parliament house are very popular, as are the open days of Parliament House.

An honourable member interjected.

Ms BEATTIE — We do have one coming up, as I am reminded. I hope a shopfront continues to be provided.

What can I say about the recruitment of the Auditor-General? In previous years, under a previous government, the funding would have been zilch, zero, nothing. However, we are great supporters of the Auditor-General, and there will continue to be appropriate money for the Auditor-General.

As was evidenced at the start of my contribution, the chamber sound systems need upgrading, because it was half a minute or so before my microphone was switched on. We need an upgrade of the chamber system as well as the relocation of Parliamentary Services.

I would like to make a few remarks concerning the staff — and I note the Leader of The Nationals has talked about some of them. I hope appropriations will continue for our beautiful gardens. Many members here know I am a frequent walker around the gardens of Parliament House, and I have to pay tribute to Paul Gallagher and his team, who have the gardens looking a treat all year round.

While I am on my feet another thing I want to do — and I seek the indulgence of The Nationals and the Liberal Party — is pay tribute to the staff of Parliament House, particularly the staff in the kitchen area, who have worked under very trying conditions for almost the past 12 months. Their mettle has certainly been tested. They have seen very hot summer nights and now very cold winter nights. It was just a couple of

weeks ago that I saw the staff walking across to the marquee with urns of boiling water to provide us with hot tea and coffee on those very cold days. So I ask the staff of Parliament to accept the tribute and thanks of this side of the house for all the work they have put in. I am sure The Nationals and the Liberal Party will echo my sentiments.

We are very privileged to work in this beautiful building. I am reminded that it is 150 years since the inception of Parliament, but as with any heritage-listed building, Parliament House requires a great deal of maintenance. That does not come cheaply, and as we lose the artisans and the tradespeople who can work on buildings like this, and as the building gets older still, the maintenance cost becomes a greater burden. As parliamentarians we need modern services, but we have an old building to work in. Balancing the demands of both is something we need to keep in mind.

The Appropriation (Parliament 2006/2007) Bill, I am pleased to say, enjoys the support of all parties in this Parliament. In conclusion, I wish the bill a speedy passage, but again I pay tribute to the parliamentary staff who have worked tirelessly over the past 12 months to provide us with a level of service which we as parliamentarians have come to expect but which they have provided under very trying conditions. I commend the bill to the house.

Mr COOPER (Mornington) — This is the yearly occasion on which we all get an opportunity to talk about the appropriation for Parliament. It is a pity that more members do not take an interest in this piece of legislation, because it is important. I have listened to all the contributions tonight, and there are a few matters I want to touch on. I want to talk about this building which we work in for a relatively few days a year but which the staff work in all the time. I also want to talk about the way in which this place is run, particularly in terms of the way contributions are made to the place, and lastly I want to talk about some health issues with regard to this building.

The first thing I want to talk about is the maintenance of this magnificent, historic structure, because a lot more attention needs to be paid to it. Whilst I am aware of the budgetary pressures, and I know that the people who are preparing the bids that go towards the upkeep of Parliament are keen to see this building looked after a lot better than it has been, the reality is that there are some important areas of maintenance which are not getting the attention they deserve. When the penny finally drops that money needs to be allocated, it will cost a lot more than it would cost if it were dealt with now.

One issue that I confront regularly is the situation when it rains — occasionally in Melbourne — on the front steps of Parliament House, because my office is under them, down in the basement. My wall becomes like the wall down at the National Gallery, with water pouring down.

Mr Maughan — Like a fish shop!

Mr COOPER — Like a fish shop, as the member for Rodney said.

That is because the waterproofing in the seal on the steps has gone and needs to be repaired. It is a big job and is going to require significant money, but if the money is not allocated now we are going to have even bigger problems in the future.

Mr Leighton interjected.

Mr COOPER — I do not think the member for Preston understands the issue — or if he does I do not think he really cares about it. Otherwise he would not be trying to make a joke of it.

This is an historic building and needs to be treated as such in its maintenance and refurbishment, because if it is not we are going to have big problems. That is not the only issue. Many others have been raised in House Committee meetings and in general conversation around this place by people who are interested in Parliament House as the historic structure it is. I know, from conversations with the Speaker, that she is concerned about this too and would like to see this work done. I had hoped that the people in charge of the purse strings in government would have paid some attention to this. While they have not allocated any funding for this kind of work in this budget, hopefully next year an allocation will be made to deal with these matters.

It is an enormous shame that this building has never been completed. The opportunity was there to do that some years ago, but due to obfuscation and what you would have to call politicking and treachery both inside and outside this place, the completion of both the north and the south wings was not able to be undertaken, and as a result we still have an incomplete building. That is the reason why we have members here tonight talking in glowing terms about parliamentary staff being moved to offices which the Department of Justice is about to vacate and why we have people working over at 157 Spring Street and down at 35 Spring Street, spread around the city, when they should all be here within Parliament House and operating as a Parliament should.

I want to move on to the question of how this place operates. Other members have spoken about the way things do not occur in this house, but I want to talk about the fact that when we come to debate bills in this place, other than appropriation bills, our opportunity to represent our constituents is severely truncated.

It was not all that long ago that members in this place had half an hour available to them to deal properly with legislation before the house, to deal properly with the views of their constituents and to represent those views to the Parliament. That has been progressively reduced, and now we are faced with 10-minute contributions by members. On some bills of little note a 10-minute contribution will probably be enough, but there are many bills that come before this place that are quite significant in size, and time needs to be made available to members to make a reasoned contribution. People who have ever had the opportunity to speak for 30 minutes on significant pieces of legislation would know that in 30 minutes you can probably make two or three points properly in the debate. That is as much as you can fit in to a 30-minute contribution.

In 10 minutes you cannot deal with anything other than one or two matters, and then very briefly indeed. As an example, the Disability Bill that we dealt with in this house not all that long ago — it was an enormous piece of legislation — needed more time, but it was not available. I have a significant community interested in disability issues in my electorate, and I know the honourable member for Nepean does as well. It was a matter of great concern to me and to that community that my ability to represent their views and their concerns was simply not there when that bill came on for debate.

We also have fewer sittings of this house than we had during the days of the Kennett government. In opposition this government used to criticise the Kennett government for the number of sitting hours, and yet now — as it was recently made public in the media — there are fewer sitting hours for members in this place. That is a disgrace. We have a lot of time available, and it should be made available for this house to sit, but we do not sit often. Then we have a ridiculous situation where we have one or perhaps two sitting weeks in a month, and we are spreading it over 12 months to make it look as if we are sitting for a long time. The public of this state is not fooled by this.

Victorians know that this house is not sitting as often as it should. We also know that the reason for that is a deliberate ploy by the government to try to avoid scrutiny in this house. So we have the unusual situation in this month where we are sitting for three successive

weeks. But then we have three weeks off and we sit for another week, and then we have another couple of weeks off after that. People outside this place wonder what the heck is going on with their Parliament because it does not sit often enough. As a Parliament we should be sitting in spring and autumn sessions, and we should be sitting for a considerably longer time. That way the Parliament would operate properly.

We should not have the logjams of legislation which we are no doubt going to see in the remaining 17 days of sitting, after this week, for this Parliament. We are going to see a logjam towards the end. It was said this morning during the debate on the government business program that we will no doubt be sitting very late at night in order to deal with the logjam of legislation which is going to confront us before the Parliament rises prior to the election. In terms of the operation of this Parliament it is a disgrace, and it is a disgrace that is becoming a scandal publicly. The media is very rightly commenting on it, and I do not blame the media for picking up on it and saying this Parliament needs to be reformed in a proper way, not only in the amount of time it sits but also in giving the members of this Parliament a proper opportunity to debate legislation and other matters that are of importance to the community of this state.

The last issue I want to talk about is the one rule for the general public and one rule for this Parliament. That is the health matter I want to talk about. It relates to smoking. We have legislation that puts requirements on restaurants, hotels, railway stations and all sorts of places in regard to restricting smoking, and yet when you come into this building there are sections where smoking is not only allowed, but it seems to be encouraged. We have lounge areas set up where people are smoking. You walk through and if you do not like to be a passive smoker there are some no-go areas within the precincts of this building. If you do not like to smoke, then these are places you should not go. Certainly there is smoking down in the basement areas of this building. It is not right that we have restrictions on commercial enterprises outside this building, and yet we are turning a blind eye to this. In fact it is not really a blind eye; we are simply allowing things to happen in this building that are not allowed to happen outside.

I have raised this issue before on the parliamentary appropriation bill. I have done it in past years and I am doing it again. I think it is a disgrace that we have one rule for us and one rule for everybody else, and it is about time the Parliament confronted this issue. If nobody else is prepared to confront it, at least the Minister for Health should be confronting it. I know she has to walk through the area in the basement to get to

her office, and one would have thought by now the penny might have dropped with her and she might have taken some action.

Seeing the Minister for Health is not in the house at the present time, I hope her attention is drawn to this issue and that she prevails upon the government to do something about it and make the rule that applies to the general public regarding passive smoking apply to Parliament. With those words I conclude my contribution on this debate.

Mr LEIGHTON (Preston) — The member for Mornington talks about there being 17 remaining sitting days and complains about a possible logjam of legislation. He would remember as well as I do the Kennett years, when we debated 17 bills in the one week, some of those being omnibus bills. It is clear that under this government we have a much more measured way of rostering our legislation through this place.

However, in the few minutes I have I want to talk about more positive things. As a member of the House Committee I particularly want to reflect on the changes in information technology. It is quite obvious to anybody who has been here for a while that IT has dramatically altered the way members of Parliament operate. During my time I have seen it go from the time when I went out to get a fax machine and was at the head of the pack because I had a fax, to purchasing my first computer out of my electorate office budget, which made me the vanguard, and eventually to the rollout of centralised IT systems in this place.

In the early years as MPs we competed for time with the typing pool, or secretarial services, to get our letters typed. We would ring up the library in a flap wanting them to try and locate and fax through to us something from *Hansard*. The second rollout of IT in 2002 was a deeply flawed process, as the Auditor-General's report highlighted. It failed for so many basic reasons. It failed to identify what a business unit was and what the needs were of those customers or users. There was a failure to test and evaluate and pilot. There was a lack of good governance. I hope the improvements we have seen since 2002 are a result of the number of lessons we learnt there. We have been careful not to repeat the big bang approach but to stagger the rollout, and I believe we have seen and continue to see improvements in the IT system.

I would like to list a few areas that I believe are going to be challenging for Parliament in the IT area in the coming few years. Firstly, I believe it is incumbent upon the Parliament and its members to lead by example and to be leaders in the provision of

information technology. Secondly, I believe that we have a particular responsibility to ensure that our web sites are AAA compliant and meet the Worldwide Web Consortium guidelines on access for people with disabilities, particularly the vision impaired.

I do not believe members of Parliament have yet learnt how to cope with the flow of information that we are surrounded by with email, pagers and mobile phones. An issue I have been concerned about recently is that I was being condemned by overseas associations that I had never heard of and received a flood of emails locally. It is sad that in the United States members of the public can no longer directly email their representatives but have to reside in their electorate and fill out a form online if they wish to communicate.

While we have become good at providing citizens with information, the challenge is still ahead of us as to how we engage with the people we represent and give them greater participation in the decision-making processes of government. Finally I would like to see the Parliament pick up on the matter I spoke about this morning — that is, to adopt the voice-over-Internet protocol.

In my final comment I want to congratulate the staff of our IT unit for their professionalism and commitment to service. Since 2002 there has been a dramatic change in culture; they are here to serve, and the fact that the unit is a showpiece and at times staff are headhunted is testimony to their level of commitment and professionalism.

Mr MAUGHAN (Rodney) — I am pleased to rise tonight to speak on the Appropriation (Parliament 2006/2007) Bill, because it is my last opportunity to speak on the appropriation of the Parliament. I want to make a few remarks because I have been very proud to be a member of this institution for the last 17¹/₂ years. It is a great institution, and I am very proud of this building and the institution itself. I really enjoy having school groups and other members of the community here to share with me some pride in this institution and this building.

As other members have said, the building is about 150 years old. It is a magnificent building of which all the people of Victoria should be justifiably proud. Those of us who have the pleasure of working in this building have an obligation to share it with our constituents and the general public, because after all it belongs to them. I commend the government for the open days and the opportunities it gives people to come in and share in this magnificent building.

This bill will essentially appropriate \$88 million for the running of this Parliament, which is a very small price to pay for a democratic system of government; \$88 million in a budget of \$30 billion or thereabouts is not a lot of money to pay for a democratic system of government and the privileges that we enjoy in this state and this country. We can see what happens in other parts of the world — for example, in East Timor at the moment and lots of other places that we could name.

We constantly need to remind ourselves that here we can have our political differences and still have good relationships one with another; we can express our strongly held points of view, but at the end of the day we can go off and have a cup of tea or a drink together and enjoy each other's company, knowing that we are doing our best to make a better community in which we all live and work. That is very important, and I am very proud to have been part of that.

I will go to the running of the Parliament briefly. I want to pay tribute to the clerks who are so important to this place and the staff who make the place work — the attendants and all the others who work in this very important institution. I could not make this contribution without commenting that in the time I have been here I believe that the standards, the customs and the traditions of this place have been compromised. That is a pity, because there are certain traditions that we should uphold, not just because they have been there for hundreds of years but because they have served us well.

Any new member who comes into this place should, within the first couple of years, go over to the British houses of Parliament in Westminster and see how they behave, and I hope they bring back some of that sense of behaviour, where members on both sides of the house treat their opponents with respect, dignity and honesty. I am always very inspired when watching the procedure in the British houses of Parliament, and I hope we can bring back some of those traditions in this place.

The leader of my party mentioned earlier that second-reading speeches have outlived their usefulness, with ministers reading very long speeches, word for word. It is important that we have the speeches on the record, but I do not believe it is important for the minister to stand up and personally read the speeches, particularly in view of the comments by the member for Mornington, which I share, that on important pieces of legislation members do not have sufficient time to fully express their points of view.

I disagree with the member for Preston who said how well the house had been run by this government. I remind him of both the Disability Bill and the Education and Training Reform Bill being passed in the same week. In the government's own words, they were groundbreaking pieces of legislation with very significant changes, yet they were both dealt with in the same week.

That is but one example of where the government got it wrong. I take account of what the member for Preston said, but I do not think the running of the business program has been quite as smooth as he would have us believe.

I also want to pay tribute to the people who keep the gardens. Paul Gallagher and his staff do a fantastic job. The gardens are unappreciated by the general public, and we are very fortunate to have such wonderful surroundings. Luke Jordan and his staff in catering do a marvellous job, as do Brian Bourke and his staff in grounds and maintenance.

Part of this budget is to provide for electorate offices, and that has already been mentioned, but also to pay electorate office staff, and we all depend so much on them. I pay tribute to two of the best of them, whom I happen to employ: Wendy Nolan, who has been with me for 13 years, and Leonie Canham. I am sure all members have staff whom they value greatly to assist them in the job they do. In that sense I want to thank the Parliamentary Library for the fantastic job it does in assisting us with research and in the training it provides.

The technology we use has been mentioned a few times tonight, and the member for Preston has played a very important role in improving that technology. I have been privileged to be part of the Information Technology Subcommittee of the House Committee. In the time I have been here I have gone from using a manual typewriter on a table to using really good computer equipment. We can do better, and we are getting better. We have got our lap tops, and there has been an enormous change over the last five years in the technology this place uses.

I share the sentiments expressed by a number of members tonight that we need to improve the public address system for people in the gallery who really find it very difficult to hear what is going on in this place. Hansard do a fantastic job, and I pay tribute to the staff.

I have two remaining points to make. One is about the all-party committee system, which is one of the best parts of the whole parliamentary process. The beauty of the all-party committees, of which there are 11, is that

members of all political persuasions work together, whether on law reform or road safety or whatever. Having got all the information and considered it, they make well-thought-out recommendations that the government of the day then responds to and mostly adopts, because it knows that they have bipartisan support. I am pleased to see that the Parliament resources those all-party committees adequately, because that is important.

The final point I make is about the Auditor-General. We are appropriating \$11 million in the bill before the house for the Auditor-General, who performs a very important function — and I am pleased with the reports that have come of from his office. There has been politics played with this, with members of the government accusing this side of the house of not being fair dinkum about the Auditor-General's office. I could say that the government has also been unfair to the retiring Auditor-General, who has chosen not to continue on in the job. One would suspect that that is because he has not been delivering the sort of tame reports that the government might have been looking for.

The government talks about being honest, open and accountable, but what it does is a different matter. The Auditor-General plays a crucial role in making governments accountable. Whichever side of politics is in government, that is very important. With those few remarks I wish this bill a speedy passage.

Ms ALLAN (Minister for Education Services) — I thank all those members who spoke on the Appropriation (Parliament 2006/2007) Bill. It is always a broad-ranging and interesting debate that focuses the minds of all the members of Parliament who speak in it. I thank the members for Burwood, Yuroke, Preston, Box Hill, Brighton, Mornington and Rodney for their contributions.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

APPROPRIATION (2006/2007) BILL

Second reading

Debate resumed from 1 June; motion of Mr BRUMBY (Treasurer).

Mr MAXFIELD (Narracan) — I rise this evening to speak on what I think can only be described as the best budget the Bracks government has brought down. It is certainly one that has been well accepted by the financial community and well accepted by the general community. It shows that the Bracks government is serious about addressing issues of concern within our community. It is a budget for families, and it is certainly a budget that supports regional Victoria.

Looking at some of the initiatives, particularly in my electorate, the Moe (South Street) Primary School will get \$4.2 million — \$4.2 million for those in the chamber who did not catch it — for stage one of the rebuilding of the school. Because we are building the new school on the same site, we have to knock down half the school and build the first half of the new one, and then when we have completed that we can go on to stage 2, which will involve knocking down the existing second half. This is a school that would never have seen the light if the previous Liberal government —

Dr Napthine interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for South-West Coast!

Mr MAXFIELD — Certainly when I attended that school on Friday the people I met could not speak highly enough of the Bracks government. While I was there I actually spoke to a lady who has two children going into prep next year. You can imagine how excited she was about the \$300 payment she was going to get. We also discussed the significant increase in staffing levels, and they could not speak highly enough of the Bracks government's commitment to education.

But the initiatives in this budget for my electorate do not stop there. The government will provide \$1 million for a park-and-drive facility at the Drouin railway station, and this will provide significant parking. The fast rail upgrade is fast coming to completion, and with the additional numbers of people using rail we ran out of car parking spaces so we had to spend \$1 million in Drouin building a new park-and-drive facility to accommodate the increased demand that is being attracted by this magnificent upgrade. It should be remembered that the Liberal Party closed down our railways lines. If the Liberals get back into power again we will lose our fast trains because they will flog them off like they flog off everything else.

We now have \$50 million for the Gippsland water factory, which is a great recycling initiative that will protect our water for the future. One of the hallmarks of the Bracks government has been its support for the

farming community. We have seen cattle underpass after cattle underpass being built, and there is additional funding in the budget for those underpasses. Not only is there funding for that, but there is money in the budget to assist the dairy industry, particularly with the B-doubles and their access to farms to collect milk. The Bracks government's funding to assist with upgrading of roads to give B-double access is another example of this budget delivering for our rural community.

There are a number of other initiatives in this budget that I am excited about, but look at what has been delivered at the moment. We have just opened a cancer unit in the Latrobe Valley. It is the largest cancer unit outside of Geelong and Melbourne and is a very proud achievement of the Bracks government that honoured an election promise. The Rawson police station is nearing completion — another exciting development for that community. Under construction is the \$6 million Warragul Health Centre, another election promise being delivered by the Bracks government. Drouin Secondary College is currently in the midst of a \$3.3 million upgrade. That is about the third stage of funding to that school, and it is an outstanding educational facility to support our community in Drouin.

Of course not so long ago we opened the Warragul and District Specialist School. I urge members of the house, if they get the opportunity, to go to Warragul and see what can only be described as an absolutely outstanding facility. It was built on time and on budget by a wonderful local builder whose commitment to the school and the community cannot be appreciated enough.

I also want to comment on the construction that is under way in Traralgon of a new \$8 million mental health facility. As we know, Hobson Park, the previous mental health facility in the Latrobe Valley, was closed by the Kennett government. At the same time it closed the hospitals at Moe and Traralgon. Since then we have had a shortage of mental health beds, and this new \$8 million facility replaces the services that were closed by the Kennett government.

I want to take the opportunity to thank all those working for the Victorian government within the bureaucracy, within the council and within the community who assisted us in these budget initiatives and in providing these magnificent facilities for our community. The Bracks government has delivered for Gippsland, is delivering for Victoria and has certainly delivered for my constituents in the electorate of Narracan.

What a stark contrast that is from the sacking of teachers, the sacking of nurses, the closing of railway lines, the closing of hospitals and the closing of schools under the Liberals and Nationals in government. Let me alert members and the community as to what would happen in November if the Liberals were elected. When Victorians go the polls they have a choice about going back to the dark old days when basic services were cut. The Liberal Party will cut our railway services, dismantle our railway lines and close our station facilities.

The Bracks government has delivered on its commitments. It is rebuilding services in country Victoria. The other day members of the federal government said they wanted to close and privatise some of our facilities. The Liberal Party proposes to privatise health services in Victoria. I called on members of the Liberal Party a few months ago to renounce the federal Liberal Party's proposal to sell off our nursing homes and our hospitals, and of course members of the Liberal Party were silent on that issue. They were silent because they have a plan to close and privatise our facilities once again. They want to sell off our hospitals and our nursing homes.

All Liberal Party members want to do is gain favour with their rich mates. I wish they would tell us what railway lines they are going to close and what rail services they are going to downgrade in order to favour their rich mates, because we are not going to stand for it. The community will not accept this cutting back of services.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Gas: Heywood

Dr NAPTHINE (South-West Coast) — The issue I wish to raise is for the Minister for State and Regional Development. The action I ask of the minister is to take advantage of the building of the Heywood pulp mill and bring reticulated natural gas to homes and businesses in Heywood.

Last week planning approval was given for construction of the proposed \$650 million pulp mill at Heywood. This mill will be processing locally grown blue gum hardwood chips, and an integral component of this pulp

mill development will be the construction on site of a 120 megawatt gas-fired power station. This involves the pulp mill proponents bringing a natural gas pipeline from Branxholme to Heywood, which will bring natural gas from the existing Port Campbell–Adelaide pipeline to the Heywood pulp mill site. This will bring natural gas within a few kilometres of the Heywood township and provide a unique opportunity for the government to extend the pipeline and reticulate natural gas around the township of Heywood.

Heywood is a thriving community. It has a population of about 1500 people which will grow significantly with the 180 permanent jobs to be created at the Heywood pulp mill. Households in the township would dearly love to have access to natural gas, because there are problems with liquefied petroleum gas bottles in terms of the cost, the inconvenience and the disruption to people who use them.

In addition to the households who would be potentially significant users of natural gas if it were reticulated around the township, there is also Heywood Rural Health, which has an acute facility and a very significant and growing aged care facility. There is also Portland Pine Products, which is based on the outskirts of Heywood and processes softwoods, and Bison Engineering and Heywood Stockfeeds, which supplies feed to the live export trade. There are other small businesses which would also benefit from having natural gas.

Therefore I urge the government to take advantage of this special opportunity. We have a business which is prepared to bring natural gas some 35 kilometres from Branxholme to Heywood. Surely this is an opportunity for the government to piggyback on that proposal and take the pipeline that little bit further into the Heywood township and reticulate natural gas to the businesses and households in Heywood.

The government should immediately become involved in consultations with the Heywood pulp mill to ensure the gas pipeline it constructs from Branxholme to Heywood has the capacity to also meet the gas needs of the Heywood township. The government should immediately commit to a program to reticulate natural gas around Heywood to bolster the township, service the homes and create a better business environment for existing businesses. The provision of natural gas would also create a great opportunity to attract new businesses to Heywood.

Energy: efficiency labelling

Mr LIM (Clayton) — The issue I raise is for the attention of the Minister for Environment. Will the minister consider applying a labelling scheme to small appliances so stand-by running costs are clear to purchasers?

It is currently mandatory for certain electrical products offered for sale in Australia to carry an approved energy efficiency label. These items include refrigerators, freezers, washing machines, clothes dryers, dishwashers and airconditioners. Other electrical products are regulated on the basis of minimum energy performance standards. This means they must meet minimum energy efficiency levels. These include refrigerators and freezers, electric storage water heaters, electric motors, ballasts for fluorescent lamps and distribution transformers.

Most of the items on these lists are large consumers of electricity, the sorts of things that everybody knows are expensive to run and consume large amounts of electricity. What are conspicuously absent from those lists are small appliances such as cordless phones, answering machines, burglar alarms, televisions, clocks, radios, CD players, electric toothbrushes, computer switches and routers — those myriad small appliances that sit in the corners of our family rooms, bathrooms and bedrooms consuming small quantities of electricity, day and night.

While it is easy for people to see that large energy-consuming appliances such as clothes dryers use a lot of electricity — indeed, the law requires that the efficiency and annual energy use of such appliances be stated on an energy label — I am not aware of any such law applying to small appliances. Just as a dripping tap wastes water day and night, small appliances such as televisions on stand-by use energy in small amounts 24 hours a day without people being aware of the cost. Looking around anybody's home you can see CD players, DVD players, a fax machine, several televisions, electric toothbrushes, radios, computers, computer printers and cordless phones — a whole heap of small appliances using electricity day and night.

Small appliances such as these consume between 2 watts and 30 watts on stand-by, with an average consumption of about 7 watts. This means that the total for a household is around 200 watts. These small appliances are using about 1750 kilowatt hours annually, at a cost of about \$225, and producing about 2.5 tonnes of carbon dioxide each year.

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

Coal Creek Heritage Village: funding

Mr RYAN (Leader of The Nationals) — I wish to raise an issue for the Minister for Tourism regarding the future of the Coal Creek Heritage Village. No doubt you, Acting Speaker, would be aware that the Coal Creek Heritage Village opened as a park in 1974. It was established to mark the fact of black coal having been discovered in 1872 in the area upon which Korumburra now stands. It was also to mark the importance of the coal mining industry in the development of the area.

The primary interest of the committee which established the park was re-creating an 1890s mining town and the environment around it. Over the years additional buildings have been relocated to and restored on the site, dam walls have been constructed for the two small lakes and 60 000 trees have been planted, which are encompassed within the area of the park. Through a variety of circumstances and for various reasons the Coal Creek Heritage Village is struggling. I call on the Minister for Tourism to get involved. I ask that the minister assist by lending the support of government, in all of its various forms, to ensure the future of the Coal Creek Heritage Village.

On 23 May the South Gippsland shire met and made some courageous decisions. It has effectively assumed control of the village. It will contribute \$200 000 in the budget through to 2007, but it has also transferred the operation of the facility into its 10-year plan, which will effectively mean about \$2 million in assistance over that period. It will be assuming control on 1 July, and it is looking to develop a long-term plan. Many volunteers have contributed to the development of the park over the years and man it to this very day. I might also say that some 1800 people have put their signatures to a petition which is intended to ensure the future of the Coal Creek Heritage Village.

This is a challenge for Korumburra and the region. The fact is the town has seen more than its fair share of such challenges over recent times. This is not only an issue of relevance to the immediate area but a question of state heritage — it is something for Victorians at large. The tourism minister needs to use his good offices to assist the South Gippsland shire and the volunteers who have been running Coal Creek Heritage Village to ensure the maintenance and future of this magnificent facility through a combination of funding, planning and government expertise. We need help.

Mount Erin Secondary College: Somerville campus

Ms BUCHANAN (Hastings) — I direct my adjournment matter to the Minister for Education and Training. The action I seek is for the minister to continue to support the Somerville community through the further development of the Mount Erin Secondary College campus in Somerville. Recently there was an auction of private land near this campus. Claims have been made that, firstly, this land was vital for the future physical education opportunities of students attending this campus. A second claim was that the federal government offered to fully fund the purchase of this land. A third claim was that the Department of Education and Training failed to act in the interests of the Somerville community.

Setting the record straight for the Somerville community in terms of both the massive investment the government has already made in this campus and how it will continue to invest to ensure this campus will be a showcase for both learning and sustainable design across the region is very important. A great and passionate advocate in Somerville, Bruce Buchan, brought the private land issue to my attention early last week. Simultaneously federal Liberal MP Greg Hunt left a message on my office answering machine advising me that he had been contacted by Mr Buchan about this issue and acknowledging that it would be pretty much impossible and inappropriate to purchase this extra land.

With Mr Hunt's sentiments in mind I contacted the minister's office and got a briefing on this private land from officers who had comprehensively evaluated it in terms of its application for the school and who had determined that it was not needed. This campus is already 50 per cent larger in size than the average secondary college campus, being some 9 hectares compared to the average of 6 hectares.

Never letting the facts get in the way of a good story, federal Liberals colluded with local state Liberals to spin a story about their great concern for Somerville and telling the community that funding for the land purchase was pre-approved by the federal Minister for Education, Science and Training, Julie Bishop. The South Eastern Province MP in the other place, Ron Bowden, is on record as saying the federal government offered to buy the land at no cost and with no ties for the Victorian government. Close reading of a letter from Ms Bishop tells a very different and conditional story. In the letter Ms Bishop says the federal government would be pleased to approve an application for capital funding from within the existing 2006 capital

grants program funding allocation for Victoria if the Victorian minister was to recommend such a project and it met the program guidelines.

The Minister for Education and Training responded by saying that given the need to manage resources within the existing budget, the acquisition of this land could only be achieved by diverting funds from other proposed capital projects in the area which have been identified as being of both high merit and high priority. Should Ms Bishop have wanted to press for such a project the Minister for Education and Training asked that she nominate which project or projects should be cut, deferred or cancelled to fund the acquisition. It is interesting that we have not yet had a reply from the federal Minister for Education, Science and Training in relation to that request.

This campus had an open day recently and many of the parents of future students I met and spoke with could not find any fault with the new campus or its excellent facilities, nor the calibre or commitment of the teachers and support staff based there. They were so glad to have this educational facility available to local families after years of broken promises, during the time of the Kennett government, to construct such a campus on land allocated by the Cain and Kirner governments.

Scoresby Secondary College: bus services

Mr WELLS (Scoresby) — I raise a matter of grave concern for the attention of the Minister for Transport. I raise on behalf of the parents of Scoresby Secondary College the issue of the bus service from Mountain Gate to the school. The action I request is for the minister to make funds available to ensure an extra bus is put on this route.

Cherie Wilson and Heather Willoughby are two parents lobbying very hard for this extra bus because the current bus service is overcrowded and dangerous. The parents and I have met with Ventura, the bus company involved, which has acted professionally. The company has a very good reputation in the outer east for being a class A organisation. We understand the Ventura bus service is stretched to the limit when it comes to pick-up and drop-off times for the school in the afternoon. The fact remains that extra funding is needed from the Minister for Transport so Ventura can put on an extra bus, and that is needed as a matter of priority.

A survey by Scoresby Secondary College showed that due to overcrowding, 116 students at the school are not using the bus service and 148 students have been left behind in recent times. The demographics indicate that

of the 760 students at the school, 253 live in the Ferntree Gully area.

The solution the parents are looking for is to have one bus start off in the Hancock Drive, Mountain Gate area while a second bus starts at Windermere Drive on the Kent Park estate. They believe that two separate buses would work effectively. Recently there was a problem with the existing bus service regarding the time it was arriving at school. It was getting to the starting point too late and because of the number of students to be picked up on the way through, it was getting to the school too late so that 50 or 60 students were forced to go to the principal's office in the reception area to get late notices — all because the bus was not arriving on time. The parents and I spoke to Ventura about that issue, and they were good enough to rework their existing bus services to deal with that problem. The bus is now arriving on time, which is creating another problem because so many students want to catch it.

I call on the minister to address this important issue. It is an excellent school and has a high demand from students who want to attend it. The parents work very hard and are very concerned about this issue. We want a speedy resolution to the funding requirement so Ventura can put on another bus. Then students will be able to arrive at school safely.

Powercor: Norlane light pole

Mr TREZISE (Geelong) — I raise an issue for action by the Minister for Energy Industries in the other place. It relates to an incident that inexplicably occurred on the Melbourne Road in Norlane, Geelong, on Saturday afternoon when a large light pole collapsed, landing on a small car and injuring an 11-year-old female passenger. I ask the minister to ensure Powercor Australia undertakes a thorough investigation of the incident.

For the information of the house, on Saturday at 1.20 p.m. a small sedan driven by a mother, with one daughter in the passenger seat and another in the car's back seat, was stationary at the traffic lights outside the Norlane Hotel, which I am sure the member for Polwarth would know well. Without any warning or obvious reason the large light pole collapsed, landing on the car and, as I said, inflicting minor injury on the front passenger and reasonable damage to the roof of the car. The three occupants were shocked, as too were onlookers.

In raising this issue and seeking to ensure an investigation takes place I appreciate that this incident was probably a freak occurrence that will not occur in

the future. It would appear that the pole that collapsed had not been hit by a car in the past and had just fallen over. However, it is vital that an extensive investigation takes place to try to ascertain exactly what did happen, and why it happened.

There are literally thousands of those light poles on roadways throughout the state, and it is obviously important to ensure such an accident does not occur again. It seems incredible that such a large and supposedly solid structure could just collapse. I am sure Powercor will seek to ascertain whether the pole had been previously damaged or there was any structural weakness in it or whether the metal base that it was affixed to had somehow come adrift.

As I said, this may be a one-off freakish accident. However, it is important to investigate the matter and to ascertain, if possible, exactly why the pole collapsed. I therefore urge the minister to ensure that Powercor takes the right steps in conducting a thorough investigation.

Roads: East Gippsland

Mr INGRAM (Gippsland East) — The matter I raise is for the attention of the Treasurer. It relates to East Gippsland Shire Council's application for disaster relief funding after the 2002–03 bushfires.

The issue relates particularly to the Alpine Ash salvage operations which occurred after the bushfires and which caused incredible damage to the roads used for timber cartage. Those roads in areas to the north around Omeo are managed by the shire. The impact has occurred because of the nature of Alpine Ash harvesting after the fires. The harvesting of the resource has been brought forward many years, and there has been a vast increase in the usage of heavy vehicles on those roads, which has meant the East Gippsland Shire Council — I understand it is very similar in Towong and Alpine shires — has incurred incredible costs. The road maintenance costs brought forward by the East Gippsland Shire Council are of the order of \$600 000.

The action I seek is for the minister to review the application by the East Gippsland Shire Council — I understand Towong has made a similar application — and to make sure that the ratepayers of these councils are not left out of pocket because of the harvesting of the Alpine Ash which damaged the roads. The residents living in the area now have to use quite degraded roads and the shire has had to shift its road operations to other areas, which would not normally be in its budget or road maintenance planning.

The East Gippsland Shire Council has requested that a delegation be received by the Treasurer. I understand the shires in the north-east would also like to be involved, to ensure that natural disaster relief funding is taken seriously by the government, so the councils are not left out of pocket by the 2003 alpine fires and the vast increase in Alpine Ash salvage operations. In my view the shire's ratepayers should not bear the increased road maintenance costs that have resulted on most roads in the area.

Nylex clock: Mentone

Ms MUNT (Mordialloc) — The matter I raise this evening is for the attention of the Minister for Manufacturing and Export. The matter concerns what is known as the Nylex clock on Nepean Highway, Mentone. It is at the Nylex manufacturing plant, which has recently closed prior to relocation, although I think a work force is still employed there.

Ever since I can remember, the clock has been a local landmark. Rain, hail or shine, it has told us the time and the temperature. Generations have looked up on their way to work or home again to see whether they were on time, too hot or too cold. They have looked up, seen it was 4 degrees, and turned the heater up or looked forward to the fire at home. Or they have looked up, seen it was 41 degrees and looked forward to a nice, cold beer from the fridge when they got home — and how about a barbie? Or they have looked up and thought, 'Oh no, it is that time already. I will be late for school' — or work, home, the cricket, the footy or their appointment at the doctors. But now the sign has been turned off.

I could not believe my eyes when I swung out of Station Street, looked to see how cold and late I was, and nothing was there. Our community has noticed, and I have noticed, that our landmark is silent, dark and sad. When will it be turned back on? Will it be turned back on? We really need to know. Can the minister ask Nylex on our behalf. If the sign is to go it will be a sad day for all of us. I hope it is simply under renovation, having a bit of a rest after many years serving the community, but I want it back on.

Rail: rural and regional crossings

Mr MULDER (Polwarth) — The matter I raise is for the Minister for Transport and the action I seek from the minister is as a result of the media release the minister issued on Thursday, 29 September 2005, regarding level crossing upgrades at 11 locations across the state. It has been nearly nine months since the press release went out from the minister's office. I ask the

minister to immediately notify the communities listed in the media release of the time frame for the upgrade of the level crossings in those areas. The communities identified need to know when the work on their dangerous level crossings is going to take place.

In the media release the minister claimed:

More level and pedestrian crossings will be upgraded across Victoria after tenders were called by VicTrack for the installation of boom barriers, flashing lights and pedestrian gates.

In the press release the minister refers to the following level crossings: Lake Road and Ararat-Stawell Road, Stawell; Lismore-Skipton Road, Lismore; Mahers Road, Doroq; Three Chain Road, Bowser; Witt Street, Benalla; Indigo Creek Road, Barnawartha; Delloro Road and Burrows Street, Wangaratta; Prospect Hill Road, Riversdale; and Mornington-Tyabb Road, Tyabb.

The minister claimed in the press release that these level crossings would be upgraded after tenders were called by VicTrack for the installation of boom barriers, flashing lights and pedestrian gates. This year's budget papers refer to the fact that the Bracks government promised to upgrade 38 level crossings across the state but in fact carried out only 20 upgrades, leaving 18 dangerous level crossings without upgrades. The minister's target for next year is 30 level crossing upgrades, but once the backlog of the 18 missed from last year is taken into account, the minister is targeting only 12 new level crossings for upgrade.

This rollout of Labor's level crossing upgrades has all the hallmarks of the way Labor does business in country Victoria. Firstly, the press release with a diatribe of weasel words designed to convince the community that something is actually going to happen is issued; however, no time frame is provided. Secondly, tenders for the work are called after the announcement that the works will be carried out. Thirdly, the announcement is made that there are not enough skilled workers available to carry out the work. The Labor way is to make an announcement, find out what it is going to cost, then dump the project and walk away from its commitment to Victorian communities.

The horrendous accidents at both Lismore and Trawalla occurred at level crossings that do not have flashing guides or boom gate protection. The 11 communities that are awaiting upgrades deserve answers. The whereabouts of next year's 30 level crossing upgrades needs to be made public as well, not via a media release stating that tenders have been called for the upgrades but by a media release stating that tenders have been let

and what the proposed timetables are for the commencement and completion of these vital works.

Planning: coastal development

Ms NEVILLE (Bellarine) — I raise a matter for the Minister for Planning. The action I seek is that the minister ensure that the recommendations in the *Coastal Spaces — Recommendations* report are supported and implemented. As the minister is aware, extensive consultation with communities and local government occurred in the development of the report. Victoria already has a very well-developed coastal policy framework articulated in the Victorian coastal strategy. The coastal spaces initiative is about working with local government to better manage development pressures in coastal towns.

As members would be aware, coastal communities are continuing to experience rapid population growth. Victoria has one of Australia's most beautiful coastlines, and in recent years many Victorians have taken the opportunity to move to coastal towns. This is very much a lifestyle decision. As a result there is ever-increasing pressure on our coastal communities. As demand continues to grow it is essential that we have strong, robust policies in place to ensure that this development is managed appropriately and that we are better able to protect the very essence of these communities.

The Bellarine Peninsula is one such coastal area. It is experiencing one of the fastest population increases in Victoria. One of the crucial issues for many residents of that peninsula is ensuring that we prevent ribbon development along our coastline and protect the green spaces between townships. In the consultation process surrounding the development of the coastal spaces initiative communities raised the need for the government to put in place policies that ensured sustainable development.

I was pleased to be with the Minister for Planning and the Minister for Environment when the *Coastal Spaces — Recommendations* report was released in Ocean Grove in April this year. This policy has been very well received by the local community of Bellarine. They were particularly supportive of the recommendation to reaffirm the government's commitment to direct future development within existing town boundaries or, where they do not exist, within urban zone land.

The community has also overwhelmingly endorsed the view in the report that extensions of settlements should occur only where there is a strategic assessment

consistent with the Victorian coastal strategy, thus ensuring councils undertake strategic work in consultation with the community if boundaries are to be altered. There is a clear message that future development needs to be driven by councils and communities in a strategic way rather than being developer-driven growth.

In a number of local decisions the minister has given the certainty to local councils and communities in relation to town boundaries. In particular, I refer to decisions in relation to Point Lonsdale and Portarlington. In both those cases proposed residential development was outside either the town boundary or the current urban zone land. The minister and the coastal spaces report make it clear this is inappropriate.

The coastal spaces report makes a number of recommendations that will provide a good framework to better manage development pressures. I therefore ask the minister to ensure that the recommendations contained in the report are implemented and enforced.

Responses

Mr BATCHELOR (Minister for Transport) — The member for Scoresby raised with me some issues about public transport, particularly school bus services to Scoresby Secondary College. As the member would know, the school is located just off to one side, on the eastern side, of Stud Road and is serviced by a number of different bus routes that form part of the broader bus network in this part of the eastern suburbs of Melbourne.

As I understand it, bus route 665 travels along Stud Road, which will become part of the yellow SmartBus route. It is a route that currently goes between the Ringwood and Dandenong stations, and when it becomes the SmartBus route it will go down to Frankston. Subsequently, as part of the development of the SmartBus route, it will head its way through the northern suburbs.

Also running along this part of Stud Road are routes 681 and 682, which extend along Stud Road and then loop through Lysterfield and Rowville. Routes 681 and 682 form part of an integrated clockwise and anticlockwise bus route to service — —

An honourable member interjected.

Mr BATCHELOR — I know the bus routes out there well! Routes 681 and 682 form part of a clockwise and anticlockwise service, servicing Lysterfield and Rowville and connecting back to Knox City. There are other bus routes that feed from

Mountain Gate into those Stud Road services and provide an interconnection there. If there are issues of crowding or lateness, we will take those up with the bus companies providing the route services.

I can advise the member for Scoresby and the people in his electorate that we have not forgotten them. We are providing additional funds for SmartBus services and route bus services right across Melbourne as part of our *Meeting Our Transport Challenges — Connecting Victorian Communities*, the government's transport and livability statement, which will provide an additional \$650 million over the next 10 years for local bus services. They are the route 681 and 682-type services that I referred to.

In addition, our transport and livability statement will provide some \$660 million over the next 10 years to provide SmartBus services, which route 665 will eventually be developed into, to provide a well-integrated level of bus services in the eastern suburbs, particularly around the area of the Scoresby Secondary College. These budget allocations will take place over the coming years.

We will talk to the secondary college and the local bus providers, of which there are a number involved, to see how we can meet any shortcomings in the areas of overcrowding and lateness in the school's starting time. It may well be that we will need to approach the school to see whether its starting time meets the needs of the local bus network. There is a need for a balanced and coordinated approach between the bus timetable and the school starting time to provide better certainty for the school and the parents.

I am sure that the school community will be able work with the existing bus services and the timetables to provide a rational and sensible outcome to try to maximise the use of the bus services by the young people attending the secondary college, whether it is the local bus service or the SmartBus service in waiting.

Mr Mulder — But he has not fixed the problem!

Mr BATCHELOR — We will fix the problem because we have provided the general level of funds.

The member for Polwarth raised again some issues in a way that was much more moderate than the immoderate and intemperate way in which he has been raising them in the public domain. He has tried to maximise his political advantage and personal profile by using some of the terrible tragedies that have occurred on our road network.

In particular he raised the example of the accident at the level crossing on the Lismore-Skipton Road. A truck driver lost his life following an accident between his truck and a train at that level crossing. This accident will be investigated by the coroner, the police and the Australian Transport Safety Bureau. My department, through Public Transport Safety Victoria, will also be assisting in the ATSB investigation. That investigation will identify the causes and contributing factors to see whether there are any additional mitigating measures that might need to be taken to try to prevent this sort of accident happening again.

The member correctly identified that in late 2005 the government, through its ongoing program of upgrading level crossings, identified this particular level crossing for an upgrade. That program is still under way. We gave a commitment some time ago, well in advance of this tragic accident, that this particular level crossing is on the program for upgrading, and we have entered into contracts. I understand that, as a result of those contracts, the upgrading works at this particular level crossing are likely to commence in the early part of next year.

I can also say that in our most recent transport statement, *Meeting Our Transport Challenges*, we have provided significant additional funding to upgrade level crossings throughout Victoria, including grade separations at some level crossings. This additional funding will ensure that over 100 crossings will be upgraded over the next 10 years. This will be an increase of some 67 per cent on current levels.

Since coming into office we have systematically accelerated the program that previously existed to upgrade level crossings, and as a result of this most recent transport statement we will continue to do that. This brings the number of upgrades to be completed over the period to some 240. In addition to that, the government is undertaking a comprehensive survey of all level crossings in Victoria using a nationally agreed assessment model, and we will use that as the new assessment technique to assess level crossings across the state of Victoria in line with the modern, agreed national assessment method.

But we are not stopping there. We have also recommenced our public education campaign 'Don't risk it!' which we launched in 2005. This education campaign was designed to alert people to the dangers that exist at level crossings and to encourage safe behaviour. It involves television commercials, newspaper advertisements and radio commercials. We are using whatever means we can to get the message out to people, particularly in country Victoria and

particularly to truck drivers, so they understand the 'Don't risk it!' message that is very explicitly stated as part of this campaign.

This is not an easy problem to solve, because there is no ambiguity as to what the law says and what the requirements are. At a railway level crossing, under the law that has been in place under this government and under the previous government and governments before it — in other words, under the longstanding law here in Victoria and all around Australia — the train — —

Mr Mulder — On a point of order, Acting Speaker, in the question I put to the minister I was not seeking a lecture on the law. What I was asking for related to the 11 level crossings identified in his media release. Will the minister detail when those level crossings are going to be upgraded? Will he advise the communities to whom he put out that press release when the work is going to start and when that work is going to be completed?

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. I remind the honourable member for Polwarth that in the adjournment debate members do not ask questions. The honourable member for Polwarth asked for action, and the minister is responding to the member's call for action. I ask the minister to continue.

Mr BATCHELOR — We say that the law is very clear. There is an obligation on people in cars and in trucks, when they approach a railway level crossing, to first of all abide by the warning signals that are in place — —

An honourable member — There are none there. That is the issue!

Mr BATCHELOR — They must abide by the warning signs, whether they are stop signs, give way signs, flashing lights or boom gates. Whatever warning device is in place at a level crossing should be taken heed of. In addition to that, they must follow the road safety rules. If they follow the rules, which require them to give way to trains at railway level crossings, and if they take notice of the warning signs that are in place, then there should be no accidents such as have occurred in recent times.

However, we know these accidents have occurred — although there have been very few of them, thankfully. In terms of the number of fatalities that occur on our road network, more occur at other locations — for instance, at intersections — or in single, run-off-the-road crashes. Nevertheless, when a fatality occurs at a railway level crossing it is very tragic, and

as we have seen in recent times, the circumstances can be catastrophic.

The member for Polwarth also alluded to the number of level crossings that we have completed in the last financial year and in recent years. I can say to him that the number of level crossings completed in 2005 and 2006 was 76.

Mr Mulder interjected.

Mr BATCHELOR — The member for Polwarth has been trumpeting false information right around country Victoria and indeed here in Parliament. What the member for Polwarth is saying is wrong. It is not true — it is false and it is misleading.

We have a program of upgrading level crossings, which we have increased dramatically — manyfold — since coming into office. If we compare what we have done to what the previous government did, we see that our record is absolutely outstanding. Funding started at \$3 million a year, and before the transport and livability statement the ongoing program provided by VicTrack was funded at \$9 million a year.

In the financial year 2005–06 there was a dramatic increase in the upgrading of level crossings due to that program being accelerated and also due to the regional fast rail project. In the Ballarat corridor 38 level crossings were upgraded; in the Bendigo corridor 27 level crossings were upgraded; and in the Geelong corridor there were 11 upgrades as a result of the regional fast rail project. In the financial year 2006–07 in the Latrobe Valley corridor 20 level crossings will be upgraded as a result of one project alone. We are doing more than any government has done in the history of Victoria to improve physical safety at railway level crossings.

In addition, we are using a national tool — the Australian level crossing assessment model process — to assess all level crossings across Victoria. We have already commenced that program and will continue it until we have physically gone out and assessed the risks at each and every level crossing. As a result of the transport and livability statement and because we acknowledge that there is more work to be done, we have also provided for more money over the next 10 years.

Whilst we have been systematically doing more, by making and delivering on commitments, we have not heard of one level crossing that the Liberal Party is committed to upgrading — not one! There is no railway level crossing across the state of Victoria that the member for Polwarth has promised to upgrade if his

party is elected. That is in stark contrast to this government. We have given commitments, provided the money and stand by our track record on delivering the biggest increase, not only in terms of commitment but in terms of the number of level crossings we have completed.

In stark contrast the Liberal Party has failed Victoria by refusing to give a commitment to any level crossing — none whatsoever. Nothing is what the Liberal Party is going to do in terms of upgrading level crossings in the state of Victoria. People across country Victoria and in metropolitan Melbourne need to understand the hypocrisy that spews out of the mouth of the member for Polwarth. When he raises issues, they need to ask him, 'What will the Liberal Party do? What is the Liberal Party promising? What has it done? What was its record in government compared to Labor's? What is it going to do and when is it going to make any announcements at all?'

Whenever we hear the member Polwarth talking about these and other road issues, we know it is a subterfuge for the Liberal Party doing zero. It stands for nothing. It stands for nobody. It will not stand up for country Victoria. It will not stand up for safety on our rail network. It will not even promise to upgrade one single railway level crossing. The member for Polwarth is sitting in this chamber and hanging his head in shame, because he knows it is true. He knows that as far as railway level crossing safety is concerned, the Liberal Party has done nothing. It has not even got the guts to make a promise or a commitment.

At least we are getting out there and promising more money. We are delivering the biggest upgrade to level crossings in Victoria's history. We are trying to do the very most, and at the same time we are trying to educate the community at large, and truck drivers in particular, as to their legal obligations and responsibilities on the road network. The Liberal Party is doing nothing. The member for Polwarth is leading the charge in doing nothing. He does nothing; he stands for nothing other than that he stands condemned here tonight.

Mr CAMERON (Minister for Agriculture) — The honourable members for Bellarine, Mordialloc, Gippsland East, Geelong, Hastings, Clayton and South-West Coast, and the Leader of The Nationals, raised matters for ministers, and I will refer those matters to them.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.50 p.m.