

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 11 March 2008

(Extract from book 3)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

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¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

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Tuesday, 11 March 2008

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

CONDOLENCES

Keith Robert McCance

The SPEAKER — Order! I would like to advise the house of the death of Keith Robert McCance, member of the Legislative Assembly for the electoral district of Bennettswood from 1979 to 1982. I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — Order! I shall convey the message of sympathy from the house to the relatives of the late Keith Robert McCance.

QUESTIONS WITHOUT NOTICE

The SPEAKER — Order! Before calling questions I advise the house that we are operating on one clock, and it is the one that I cannot see.

Planning: land supply

Mr BAILLIEU (Leader of the Opposition) — I refer to the government's panic land supply announcement for Melbourne, and I ask: will the Premier inform the house how many of the promoted 90 000 lots of land are not already owned or optioned by developers?

Mr BRUMBY (Premier) — The announcement that I made last week with the Minister for Planning was about ensuring that Melbourne can be a very successful and prosperous city, but that Melbourne can also maintain the quality of life and the livability for which it is renowned.

Housing affordability is an issue right across Australia. I am proud of the fact that in Victoria housing is more affordable than in any other state on the eastern seaboard, and the initiatives that I announced last week are intended to keep it that way. The announcement last week was essentially saying that, as of right, the 90 000 unzoned blocks of land within the urban growth boundary will now be zoned as land suitable for residential development as part of precinct structure plans.

I am not sure of the point of the Leader of the Opposition's question, because under existing planning arrangements, over a period of time those unzoned blocks would become zoned blocks, but not enough of them would come onto the market quickly enough to alleviate the supply shortages or the price pressures that we have been feeling. I expect that the majority of those blocks are owned by developers — that is what they do; that is what is called developing. So those blocks will come onto the market with less regulatory cost than has been the case in the past.

This is a good news story. The only person who has been out there attacking our plans for a more prosperous and livable city is the Leader of the Opposition.

Planning: land supply

Mr DONNELLAN (Narre Warren North) — My question is to the Premier. Can the Premier outline to the house any recent initiatives the government is taking to make Victoria the best place to live, work and raise a family for a million more Victorians?

Mr BRUMBY (Premier) — That is a very good follow-up question. The fact of the matter is that when we released Melbourne 2030 some years ago, all of the population projections suggested that Melbourne would have a million extra people by 2030. The fact of the matter is that Melbourne has been growing much more strongly than anybody had anticipated.

The Leader of the Opposition is a bit excited about this, because I am sure he can recall the bad old days in the mid-90s when we were losing 40 000 people a year.

Honourable members interjecting.

Mr BRUMBY — Those were the good old days, back in the 1990s, when schools were closing, hospitals were closing and 40 000 people a year were leaving our state.

The SPEAKER — Order! The Premier should not debate the question.

Mr BRUMBY — I have a quote from the *Sunday Age* of 9 March. It says:

In the 1990s, social commentator Hugh Mackay had Melbourne pegged as a spent force — socially, politically, financially — declaring it would soon slump to third largest city, pipped by Brisbane.

Fast forward 10 years and we have got Bernard Salt suggesting that within 20 years Melbourne will be a larger city than Sydney. The announcements last week

were about how we continue with strong population growth in this state, how we continue to drive productivity improvements, how we continue to grow sustainably and how we continue to put a focus on Melbourne's livability.

The changes last week were to accelerate the release of zoned land onto the market. At the moment a developer goes through up to four or five separate planning approval processes. That takes up to five years, and the additional cost of that adds between \$5000 and \$10 000 per block of land. The reforms last week were about cutting out those processes and bringing zoned land onto the market much more quickly than would otherwise be the case. The best estimates that we have got and the development industry has got are that this will take \$5000 to \$10 000 off the price of a block of land coming onto the market. I would have thought that was a good news story for the state.

What will occur in the future is that there will be the urban growth zones. The Growth Areas Authority, working in partnership with the councils in those areas, will prepare precinct structure plans. Those plans will show where the housing is going, where the industrial development is going, where the commercial zones are going, where the schools are going, where the public transport is going, where the preschools are going — in other words, how the whole community is built and constructed together. This is about building the best possible suburbs anywhere in Australia. It is not about the bad old days, when they were leaving in droves; it is about catering for 1 million extra people by 2020.

Can I just say too on the issue that the combination of increased birth rates plus the levelling of net interstate migration so that we are not losing 40 000 people a year, plus increased national migration, plus our increased share of that — as one example, with skilled migration we used to be at 17.5 per cent and now we are at 27 per cent — all of this means that our population is growing more rapidly than ever before. Melbourne is adding more people than any other capital city in Australia. With an ageing population this is a good thing because it will increase the labour force participation rate over time.

Those initiatives were released last week. As I have said, they have been very, very well received. I have indicated that over the next few months there will be a number of further statements by the government on new actions that we are taking in regional Victoria, new actions we are taking to tackle transport congestion and new actions we are taking on preventive health, climate change, innovation jobs and skills, farming and social inclusion. These plans have been in place built around

1 million extra people by 2030. We are now growing far more rapidly than people had envisaged. We are now the most successful of the eastern seaboard states. This means we need to accelerate and refine the plans we have got for Melbourne and Victoria's growth so that we can maintain not just our prosperity but also our livability and sustainability.

Planning: land supply

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to the government's panic land supply announcement for Melbourne, and I ask: given that the Premier has promised residential land prices will fall by up to \$10 000 per lot in certain parts of Melbourne, what commitments will the Premier make to similarly lowering the cost of residential lots in Geelong, Bendigo, Ballarat, Maryborough, Ararat, Gisborne, the Latrobe Valley and those many other communities of Victoria beyond Melbourne and the urban growth corridors?

Mr BRUMBY (Premier) — Again, this is a question from the Leader of The Nationals who opposes our plans to bring more land onto the market and to improve housing affordability, livability and sustainability across Melbourne and Victoria more generally. It is a remarkable thing that the Leader of The Nationals, who is almost single-handedly supporting — —

Mr Ryan — On a point of order, Speaker, the Premier is debating the issue. I ask you to have him answer the question that I asked him.

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

Mr BRUMBY — This is a plan for growth, which is also about livability and sustainability. The Leader of The Nationals has raised this question, and I go back to the 1990s when schools — —

Honourable members interjecting.

Mr BRUMBY — You don't like it!

Honourable members interjecting.

The SPEAKER — Order! I ask the Premier not to debate the question.

Mr BRUMBY — There was a different sort of challenge a decade ago. The challenge was that people were leaving the state of Victoria in droves. Hospitals were being closed, schools were being closed, country rail lines were being closed — —

Honourable members interjecting.

The SPEAKER — Order! The Premier is debating the question, and I ask him not to.

Mr BRUMBY — Fast forward to 2007–08: we are putting in place the plans for growth in Melbourne and in our regions, including putting in place things like the Ballarat super-pipe, which is opposed by The Nationals. The plans we are putting in place are the right plans for growth.

As I indicated in a speech last week, I will be announcing further initiatives in relation to regional Victoria which will build on the great record we have to date of supporting regional Victoria. As I have said, all of the big initiatives — the relocation of government departments, the State Revenue Office, the Rural Finance Corporation, the Transport Accident Commission — as well as the huge investment in the Wimmera–Mallee pipeline and the Regional Infrastructure Development Fund are Labor initiatives —

Mr Ryan — On a point of order, Speaker, the Premier is debating the issue. I asked a question about residential allotments in rural and regional Victoria. I ask you to have him answer that question.

The SPEAKER — Order! I am not prepared to uphold the point of order of the Leader of The Nationals at this point in time.

Mr BRUMBY — The fast rail project which was much criticised by The Nationals has now extraordinary patronage and is in demand by the people of country Victoria. We have the runs on the board. We have put in place all of the big initiatives which have been about building confidence, and as I said in the speech last week, there will be further announcements this year which will build and consolidate list of initiatives we have put into place to date.

Schools: outer suburbs

Mr PERERA (Cranbourne) — My question is to the Minister for Education. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister detail to the house how the Brumby government is delivering improved education services for communities in Melbourne's growing suburbs?

Ms PIKE (Minister for Education) — I thank the member for Cranbourne for his question. With Melbourne's population due to grow by a million people by 2020, the Brumby government is committed

to addressing the needs of that increasing population, and that means recognising the needs of our outer metropolitan communities, particularly our growing suburbs.

At the last election the government committed to building 20 new schools in growth areas so that families moving out into the new suburbs would have local schools where they were needed most. We are in fact delivering on this commitment, and this year we have opened three new schools and one new campus — Pakenham Springs Primary School, Point Cook Senior Secondary College, Epping Views Primary School and the new Tarneit campus at Baden Powell P–9 College.

I was fortunate to visit Pakenham Springs Primary School on the first day back at school, view the marvellous facilities there firsthand and see the huge difference that this commitment is making in the lives of our young people and in the way that we are able to facilitate their learning. Pakenham Springs Primary School is a great school, and it also provides an example of what the government is trying to achieve with our new Department of Education and Early Childhood Development in working to give our children the best possible education and the best possible start in life. This school has a great partnership with the Cardinia Shire Council, and a kindergarten, maternal health care centre and occasional child care are also incorporated into this school.

It is the linking of those services for children and their families that really will give our kids the very best start in life. It will also help us to identify any additional support services they might need and then provide those services throughout their time in the education system.

I am also pleased to advise the house that this Friday I will be turning the sod for another new school, this time Craigieburn North P–12, which is a further demonstration that the government is fact building new schools, — not closing them — and planning for the growth that we anticipate in our outer metropolitan areas.

I have announced with the Premier 11 new schools — further additional schools — that are to be built in the growth areas of Melbourne through public-private partnerships. Our school building program is demonstrating that the community can have confidence that the Brumby Labor government is planning for the future and that it is delivering improved and innovative education services for our growing suburbs. This huge anticipated population growth requires a strong government that is looking ahead and planning for the

needs of our community. We certainly have a strong record in extra infrastructure in education, and that will of course continue in the future. We have the plans, we have the expertise and we have the commitment to deliver for our growing communities.

Planning: land supply

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I draw the Premier's attention to VicUrban Futures 2, a report on the Victorian government's landholding in outer suburban growth corridors, which states:

VicUrban is ... Victoria's largest land developer, with a current share of some 16 per cent of the residential market in new areas.

I ask: is it not a fact that at places such as Aurora the government has failed for over eight years to release its own land, adding to the acute supply shortage for Victorian homebuyers?

Mr BRUMBY (Premier) — I think the Leader of the Opposition still does not understand the equation in the outer suburbs, which is that land is released based on population forecasts. The fact is that over recent years Melbourne's population has been growing at well in excess of what was forecast for a number of reasons, as I said before: firstly, the fertility rate is up — more women are having children; secondly, migration is up and we are getting a bigger share of migration than we did five years ago; and thirdly, Victoria is no longer losing 40 000 people a year to other states, as was the case when the Leader of the Opposition was the state president of the Liberal Party.

We have been successful in building to cater for Melbourne's growth and Victoria's growth. Last year in Victoria we generated more jobs than were generated in any other state in Australia. Despite the fact that we are not a resource state, we had more building approvals than any other state had, we had a higher school completion rate than any other state had, we trained more apprentices than any other state did and we received more skilled migrants than was previously the case — 27.5 per cent to 17.5 per cent.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. If this is his answer to the question, we are all at sea.

The SPEAKER — Order! I uphold the point of order. The Premier was debating the question.

Mr BRUMBY — Of course the proof of the appropriateness of the government's policies is land and home packages coming onto the market in

Melbourne have been more affordable and are more affordable than those in any capital city on the eastern seaboard. The Leader of the Opposition mentioned VicUrban. VicUrban has released thousands of lots. VicUrban has been out there at Lynbrook and right throughout the suburbs with thousands of lots.

The Leader of the Opposition still does not understand the change that was announced last week. Under the existing planning requirements four or five different planning approvals are necessary, and what is being put in place — —

Honourable members interjecting.

Mr BRUMBY — What I announced last week are new arrangements which will accelerate the rate at which zoned land comes onto the market. This will be good in terms of affordability, it will be good in terms of livability and it will be good in terms of sustainability. I repeat that the only person who is out there opposing what are sensible plans for the growth of our city and our state is the Leader of the Opposition.

Public transport: government initiatives

Mr CARLI (Brunswick) — My question is to the Minister for Public Transport. I refer to the government's commitment to making Victoria the best place to live, work and raise a family, and I ask: will the minister outline the government's recent public transport initiatives that will deliver on the government's commitment?

Ms KOSKY (Minister for Public Transport) — I thank the member for Brunswick for his question and for his ongoing interest in public transport. There have been many recent initiatives in relation to public transport which the Brumby government is investing in. We have seen population growth going gangbusters and patronage growth on public transport increasing as a result of that and also as a result of the strong economic growth. One of the most recent strategies, which the Premier and I announced last week, is the trial of the Early Bird initiative, which has been fantastic. It is just one part of the plan that we as a government have — —

Honourable members interjecting.

The SPEAKER — Order! The Premier! The member for Polwarth! If the Premier and the member for Polwarth would like to have a discussion, I ask that they please leave the chamber. And I ask for some cooperation from the members for Hastings and Kilsyth.

Ms KOSKY — I think it is worth mentioning that growth in patronage on public transport is up on trains, up on trams and up on buses, which is unlike the situation in any other jurisdiction around Australia. We have seen significant growth, which is a result of not only population growth but also the expansion of public transport that the Brumby government is putting in place around Victoria. We are really pleased that there has been such an increase in public transport patronage. The Early Bird initiative is just one part of a whole suite of different responses to the increase in public transport patronage. As I have said, it is one aspect of a broad strategy.

What will Early Bird deliver? It is estimated that it will shift at least 2400 commuters from the post-7.00 a.m. peak services. This is the equivalent of providing three additional six-carriage trains in the peak period. It is a terrific initiative that has been taken up by many commuters during the trial, and we expect to see that expand. Commuters can save up to 50 per cent of their fares using Early Bird, and for someone who uses a zone 1–2 ticket, that is a saving of over \$1200 a year — that is, \$1200 in their pocket to spend on other things they need for their family.

Early Bird is not the only strategy that we are putting in place. We are also putting in place a whole range of other strategies for the important peak period — for instance, the 401 bus from North Melbourne to the university precinct. This means that commuters who travel on the Sydenham, Werribee, Craigieburn and Upfield lines and are heading to the university, the Royal Women's Hospital or the Royal Melbourne Hospital will be able to hop off at North Melbourne and use the 401 bus service, which runs every 3 minutes during peak times. Previously some passengers have had to backtrack to these locations and take the tram up Swanston Street, so the service not only caters for those commuters but also relieves some of the pressure on the train from North Melbourne to the city. I will have more to say on this when we get the early results on the number of commuters who are using the bus service. It saves commuters time and also frees up space, and I understand it has been very successful to date.

Also part of the plan are additional buses. Since September 2006 we have put in place 66 bus routes to improve existing services. That means 4600 additional services across Melbourne every week. The people who are using those services are incredibly happy, which is one of the reasons bus patronage is up at around 7 per cent. Buses are a very important part of connecting our communities. To give an example, route 836, which connects the Chase estate in the outer south-east to rail

services and the Casey Hospital, has had 212 new services every week. That is just part of the plan.

We also have improved rolling stock. Speaker, as you would know, we are leasing five new trams from France. We have ordered 18 six-car train sets for Melbourne and also 22 additional V/Locity carriages for V/Line. This is fantastic news for our mass transport system, which includes buses, trains and trams. It is all part of the plan we have for public transport in Victoria to make sure that Victoria remains the best place to live, work and transport a family.

Planning: land development levy

Mr WELLS (Scoresby) — My question without notice is to the Premier. I refer to the government's panic land supply announcement for Melbourne and the revelation last week of a windfall stamp duty gain of over \$600 million, and I ask: will the Premier now abandon Labor's development levy, which the Premier personally introduced in 2006, which will gouge a further \$500 million from struggling homebuyers?

Mr BRUMBY (Premier) — The infrastructure levy was announced in 2006 by, if my memory is correct, the then Premier and the then Minister for Planning. If the honourable member cares to look at the forward estimates, he will see that the revenue estimate he has just suggested is not quite accurate in the short term. As I indicated publicly last week, the infrastructure recovery charge has not been implemented. It was announced nearly two years ago. I have confirmed publicly that the charge is under review and that the intention of the government is to examine the full range of charges which are levied on developers. The intention of the review is to reduce both the number of charges and the quantum of the total charge so that we can further improve housing affordability in our state and at the same time put in place a clear and certain regime going forward.

Housing: affordability

Mr STENSHOLT (Burwood) — My question is to the Minister for Housing. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on the initiatives the government is implementing to ensure housing remains affordable for people on low and moderate incomes?

Mr WYNNE (Minister for Housing) — From today's question time it would be clear to anybody in the house which side of politics has an interest in housing affordability.

Honourable members interjecting.

The SPEAKER — Order! The minister, without debate.

Mr WYNNE — The announcement by the Premier last Tuesday was probably one of the most important announcements made by this government in terms of providing real outcomes for people in the growth corridors through the acceleration of the development of 90 000 blocks of land. If the Leader of the Opposition and the opposition more generally cannot understand that housing affordability will improve for first home buyers in the growth corridor, then I do not think they understand how the market works.

On Friday housing ministers will be meeting in Melbourne to further progress what is probably one of the most significant policy announcements by the federal government — that is, the proposition that over the next four years, 50 000 units of private rental accommodation will come onto the market at 20 per cent below market value. We expect that Victoria will get somewhere between 12 000 and 15 000 of those units over the next four years. Indeed the Rudd government has already indicated that if this program proves to be as successful as we all hope it will be, it is prepared to commit to a further 50 000 units of private rental accommodation. That will make a real difference to people who at the moment of course are struggling in the private rental market. As members know, and as I have spoken about before, this is the tightest private rental market that we have had in probably a generation, with vacancy rates at just over 1 per cent.

But further to that, I was with the member for Burwood last week when we made a very significant announcement of a development in the Ashwood-Chadstone area — that is, the development of an \$80 million project on six government-owned sites to increase the supply of social housing in that area. We have six government sites with some run-down public housing stock on it and we propose to redevelop that site into 200 units of both social and private housing — an \$80 million development which is going to be an incredible and significant result for the people living in that area, which is close to public transport, close to education and close to training opportunities. This is what this government is on about.

Can I remind the house — and indeed I ought to remind the leader of The Nationals — of the commitment of this government to rural and regional Victoria. In his question to the Premier he asked what we are doing about housing affordability in rural and regional areas. Can I remind the leader of The Nationals of our

commitments: in Ballarat, \$12.5 million for 50 new units of housing; in Bendigo, \$7.5 million for 30 units over the next 12 months; and in Corio-Norlane, \$40 million for 200 new homes and 100 upgrades. We will be doing more in Gippsland, Shepparton and right across Victoria, because it is only this side of the house that is interested in housing affordability for first home buyers, private renters and indeed for public and social housing tenants.

Office of Police Integrity: role

Mr McINTOSH (Kew) — My question is to the Premier. Given the overwhelming community support for an independent broad-based anticorruption commission, I ask: does providing the Office of Police Integrity with the power to carry firearms enable it to investigate corruption by public officials including ministers and MPs?

Mr BRUMBY (Premier) — I think the key point in relation to the Office of Police Integrity (OPI) is this: at the last state election in November 2006 both major political parties supported the Office of Police Integrity. That was their policy. It was the policy of the Labor Party and it was the policy of the Liberal Party. The announcement today by the Minister for Police and Emergency Services gives effect to the commitments we made about strengthening and further improving the resourcing of the Office of Police Integrity. I believe those changes are sensible changes. They provide for oversight by the special investigations monitor, they provide for court access to documents, they make clear that there is no immunity from prosecution, and they provide increased powers so that the OPI can get on with the job of tackling corruption and integrity issues in the police force.

That legislation has been introduced and will be debated in this house, as I indicated last time the house sat. The bill will come up. The bill will be introduced. It will be debated in this house and in the upper house, so the fate of this legislation obviously rests with the parties in this Parliament. But I make the point that at the last election both sides of politics believed that the best way to tackle integrity and corruption issues in Victoria Police was by a properly resourced Office of Police Integrity, and that is exactly what this legislation does.

Police and emergency services: government initiatives

Mr NOONAN (Williamstown) — My question is to the Minister for Police and Emergency Services. I refer to the government's commitment to make Victoria the

best place to live, work and raise a family, and I ask: can the minister advise the house how the Brumby government is assisting Victoria's police tackle crime, and emergency service agencies with their vital work?

Mr CAMERON (Minister for Police and Emergency Services) — I thank the honourable member for Williamstown for his question and his enormous support of emergency services agencies and police not only in his electorate but across this entire great state.

As the population has changed, Victoria Police and emergency services have responded. As the population continues to change, part of that of course being from the additional land sales which have been announced, ultimately those changes will have to continue.

Mr Baillieu interjected.

Mr CAMERON — The Leader of the Opposition sounds more like a real estate agent auctioneer than the leader of a political party.

Honourable members interjecting.

The SPEAKER — Order! I suggest to the minister that he ignore interjections, which of course are disorderly, and I ask for some cooperation from the Deputy Leader of the Opposition that she cease interjecting.

Mr CAMERON — Certainly I can say that an increase of 1400 police during the term of the Labor government has been greatly appreciated. When you have a bid to reduce police numbers by 800, that is going to be a failed auction!

Honourable members interjecting.

Mr CAMERON — During this term the number of police will continue to be increased so that there will be 1750 more. Certainly since 2000–01, since Christine Nixon was appointed chief commissioner — and she has been a great chief commissioner — she and all of her people out on the beat have done a fantastic job to reduce crime by 23.5 per cent. The fight against crime will always be ongoing. That is why the government has committed to an additional 50 forensic and specialist investigators, and why at the last election we committed to an additional 100 police cars.

We know that when it comes to emergency services only one side of the house is committed to them — whether it be the MFB (Metropolitan Fire Brigade), the CFA (Country Fire Authority) or the SES (State Emergency Service). We have had a combined

doubling of their budgets. There has been an increase in the CFA's budget of 130 per cent, with an extra 520 firefighting appliances, an increase in CFA firefighters — —

Mr McIntosh — On a point of order, Speaker, on relevance the question related to corruption in police and the Office of Police Integrity and had nothing to do with the CFA.

Honourable members interjecting.

The SPEAKER — Order! There is no point of order. The question was clearly asking about emergency services and police.

Mr CAMERON — It is a case of saying, 'Earth to the honourable member for Kew: we have lost contact!'. If somebody needs to be found, we always have the SES there, and they do a fantastic job — likewise the MFB in the metropolitan area.

If we look at the outer suburban areas, changes have been made there and they will continue. In Melton there has been a 22 per cent increase in police numbers, a 30 per cent reduction in the crime rate, a new station has been built at Caroline Springs, and there are a new heavy tanker, a new medium tanker and a new field operations vehicle for the Melton CFA.

An honourable member interjected.

Mr CAMERON — I was talking about Melton! Also, we have new fire stations in Melton, Melton South, Hillside and Caroline Springs. In Wyndham there has been a 65 per cent increase in police numbers. There is also a new fire station at Manor Lakes and a refurbishment at the Hoppers Crossing station, as well as a new heavy tanker and a new fire station at Point Cook.

In Cardinia there has been a 127 per cent increase in police numbers, a new police station at Bunyip, a combined emergency services facility at Pakenham, and 11 new firefighting appliances in the area. In Casey there has been an 86 per cent increase in police numbers, an 11 per cent reduction in the crime rate, a new Cranbourne police station, a new Endeavour Hills police station and nine new firefighting appliances across the area.

I will mention just one other example, and that is Mitchell. There has been a 45 per cent increase in police, and there are new police stations in Broadford, Kilmore, Seymour and Wallan, as well as eight new firefighting appliances in the area and the promise of a new fire station for Wallan. Across our great state we

have the police, the MFB, the SES and the CFA all doing a fantastic job and adapting to changes in population. They will continue to adapt for the future to make sure this great state of ours remains the best place to live, work and raise a family.

The SPEAKER — Order! The time for questions has expired. Before members leave the chamber can I take a couple of moments to explain the problems with the clocks, which will not be able to be fixed until dinner time. This will help people in the debates later in the day. The clock behind the Speaker's chair is slower than the one at the front of the chamber. We will use the time on the clock at the front of the chamber as the correct time.

Mr Hulls — What time's dinner time?

The SPEAKER — Order! I thank the Deputy Premier for his assistance. The digital display is not showing on the timer at the front of the chamber. Members will have to refer to the digital display behind the Speaker's chair for debating times. I do not think either of them would be on at the moment.

JUSTICE LEGISLATION AMENDMENT (SEX OFFENCES PROCEDURE) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Crimes Act 1958, the Crimes (Criminal Trials) Act 1999, the Evidence Act 1958, the Magistrates' Court Act 1989, the Sentencing Act 1991 and the Sex Offenders Registration Act 2004 and for other purposes.

Mr CLARK (Box Hill) — I ask the Attorney-General to provide a brief explanation of the bill.

Mr HULLS (Attorney-General) — This legislation is about providing a far more effective and efficient timetabling process for the holding of special hearings, which, as the member would know, are pre-recorded hearings of evidence by children and by witnesses who are cognitively impaired. It will improve the experience of vulnerable witnesses in these processes. It will also improve the experience of complainants in these matters whilst maintaining fairness for defendants. It will mean that the judge taking the special hearing will also be the judge who is involved in the trial. That will add some consistency as well, again improving the experience, particularly for child witnesses and witnesses who are cognitively impaired.

Motion agreed to.

Read first time.

EDUCATION AND TRAINING REFORM AMENDMENT BILL

Introduction and first reading

Ms PIKE (Minister for Education) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006 and for other purposes.

Mr DIXON (Nepean) — I ask the minister for a brief outline of the bill.

Ms PIKE (Minister for Education) — This bill modifies the functions of the Victorian Curriculum and Assessment Authority to develop policies, criteria and standards as they relate to early childhood, learning and development, following the establishment of the new Department of Education and Early Childhood Development. It also makes provision for the allocation of the Victorian student number, which will be provided to all students from year prep through to age 24. That number will of course be registered with the Victorian Registration and Qualifications Authority.

Motion agreed to.

Read first time.

ENVIRONMENT PROTECTION AMENDMENT (LANDFILL LEVIES) BILL

Introduction and first reading

Mr BATCHELOR (Minister for Energy and Resources) introduced a bill for an act to amend the Environment Protection Act 1970 to increase certain prescribed industrial waste landfill levies and for other purposes.

Read first time.

POLICE INTEGRITY BILL

Introduction and first reading

Mr CAMERON (Minister for Police and Emergency Services) introduced a bill for an act to re-establish the Office of Police Integrity, to set out the functions of the office and of the director, police

integrity, to amend the Police Regulation Act 1958 and other acts and for other purposes.

Read first time.

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 106 to 130 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

NOTICES OF MOTION

Notices of motion given.

Ms GREEN having given notice of motion:

The SPEAKER — Order! I suggest to the member for Yan Yean that that notice of motion is more appropriate as a members statement.

Further notices of motion given.

PETITION

Following petition presented to house:

Water: catchment logging

To the Legislative Assembly of Victoria:

We the undersigned draw to the attention of the Parliament of Victoria that logging of high conservation forest is occurring at the Armstrong Creek catchment.

We the people are outraged that at a time when Victoria is experiencing its most severe drought, logging of this catchment is reducing our water supply.

We are equally concerned at the fact that logging of this catchment is destroying the habitat of Victoria's endangered faunal species, the Leadbeater's possum.

We therefore call on the Victorian government to immediately cease logging of the Armstrong, Thomson, Cement, McMahons and Starvation catchments.

By Ms LOBATO (Gembrook) (579 signatures)

Tabled.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE.

Alert Digest No. 3

Mr CARLI (Brunswick) presented *Alert Digest No. 3* of 2008 on:

Animals Legislation Amendment (Animal Care) Bill

Courts Legislation Amendment (Associate Judges) Bill

Drugs, Poisons and Controlled Substances Amendment Bill

Relationships Bill

Working with Children Amendment Bill

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2007

Financial Management Act 1994 — Report from the Minister for Environment and Climate Change that he had received the 2006–07 report of the Lake Mountain Alpine Resort Management Board

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2007

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2007

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2007

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

Casey — C95

Frankston — C47

Greater Bendigo — C96

Greater Dandenong — C89

Greater Geelong — C78, C134

Indigo — C41

Knox — C69

Manningham — C68

Mornington Peninsula — C97

Whitehorse — C79

Yarra Ranges — C68

Statutory Rules under the following Acts:

Adoption Act 1984 — SR 10

Children, Youth and Families Act 2005 — SR 11

Crimes Act 1958 — SR 12

Interpretation of Legislation Act 1984 — SR 12

Sentencing Act 1991 — SR 12

Supreme Court Act 1986 — SR 12

Subordinate Legislation Act 1994:

Minister's exception certificates in relation to Statutory Rules 11, 12

Minister's exemption certificate in relation to Statutory Rule 7.

The following proclamation fixing operative dates was tabled by the Clerk in accordance with an order of the House dated 19 December 2006:

Transport Legislation Amendment Act 2007 — Section 65 — 15 March 2008, ss 10, 12 and 21 — 31 March 2008 and ss 54(3) and 57 — 1 July 2008 (*Gazette G9, 28 February 2008*).

PARLIAMENTARY PAPERS

Ordered that following documents tabled on 31 October 2007 be printed:

Legal Services Commissioner Report 2006–07

Victorian Equal Opportunity and Human Rights Commission Report 2006–07.

FREEDOM OF INFORMATION AMENDMENT BILL

Council's rejection

Message from Council read rejecting bill.

ROYAL ASSENT

Message read advising royal assent on 4 March to:

**Children's Services and Education Legislation Amendment (Anaphylaxis Management) Bill
Motor Car Traders Amendment Bill.**

APPROPRIATION MESSAGE

Message read recommending appropriation for Courts Legislation Amendment (Associate Judges) Bill.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Community Development) — 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, 13 March 2008.

Crown Land (Reserves) Amendment (Carlton Gardens) Bill

Legislation Reform (Repeals No. 2) Bill

Relationships Bill.

In putting forward the legislative program for this week, I indicate that it follows the pattern of the first two sitting weeks where we try to combine progressing legislation with advancing individual members' statements on the government's statement of intentions. It is interesting to reflect that, in the first two weeks, individual members of this chamber of all political parties, and the Independent, have taken advantage of responding to this new initiative — the statement of government intentions.

Dr Napthine interjected.

Mr BATCHELOR — The member for South-West Coast has indicated there is no legislation, but there is plenty of legislation. Bills were introduced today and bills are likely to be introduced tomorrow. We have also given a commitment to allow a fairly lengthy debate from individual members on this new initiative — the statement of government intentions. A quick tally indicates that following the Premier's statement some 21 individual members spoke on the statement of government intentions in the first parliamentary sitting week, mostly on the Thursday of that week.

In the last parliamentary week the response to the statement of government intentions proceeded on a day-by-day basis along with government legislation, and interestingly a bit of extra time was taken on procedural matters at the initiative of the coalition. Notwithstanding that, interestingly in the second

parliamentary sitting week 21 members made speeches in response to the statement of government intentions.

As I foreshadowed when speaking on this part of the program at the beginning of the first two sitting weeks, we had expected that the bulk of the contributions would have been completed by now. As members can see, that is not the case and there is still quite a number of members, as I understand it, from both sides of the chamber who want to take advantage of it. It indicates the success of this new parliamentary initiative in providing opportunities for individual members to make a parliamentary commitment at the beginning of the calendar year on essentially issues that are important to them, to their political party or to their electorates. It demonstrates once again that this government is prepared to initiate new forms of parliamentary procedures within this chamber and continues a long tradition by this government of making changes to parliamentary procedures that enhance the opportunities for members to make individual contributions.

It has been a hallmark of this government that at the same time as it is prepared to progress legislation — the primary function of this chamber — it is also institutionalising opportunities whereby individual members can hold the government to account. Members can ensure that the government is much more transparent, and this is another example of that. It is the reason so many members have chosen to speak to date, and I expect, if the lists on the government and opposition sides are an indication, we will also see that that will be continued not only through this week but possibly into the fourth parliamentary sitting week. That has implications for the government, but it will progress the legislation in accordance with the expressed desires of members to speak on this initiative.

Mr McIntosh (Kew) — The opposition will not oppose the government business program. Clearly the three bills before the house would be anticipated to have been completed by the close of business on Thursday. The statement of government intentions will always be used as a filler, as it has been used for the last two sitting weeks, just to pad out the time. Certainly opposition members taking the opportunity to speak on that matter should not be misconstrued as the opposition regarding it with overwhelming enthusiasm.

The fact is that these matters are introduced by the government. It calls them on, and the opposition tries to match those speakers up to the point where we all get a bit sick of hearing the same old rhetoric coming out. The reality is that the opposition finds no difficulty in

enabling its members to speak on any bill or other issues that come before the house, given the fact that this sitting week we have only those three bills, although I anticipate that one or two of them could be substantial bills.

The Relationships Bill, which is not scheduled to be dealt with until tomorrow, could take as long as two days to complete if every member wanted to contribute to the debate, but only time will tell in relation to that matter.

I want to put on the record one matter that I have raised with the Leader of the House. When we were notified by the government last Thursday of its proposed business program certainly I was forewarned that a motion would be moved relating to amendments to sessional orders that would facilitate the Treasurer in another place delivering the budget in this chamber.

Regrettably, however, I was not notified that a second motion relating to the Senate Elections Amendment Bill would be moved. I note that that bill has been the subject of some controversy over a number of months, and certainly we will have to go back to the party room to decide our position in relation to that matter. It is regrettable that I was not given notice of that, because that could have been resolved in the party room in the normal way

As I said, I have resolved that lack of communication with the Leader of the House, who indicated it was just an oversight. I certainly accept that it was nothing more than an oversight, but it is regrettable; it means the opposition will spend more time determining its position on that matter. As I said, the opposition does not oppose the government business program.

Mr DELAHUNTY (Lowan) — I rise to make a few comments on the government business program, particularly in my role as whip for The Nationals, one of the two independent parties that have come together to form the coalition.

While I have this opportunity to make comment, I heard what the member for Kew had to say about the program. He does get the government business program in advance, and fortunately he flicked it to me by email. I am sure it was an oversight on the part of the Leader of the House and the government that the government business program for this week was not forwarded to The Nationals.

An honourable member interjected.

Mr DELAHUNTY — Plenty of oversights! Out of common decency that should be the process, because I

and all my Nationals colleagues usually come down on the Sunday or Monday before Parliament sits. We need to be able to bring down various papers and information we need to work through debate on bills listed on the government's proposed business program — even though for the last three weeks sometimes we have had only two or three bills listed on the program for debate.

It is interesting to look at the bills listed in the motion. The Leader of the House said we will probably get through two bills today and then we will go on to the Relationships Bill, debate on which will probably take up most of Wednesday. That then leaves most of Thursday for debate on the annual statement of government intentions.

In reality we have been debating that statement for most of the last two sitting weeks, and usually it has been used to fill in time on Thursdays. I have never seen a politician from either side of the house refuse the opportunity to speak, particularly on matters that are important to them. So the statement of government intentions gives them the ideal opportunity to speak — whether they want to talk about Essendon, the best football team going around, or about the rescue helicopter in the south-west. The Leader of the House said there have been 42 speakers on the statement. I would bet that if every member were given the opportunity, they would use it, because there are many issues they want to raise.

In the last sitting week we had a lengthy debate on the reference that was sent to the Family and Community Development Committee about accommodation for people with disabilities. That lengthy debate was unexpected, but more importantly it was an excellent debate because it was unprepared; a lot of members came in here and spoke from the heart. Also importantly there was excellent input, particularly from this side of the house. If the government had really been listening then, it would move to address some of the issues raised during that debate. When you look at the government business programs over the last two sitting weeks, with two or three bills for debate during each week, the statement of government intentions has been used as a filler. However, it gives the opportunity for any member to speak on it.

Still sitting on the long list of seven bills for debate on the notice paper but not on this week's government business program is the Water Amendment (Critical Water Infrastructure Projects) Bill. There are many opportunities for us to talk about that, and the government should have been listening, as it says it was. It said it would not take water from the north to the south, but it did. It said it would not build a desalination

plant, but it is going to do it — although I am not sure that it will. I do not think it is fair dinkum about the desalination plant. I read in the newspapers on the weekend reports about bottled water.

The SPEAKER — Order! I suggest to the member for Lowan that this is a fairly narrow debate on the motion dealing with the government business program.

Mr DELAHUNTY — Thank you, Speaker, but this is on the government business list, and we would love to see it brought on because there is much to be talked about in relation to water infrastructure, particularly across rural and regional Victoria.

Again I put to the Leader of the House — who I am pleased to see is still sitting in the chamber — that The Nationals would love to get a copy of the government business program to help us prepare for the program of debate in Parliament each sitting week.

Mr LANGDON (Ivanhoe) — I rise to make a contribution to this debate. The Leader of the House has summed up well what we are doing this week. He said the government intended to introduce four bills and possibly a few more. I listened to the manager of opposition business and The Nationals Whip, but there was a bit of a contradiction there. I want to make sure the opposition gets its act together.

The manager of opposition business did say to the house just a moment ago that he thought the Relationships Bill could be and probably would be debated on Wednesday and Thursday. However, according to The Nationals it would not be debated on Thursday. Perhaps when they are in their joint party room they could get their act together a little bit more so they are more in unison when they are in here.

Mr HODGETT (Kilsyth) — I also will make a brief contribution to debate on the government business program. As was said, we will not be opposing the program. I have no difficulty with it, although I note that only three bills are listed. While the Relationships Bill 2007 may take some time to get through, there is really nothing very involved in the Legislation Reform (Repeals No. 2) Bill 2007 and we should also get the Crown Land (Reserves) Amendment (Carlton Gardens) Bill passed without much trouble.

I note that the Leader of the House said that the pattern this week follows that of the first few sitting weeks of the year in that only a couple of bills have been introduced so there is legislation to debate and the house will then deal with the annual statement of government intentions. It is clear that that statement is being used only as a filler, and I was surprised that the

Leader said debate on that statement may well carry over into the next sitting week.

It was a disgrace that in the first sitting week government members stood up here and patted themselves on the back about the annual statement of government intentions while, in the same sitting week, we were only allowed 2 hours to debate the Crimes Amendment (Child Homicide) Bill. There were a number of speakers, certainly a number of opposition members, who were queuing up to speak on that bill. I do not think the government has got that right. Clearly the annual statement of government intentions is now being used as a filler because of a lack of legislation listed by the government on its business program.

I take note of what the Leader of the House said about the Senate Elections Amendment Bill and the government's intentions on that legislation, but I support what was said a moment ago regarding the Water Amendment (Critical Water Infrastructure Projects) Bill 2006. The house was called back before Christmas 2006 in a rush to get that bill passed. Clearly the government's definition of 'critical' is different to that of the community at large, because that bill languishes at the foot of the notice paper. Having said that, I reiterate that we do not oppose the government business program motion.

Motion agreed to.

MEMBERS STATEMENTS

Abalone: virus

Dr NAPTHINE (South-West Coast) — I wish to highlight two examples of the Brumby Labor government arrogantly not listening to the needs of commercial fishing in south-west Victoria.

The government has completely failed to take action to control the spread of the ganglioneuritis virus which is devastating the wild catch abalone industry. The virus has now spread from the original outbreak at Port Fairy to London Bridge, near Peterborough, in the east and has spread past Cape Bridgewater in the west. As well as decimating the multimillion-dollar abalone industry, there are now widespread reports that crayfish catches have also been significantly reduced as the crays are feeding on dead and dying abalone rather than being attracted into cray pots.

The abalone industry recently called on the government to ban diving in areas where the virus is active and to stop humans spreading the disease, but the government said no. For two years this virus has been spreading out

of control, yet the government and the Minister for Agriculture have done nothing about it.

Port of Portland: finger berths

Dr NAPTHINE — At the same time cray fishers in Portland who need to relocate to allow for the port expansion have been putting the case for new facilities in the north-west corner but the government is ignoring their needs and proceeding with the dangerous, ugly and hugely unpopular proposal to force these fishermen on to finger berths off the redeveloped trawler wall. This proposal was rejected five years ago by the fishermen, the local council, the tourism association, the local community and all stakeholders. It is the wrong thing to do. The Brumby government is again giving the finger to the fishermen.

Neighbour Day

Mr BATCHELOR (Minister for Community Development) — I rise to draw attention to an upcoming day of significance which few of us may know about — that is, Neighbour Day. Neighbour Day takes place on the last Sunday of March, and the aim of the day is to encourage all of us to develop a greater sense of community caring and to look after the vulnerable and isolated members of our community, especially those who live alone.

It is really very simple — you do not need to buy a badge or make a donation. All you have to do is to make the effort to introduce yourself to your neighbour and perhaps even exchange contact details. By doing this you are helping to break down the barriers of loneliness and social isolation experienced by many people, particularly the elderly in our community.

Neighbour Day was initiated in 2003 following the discovery of the tragic death of Elsie Brown, an elderly woman who died alone in her home but whose body was not discovered for two years.

It is very reassuring for people who live alone to know that they can call on a neighbour in an emergency or personal crisis or to just have someone who will check in on them from time to time. It may not seem such a big issue for younger people, but I can assure you, Speaker, that it is a very significant and important issue for older people living alone. I urge all members of Parliament to encourage their constituents to participate in Neighbour Day on 30 March by introducing themselves to their neighbours. Stronger communities come from communities based on community connectedness.

Mick and Robyn Rogers

Dr SYKES (Benalla) — On Sunday, 2 March, over 1500 people gathered in Benalla to raise over \$62 000 for research into motor neurone disease. Most walked the beautiful 4.8 kilometre track around Lake Benalla, quite a few ran in a relay around the lake and really keen people rode up to 96 kilometres. Many people then stayed on and listened to local bands and enjoyed a cool drink or a coffee.

This event was organised for Mick Rogers, who has been diagnosed recently with motor neurone disease. Mick and his wife, Robyn, assisted by people such as Sarah de Crespigny, Pip O'Donoghue and many others, ensured that the day was extremely well organised. Mick and Robyn are real givers to the community. Be it football, netball, cricket or little athletics, Mick and/or Robyn contribute and show the way. It was really no surprise that so many people wanted to give a little bit back to Mick and Robyn. It was fantastic to see hundreds of locals, together with Mick and Robyn's sporting and business contacts, gather with friends from throughout Victoria and interstate.

Events such as this highlight what is good about country communities: we still pull together when things get tough. It is pleasing to see people who have given so much to the local community being recognised by such a tremendous turnout. Well done, Benalla; well done, Mick and Robyn; and good luck.

Timothy and Sarah Chaplin

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I rise to wish the best of luck to Upwey residents Timothy and Sarah Chaplin, who will compete in next month's Special Olympics junior nationals competition in Canberra. Fourteen-year-old Timothy has been selected to participate in basketball and athletics while eight-year-old Sarah has been selected for aquatics and basketball. Neither of the siblings has let personal challenges get in the way of pursuing their dreams, and their selection for the nationals is a tremendous reflection on their passion for sport and their determination to participate in any activities they can.

I wish both Timothy and Sarah and their loving and dedicated parents, Julie and Peter, every success in the competition. I look forward to hearing their results.

Regional and rural Victoria: country football and netball program

Mr MERLINO — Congratulations to the Shepparton community for the wonderful job they did hosting their first Australian Football League night match last Friday at Deakin Reserve. I joined 9500 fans to see Collingwood defeat an unlucky Hawthorn. Many families reported it was the first time their children had seen a live AFL match.

The game provided a huge community boost with hotels and restaurants booming in trade. I was honoured to officially be on the ground to turn on the new AFL-standard lighting which was made possible thanks to a \$250 000 grant from the Brumby government's CFNP (country football and netball program).

This Saturday I will launch the program's half-time report, which documents the first \$5 million of projects funded under the CFNP. This is a great story. Over 150 projects were funded in the first half of the program, and the outcome reports show that 97 per cent of projects strengthened the viability of the club; 95 per cent increased the utilisation of the facility; and 95 per cent provided a safer environment for people to participate. These results are a fantastic demonstration of the Brumby government's commitments to country Victoria.

Government: performance

Mr WELLS (Scoresby) — This statement condemns the Brumby Labor government for its continued failure over the past eight years to deliver the critically important services and infrastructure that Victorians are missing out on, despite taking Victoria's taxpayers to the cleaners and swimming in a sea of record state tax revenue from stamp duty, payroll tax, land tax and GST revenue.

Three separate pieces of financial and economic data released on consecutive days only last week confirmed the fact that while the Brumby government is the recipient of record flows of state taxes and GST revenues, Victorians continue to suffer from chronic hospital waiting lists, severe road congestion, a collapsing public transport system, a massive school maintenance backlog and a seriously inadequate water supply.

The release last Tuesday of the Commonwealth Grants Commission's *Report on State Revenue Sharing Relativities 2008 Update* revealed that Victoria will receive an additional \$317 million in GST revenue,

which is expected to increase to \$1.055 billion over 2007–08 and 2008–09.

The very next day, the December national accounts figures from the Australian Bureau of Statistics not only confirmed that Victoria continues to lag behind the national economy, further entrenching our status as an economically mediocre second-tier state, but also revealed that the Brumby government's spin and rhetoric on claimed record public infrastructure spending is misleading and simply not supported by the facts.

Sika Kejiy and Halima Mohamed

Ms THOMSON (Footscray) — Last week I had the pleasure of attending the International Women's Day luncheon that was held by the Minister for Women's Affairs at the Victorian Arts Centre. Also present was our own Deputy Prime Minister, Julia Gillard. It was a fantastic event, and it also honoured the inductees to the Victorian women's honour roll. I would like to single out two women who have made a major contribution not only to women but to the community more broadly in the inner west. The first is Sika Kejiy, who has given 30 years of service to the people of Footscray. People may not be aware that Sika was actually the first woman elected to Footscray City Council back in 1972. She has continued her service since then. She was an original starter of the Footscray migrant resource centre and the Russian Ethnic Representative Council of Victoria. She herself is originally from Russia. She is a life governor of the Western General Hospital and has sat on the ethics committee at Victoria University as well as having made many other contributions to the community.

The second woman is Halima Mohamed, who came from Somalia just four years ago and who already had a background in public service, having served as a member of the Somali Parliament for 21 years. In the short time she has been here, she has gone on to help other Somalians, women in particular.

Princes Highway: upgrade

Mr MULDER (Polwarth) — Time is up for the Victorian Minister for Roads and Ports and the federal member for Corangamite, Darren Cheeseman, who stated in an article in the *Colac Herald* on 7 December that he would meet with VicRoads and Mr Pallas to develop a time line for a certain project in the next three months. The three months were up on Friday, with still no announcement from Mr Pallas or Mr Cheeseman. The project in question is the duplication of the Princes Highway from Geelong to Winchelsea.

Has the minister for roads actually met with Mr Cheeseman yet, or were the three months just a throwaway line? Has the minister for roads given a commitment by the state to fund its half share of the project, and when will the announcement take place for the commencement of works?

As each and every day goes by, this promised highway upgrade has the stench of a political con, with state Labor working hand in hand with federal Labor to con the people of south-west Victoria — promise the road, get over the election and then walk away.

Mr Cheeseman stated in an article:

We've got our money on the table, and I'll be meeting with state government representatives to discuss what that means for them.

What does this vital project mean for state Labor? What was the response of the state government? Is Mr Cheeseman putting his state Labor mates before the people of south-west Victoria? If not, then he should get stuck into the Premier and the lazy roads minister.

We hear on a daily basis about the Rudd government's razor gang slashing pre-election promises and commitments. Has the Princes Highway west fallen victim to the razor gang, or has the state Labor government simply said no to funding its half share of the project? The people of south-west Victoria need an answer, and they need it now.

Bentleigh Secondary College: careers expo

Mr HUDSON (Bentleigh) — Recently I had the pleasure of attending a half-day transport, logistics and maritime expo, Careers that Move, hosted by Bentleigh Secondary College. The expo was attended by several hundred students from across the region, including Bentleigh Secondary College, Brighton Grammar, St Bede's College, Our Lady of the Sacred Heart College and Holmesglen TAFE. The expo was a great opportunity to give these students a bird's-eye view of the fast-growing and dynamic transport, logistics and maritime industries. These students learnt that the industry is no longer dominated by stereotypes such as truck drivers and wharfies but in fact now offers over 260 types of jobs.

In Victoria alone there are 238 000 people employed in the transport, logistics and maritime industries. These include jobs in areas such as clerical, customer service, computing, engineering, robotics, warehousing, sales and marketing, account management and contracts, logistics and supply chain management. Importantly, careers are now available in transport and logistics that

provide good opportunities for advancement within and across these industries.

The students heard informative presentations from people such as Neil Chambers, deputy chief executive officer of the Victorian Transport Association, Mark Holding from Agilistics, Teresa Hatch from the Australian Shipowners Association and Simon Upchurch from the Port of Melbourne Authority, as well as speakers from TAFE, Toll, IPEC and Linfox.

Bentleigh Secondary College should be congratulated on organising the expo, which certainly opened the eyes of many students to career opportunities in the transport, logistics and maritime industries. Particular thanks should go to Janet Incedon, the careers coordinator at Bentleigh Secondary College, who was the driving force behind the expo.

Latrobe Valley: community events

Mr NORTHE (Morwell) — The Latrobe Valley continues to establish itself as a key events destination, and there is something for everyone in this calendar month. March kicked off with the ever-popular Boolarra Folk Festival, and I commend Ray Stewart and his organising committee on the exceptional success of this community-based event.

Over the long weekend, Latrobe Regional Airport hosted the 47th Australian National Style and Accuracy Parachute Championships. In particular I commend Janine Hayes from Aerial Skydives for her dedication in ensuring the championships were a success.

At Kernot Hall in Morwell on Sunday, 9 March, a fantastic day was had by all and sundry at the Gippsland Immigration Wall of Recognition Multicultural Festival. Some 550 new names were added to the wall of recognition and unveiled by well-known locals in Mr Don DiFabrizio and Mrs Maggie Auciello. Accolades should also be afforded to Dr Graham Dettrick and his committee through the Gippsland Ethnic Communities Council.

This week sees the International Celebration of Roses event in Morwell, the Churchill Festival, a visit from the Crusty Demons, the annual Lifeline sleep-out and the 10th anniversary of the Morwell Community Playground. Later in March Twin City Archery Gippsland will host the 61st National Archery Championships, while International Women's Day and Harmony Day celebrations will be held over Easter, as will the 2008 Australian water ski nationals on Lake Narracan.

As you can see, the Morwell electorate has much to offer, and I sincerely congratulate all those persons who have been involved in attracting and organising these major events, which not only provide significant economic benefits to the local community but enhance the social network and goodwill within communities.

Greenvale Basketball Club: achievements

Ms BEATTIE (Yuroke) — I rise to congratulate the Greenvale Basketball Club in my electorate, which has recently celebrated a terrific result in the Broadmeadows Basketball Association's junior domestic competition. The Greenvale Grizzlies had 32 teams in the competition, from under-10 to under-18 boys and girls. Of these 32 teams, 19 secured a place in the finals and 13 won their premiership game.

The premiership teams were the under-10 A girls, B girls and AR boys, the under-12 A girls and C boys, the under-14 B girls, AR boys, C boys and CR boys, the under-16 AR girls, B girls and A boys, and the under-18 A girls. It was a fantastic result, beating the club's previous record of 12 premierships in 2003. I would like to congratulate all the players, and particularly the coaches and team managers, who also dedicate a great deal of time to making such a result possible.

I would like to congratulate the hardworking and dedicated committee members — Liz Butler, Paul Byron, Sam Fileccia, Connie Interlandi, Vince Cassar, Lance Corby, Lina Fileccia and Fran Baker. Without the commitment of these committee members the club would not be able to operate, and their dedication and hard work is to be commended. I wish the Greenvale Basketball Club, known as the Grizzlies, all the best for the upcoming season. They were excellent results, and I know they will be repeated. It is a great club.

Economy: interest rates

Mr K. SMITH (Bass) — It goes without saying that the banks have proved that the saying that all banks are bastards is the truth. At a time when people in our community are struggling with mortgage payments, the banks have put up their rates above the Reserve Bank's recent interest rate rise of 0.25 per cent. These are the same banks that say they care about their customers that have now increased their rates — the Commonwealth Bank by an extra 0.35 per cent, ANZ by 0.4 per cent, the National Australia Bank by 0.39 per cent, St George Bank by an extra 0.4 per cent, and Westpac by an extra 0.3 per cent — bringing the standard variable mortgage rates of most banks to nearly 10 per cent.

What on earth are they thinking? Do they want people — working families — to go broke, lose their houses and lose their chance to live their dream of owning their own homes? These are the same banks that lent money to people who are right on the edge of being able to repay loans, yet the banks let them borrow up to the limit, knowing interest rates would increase.

People and families who lose their homes should always remember what the greedy banks have done to them. There is no such thing as customer loyalty. Banks do not care about people; they care about profits. Banks are only shops that sell money to vulnerable people who are desperate to get into their own homes. It will be interesting to see if there is a flow-on of the interest rate increases to investors — who knows how long it will take to happen, if it happens at all — or if they go into extra profits and into the hands and bulging pay packets of banking senior managers.

Frankston Reservoir: open day

Dr HARKNESS (Frankston) — After much hard work, planning for a Frankston Reservoir park is moving to the next stage. Over 1000 local Frankston residents visited the Frankston Reservoir last Saturday when it was open to the public to the first time. The open day was a terrific success, and residents were able to inspect the site up close. A survey was conducted and many residents took the opportunity to provide their views, comments and ideas.

There is more work to be done before the park can be opened for business, including completing additional hydrology work and formulating a management plan. That is why the input of the local community into this project continues to be so important. The government's \$1.6 million investment in this Frankston asset is aimed at providing the public with access, and will protect landscape and environmental values for generations to come.

St Kilda Football Club: family day

Dr HARKNESS — It was a busy weekend in Frankston, with over 5000 residents and Saints fans visiting Frankston Park on Sunday for the St Kilda Football Club family day. Triumphant Saints players flew into Frankston fresh from their superb National Australia Bank Cup victory and were presented with their guernseys for the season by local kids.

This morning the Minister for Sport, Recreation and Youth Affairs joined me in Frankston for the announcement of a \$3.45 million contribution from the Brumby government for the club's proposed new base

in Frankston, which will see the local community reap enormous benefits. The funding will help to transform the oval into a state-of-the-art sporting facility for the Saints, the Peninsula Dolphins, local athletes and Frankston residents.

As well as a facility for elite athletes, this new development will feature an indoor hall suitable for use by local basketball, netball, handball and indoor soccer teams. Local health providers, such as Peninsula Health, will also have access to the rehabilitation pool as part of a patient treatment program. Other groups to benefit from the new facility will include the Frankston and District Basketball Association, the Frankston and District Netball Association, Football Federation Victoria, Monash University Peninsula campus and local schools.

Rail: Belgrave and Lilydale lines

Mrs VICTORIA (Bayswater) — I seem to keep banging my head against a brick wall on some issues, one being public transport in the outer east, specifically the lousy service being foisted on commuters on the Belgrave and Lilydale lines. Every year transport ticket prices go up and we get worse service than the year before. Last night it was reported on a 6.30 p.m. current affairs program that less people are travelling on our trains now than were doing so several decades ago.

Every time we hear that our population has grown and that that is the cause of overcrowding, it is just another part of the great big inefficiency cover-up. An independent public transport lecturer from Melbourne University, Professor Paul Mees, claims that we have far too many bureaucrats giving us far too few results. Making Melbourne's public transport infinitely more efficient basically comes down to correct timetabling — something that is sadly lacking but not expensive to do. After 81 cancellations on the Lilydale line alone in January, perhaps the Minister for Public Transport can inform the house exactly how her 1700 staff are being utilised.

Clean Up Australia Day

Mrs VICTORIA — Last Sunday I again had the pleasure of organising a Clean Up Australia Day site at Bayswater Park and surrounds. My sincerest thanks go to Thorsten, Travis, Kalvin and Martin Nellen; Evelyn Hodgkin; Possum, Tinkerbell and their girl guides; Dianne Andrews and her grandchildren Brendan and Kayla; Jean Kruntunger; Zdenek Masina; and the most enthusiastic helper of all, my daughter Charlotte.

Ballarto Road: illuminated speed signs

Mr PERERA (Cranbourne) — The safety of local students will be improved as a result of the Brumby government's \$13.6 million investment in school speed signs. Electronic speed signs will be installed at the following schools in the electorate of Cranbourne: Skye Primary School, Ballarto Road, Skye; Flinders Christian Community College, Ballarto Road, Carrum Downs; and a Yooralla special school in Cranbourne. Ballarto Road is one of the major roads linking Seaford, Carrum Downs and Cranbourne and is funded by the Victorian government.

I dearly welcome this great news. The initiative will improve road safety around schools, particularly during busy student drop-off and pick-up times. Electronic speed signs around these three schools will switch on during school hours to show drivers when school speed limits are in force. As well as improving safety for local students, the signage will be more visible to motorists, including mums and dads. Since the introduction of school speed limits in 2003 there has been a 23 per cent reduction in crashes involving casualties and a 24 per cent reduction in crashes involving pedestrians or cyclists outside schools. Victoria has recorded its lowest road tolls on record over the last four years, and the Brumby government is committed to continuing to enhance road safety.

Electronic signage has already been installed at over 100 schools with regular speed limits of 80 kilometres an hour, and given the success of the technology we are now expanding the program. Children are one of the most — —

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

Port Phillip Bay: channel deepening

Mr THOMPSON (Sandringham) — I wish to raise in the house my concerns regarding the channel-deepening process, including the lack of real-time monitoring and in particular the disturbance of a range of chemicals that represent the urban and industrial run-off into the Yarra River mouth precinct. According to the environment effects statement (EES) in the URS Australia report, which is a sub-component of the EES, the contaminants in sediments from the river and northern channels include arsenic, barium, beryllium, cobalt, lead, nickel, silver, tin, mercury and cadmium.

There are a large number of fishermen in the Sandringham electorate and a number of important

fishing clubs. It is important that anglers who extract fish from the Yarra mouth area and other regions following the disturbance of the sediment are not taking home fish that have ingested high concentrates of contaminants. Members of a group of doctors, one of whom resides in my electorate, have raised concerns about these matters and drawn attention to the position taken by the Food Standards Australia and New Zealand, which advises pregnant women and women planning pregnancy to take great care — —

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

Australia Day: Yan Yean electorate

Ms GREEN (Yan Yean) — Today I wish to pay tribute to those from my community who were honoured in the 2008 Australia Day awards. This year I was privileged to attend two citizenship ceremonies and four Australia Day award ceremonies, including ceremonies in the Shire of Nillumbik and the City of Whittlesea, the Whittlesea Australia Day Celebrations Committee ceremony and Jenny Macklin's Jagajaga Australia Day awards. Sue Dyet, Harry Gilham, Lindsay Mann and Suzi Duncan were all named citizens of the year at their respective ceremonies. Senior citizens of the year who were honoured were Marj Mendelson and Tom Culbertson. Young citizens honoured were Brydie Draffin-Taylor, Scott Patterson, Billy Ketkos and Matthew Magovski. Volunteer of the year was John Arthur, and Michelle Molinaro received an extra highly commended award. A general achievement award went to Narelle Smith, and the Nick Ascenzo award for community service went to Ed Heskett. The access and inclusion award went to Roberto Cardamone.

The community groups honoured included Plenty Valley Arts, grade 2 JC at Mill Park Heights Primary School and the Kangaroo Ground Country Fire Authority unit. The Whittlesea RSL sub-branch was honoured for its memorial arch rededication ceremony. Others receiving awards were Kay Driver, Andrew Edney, Sue Roberts, Daisy Smith, Corale Glendinning, Robert Synnott, Jean McDougall, Jill Southon and Doug Mudie. Volunteers are the lifeblood of our community, and it is fitting that on Australia Day we recognise their invaluable contribution.

Rail: Swan Hill line

Mr CRISP (Mildura) — A Mildura resident has contacted my office with a very detailed account of a horror train trip from Southern Cross station to Swan Hill on 21 February. The first problem was that no

shade was provided on the platform the country train was to leave from. The resident was anxious because it was too hot for her to stand in the sun and she believed that if the train pulled in she would be unable to run to catch it in time. The second problem was that the platform the train was to leave from was changed with very little warning, leaving country travellers no option but to run with heavy luggage to another platform. After they boarded the train another message announced that there would be a further delay and that travellers to Bendigo or Kerang should disembark and catch another train. Those passengers remaining were then asked to leave the train because it was in need of repairs. The train to Bendigo was now approximately 1 hour late but was delayed further due to dodgy signals.

This level of service is not good enough. People from Mildura have to travel to Swan Hill by coach and then to Melbourne by rail not because it is fun but because they have few other options. The only other option is to travel directly from Mildura to Melbourne on a V/Line coach because Mildura does not have a passenger line. I call on the Minister for Public Transport to do her job and to get rail transport up to scratch for rural and regional users.

Greyhound Safety Net

Ms LOBATO (Gembrook) — Today I wish to raise awareness of the important role played by an organisation called Greyhound Safety Net in ensuring that greyhounds that are no longer used for racing are able to enjoy the happiness of a new home. Greyhounds generally race only until they are around four years old. Their life expectancy is approximately 12 to 14 years, which means that homes need to be found for them so that they can enjoy their 8 to 10 years of good quality life after racing. Some dogs bred for racing are also found to be unsuitable or unsuccessful for racing and may need to be rehoused from as young as 1 year of age. This is where Greyhound Safety Net comes in. The non-profit organisation finds homes for as many of these greyhounds as possible. Contrary to what some people may think, greyhounds actually make ideal pets and do not need a lot of exercise. Although they are bred to sprint they are well known as couch potatoes, enjoying the comforts of a warm home and preferring a good lie down to a run. They are calm dogs. They do not bark and behave extremely well when walking on a lead. They settle in quickly to family life and enjoy the companionship of people and other animals.

I can vouch for the success of Greyhound Safety Net as I had the pleasure last year of welcoming a new member into my own family. Becky, a two-year-old

beautiful fawn greyhound, has not only given a new lease of life to my elderly whippet but has also become an integral part of the household and an excellent companion for my children. She is caring, protective and always ready to play with them. My only hesitation about adopting Becky was the potential torment she may inflict upon our cats. Thankfully she is even great with them and can often be found curling up with them.

Sewerage: Warrandyte electorate

Mr R. SMITH (Warrandyte) — I refer to the issue of septic tank replacement in the electorate of Warrandyte and this government's inability to address the related community concern. Environment Protection Authority figures released earlier this month revealed that the level of human faeces in the Yarra River was well above safe levels. Most residents in Park Orchards and Warrandyte are not connected to the reticulated sewerage system and the consequence of septic tanks leaking into local waterways has been an issue I have raised several times in this house.

The government clearly has no idea how or when it intends to tackle this issue. On 18 September last year I submitted a question on notice asking the minister when residents in my electorate could expect to be connected to the sewerage system. I further asked how many residents would be connected over the next few years. Six months on I still have yet to receive a reply from the minister, leaving me and my community to conclude that he either does not know or does not care. Further, in June last year I asked the minister to assist the Manningham City Council in its work of inspecting septic tanks in the area. Again the government has shown its ineptitude by declining to respond during the subsequent nine-month period.

There are many hundreds of septic tanks to replace in my area, yet the government managed to connect little more than 10 residences in the Warrandyte electorate to the sewerage system between 2003 and 2005, as was highlighted by an Auditor-General report tabled in June 2006. The report says:

... the government's policy commitment to reducing backlog is not supported by a statewide backlog plan.

The government should be a lot further advanced with the sewerage backlog program than it is. I urge the government to give some much-needed attention to this issue before the damage to our iconic Yarra River gets too much worse.

Police: central business district

Mr HAERMEYER (Kororoit) — I wish to congratulate Victoria Police on the success of its operation in the central business district (CBD) over the weekend. It certainly goes to show what is possible when you put extra police out on the street — in excess of 1400 so far — as opposed to when you cut them, as was the case through the 1990s.

The issues confronting the CBD in relation to alcohol and behaviour are quite complex. Mixing alcohol and testosterone makes a dangerous cocktail, and when they are put together with 24-hour licensing and the fact that a lot of our night-time activities are now focused on the CBD whereas they were previously operated out of suburban beer barns, it creates the impression that there is a lot more unacceptable activity in Melbourne than there was. Previously a lot of it was out in the suburbs where it was not as readily seen. Nonetheless the issues that surround this are complex, and they require the police, the council, the licensing authorities, the taxi directorate and a whole variety of other agencies to get together.

I certainly think we need to look at changing the culture around alcohol rather than changing our licensing laws. That means changing the fact that young males see using alcohol as a rite of passage. We need to encourage a more European approach and attitude to liquor usage. These are the answers for the long term rather than changing our licensing laws.

Sean Carroll and Natalie Lupton

Ms MUNT (Mordialloc) — I would like to take this short opportunity to wish all the best to Sean Carroll and Natalie Lupton for their upcoming marriage in April.

Mr Kotsiras — You chose her over me for that!

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member for Bulleen should not make reflections on the Chair.

LEGISLATION REFORM (REPEALS No. 2) BILL*Second reading***Debate resumed from 6 December 2007; motion of Mr BRUMBY (Premier).**

Mr WAKELING (Ferntree Gully) — It is with pleasure that I rise to contribute to the debate on the

Legislation Reform (Repeals No. 2) Bill of 2007. This is the second bill introduced by this government in the current Parliament to reduce the number of acts on the government's statute book. This bill seeks to remove seven principal acts and an additional 48 amending pieces of legislation, and it builds on the no. 1 bill that came before this house last year, which removed 15 principal acts from the statute book.

The principal acts that will be removed by this bill include the Mildura Vineyards Protection Act of 1931, the River Murray Waters Act of 1949, the Shepparton Abattoirs Act of 1966 and 1967, the State Coal Mine Act of 1966, the Como Project Act of 1994, and the Dried Fruits (Repeal) Act of 1958. This bill was approved by the Scrutiny of Acts and Regulations Committee. We are pleased to see on this side of the house that, unlike the no. 1 bill, which I will refer to a little later, the government took the appropriate approach and referred this bill to SARC, which has approved it, and appropriately it is now ready for presentation to the house.

The government claimed in the second-reading speech that its intention was to reduce the total number of principal acts in operation by 20 per cent. In the second-reading speech the minister said that:

It is important for Parliament to review the legislation in the Victorian statute book on a regular basis and to repeal acts that no longer serve any useful purpose. This has usually been done through the statute law reform bills that the Parliament has passed in previous years.

The government has decided to give this process an increased priority, in an effort to reduce the total number of acts by at least 20 per cent, based on the number of acts in operation in 1999. Accordingly, the government has instituted a review of all acts across every portfolio.

On face value one would think it is a just and noble cause to ensure that legislation is relevant and up to date and that unnecessary principal acts on the statute book are removed if they are not relevant. As has been indicated, that is a process that is not opposed by the Liberal Party and The Nationals. However, I managed to obtain the actual figures from the parliamentary library. On 1 January 2000 there were 544 principal acts on the statute book. On 1 January 2007 that figure had in fact increased to 579 acts, which is 35 more than as at 1 January 2000.

The government has been touting an intention to ensure that we have relevant, up-to-date legislation, but in fact under the watch of this government the number of acts on the government's statute book at the start of this current Parliament on 1 January 2007 was 35 more than the number at the end of the Kennett government. As

was outlined in the Premier's statement to the house, the legislation introduced last year to repeal acts has reduced that figure to 527 principal acts on the statute book as at 1 January 2008. But based on the figures I have received through the parliamentary library, to achieve that 20 per cent figure the government would need to reduce the number of principal pieces of legislation on the statute book to a figure of about 435.

The bill currently before the house will reduce the number of acts on the statute book by seven, which will bring us down to a figure of 520. That will in fact mean that we will have 85 additional pieces of principal legislation that will need to be removed from the statute book for the government to achieve its target.

One needs to remember that whilst the government has mouthed platitudes about the fact that it is seeking to ensure legislation is current and that it is wanting to reduce the onerous number of bills put in place by the Kennett government, one need only be reminded that just 12 months ago we had more acts on the government statute book than we did at the end of the Kennett era. As I indicated before, this bill was presented to SARC. As those who participated in the debate on the no. 1 bill last year may recall, the government forgot to refer that bill to SARC and was then forced to withdraw the no. 1 bill from the notice paper in a humiliating backflip and refer the matter to SARC for its approval so it could return it to the government's notice paper. I congratulate opposition members who raised that issue with the Leader of the House. The Leader of the House took it upon himself to ensure that he followed the lead of the opposition and referred the bill to SARC before it faced passage.

I will look at the seven acts that are going to be removed in more detail. The Mildura Vineyards Protection Act of 1931 repealed the Vineyards Protection Act of 1918 and 1922 and applied part II of the Vegetation and Vine Diseases Act of 1928 to vines and vineyards in Mildura. The 1928 act has been repealed, and vine diseases are now controlled under the Plant Health and Plant Production Act of 1995. I understand the member for Mildura may be speaking further on that relevant piece of legislation.

The River Murray Waters Act of 1949 was enacted to give effect to an agreement between the commonwealth, Victoria, New South Wales and South Australia on 26 November 1948. That agreement was replaced by the new agreement of 1982, which has since been replaced by the 1992 agreement, which forms the basis of the Murray-Darling Basin Act of 1993. Is it not interesting that we are looking at the removal of legislation that refers to agreements between

the commonwealth, Victoria, New South Wales and South Australia in regard to water? It has been interesting to sit and watch this government's approach to ensuring that the issue of water is handled appropriately, particularly in cooperation with the federal government and neighbouring states. I have been interested to see that since the introduction of the new federal government this government's opinions appear to have changed suddenly in regard to the signing of a national water plan.

The Shepparton Abattoirs Act 1966 and Shepparton Abattoirs Act 1967 authorised the Shire of Shepparton to borrow and repay debt incurred in the construction and enlargement of the municipal abattoirs. The municipal council has advised that the debt has been discharged and that the guarantee is no longer required. I understand that the abattoirs were demolished during the 1990s. I understand also that the member for Shepparton will be making a contribution to debate on those two pieces of legislation.

The State Coal Mine Act 1966 provided for the refunds of pension contributions to mineworkers and the continuation in certain circumstances of coalminers' pension rights under the Coal Mines Act 1958, which became the Coal Mines (Pensions) Act 1958 on the closure of the power station and the scaling down of the State Coal Mine at Wonthaggi. I am sure the hardworking member for Bass, who is based in Wonthaggi, will be contributing to debate on that issue.

Also repealed will be the Como Project Act. This act repealed the South Yarra Project Act 1984, ended the agreement ratified under that act and amended the South Yarra Project (Subdivision and Management) Act 1985. The amending and repeal provisions have come into operation and are now spent.

The Dried Fruits (Repeal) Act of 1998 provides for the repeal of the Dried Fruits Act 1958 and the abolition of the Victorian Dried Fruits Board, with the transfer of the board's assets to a trust, and with transitional provisions in relation to that transfer. All transactions under that act have been completed; therefore it is to be removed as well.

They are the seven principal acts whose repeal is sought, but in addition to those there are 48 amending acts the government is seeking to repeal. I wish to go through some of these acts and look at some of the relevant significance in terms of issues that have arisen. I will look firstly at a range of acts that have dealt with land management. These include the National Parks (Alpine National Park) Act 1989, the National Parks (Amendment) Act 1986, the National

Parks (Amendment) Act 1997, the National Parks (Further Amendment) Act 1990, the National Parks (Wilderness) Act 1992 and the Alpine Resorts (Amendment) Act 1992.

In looking at the way in which this government is managing the state's national parks and state parks, one can see a reflection of the government's management in the spate of bushfires that have occurred over the last few years in Victoria and more particularly in national parks. I understand that this issue is being actively scrutinised by an all-party committee.

Over 1 million hectares were burnt in 2006–07. The problem we face is that currently the Department of Sustainability and Environment and Parks Victoria are employing additional staff over the autumn-summer period, but during winter and spring there are few staff available to do controlled burns. In those periods, when conditions are more suitable or when it would be more appropriate to do controlled burns, in some cases the summer crews have been retrenched and in other cases staff are taking a well-earned rest.

From time to time in my area, which is surrounded by the Dandenong Ranges National Park, Lysterfield State Park and Churchill National Park, residents see smoke and therefore assume that adequate back-burning is occurring. However, when you delve into it further it would appear that not enough back-burning is occurring. The evidence that has come out as part of the parliamentary committee inquiry is that because of the logging, lack of burning and the removal of grazing, our forests have changed in many respects from being open forests to forests made up of tightly grown saplings that have understorey plant bases. During fires in such forests flames can shoot up the trunks of trees and reach the crowns, creating a fire which, once it crowns, rolls over the tops of trees and roars up hillsides. Under the right conditions this creates the possibility of huge fires burning in an uncontrolled manner, and that is exactly what has happened in many of Victoria's national parks.

Only 12 months ago many members of the opposition inspected parts of northern Victoria, and we could see firsthand the devastation which had occurred because of these hot-burning fires, as opposed to what happens with the traditional cold burn that occurs as part of a back-burning operation. When those fires occurred no aircraft or foam could put them out. The only way of stopping the phenomenon is by learning from history and ensuring that cool mosaic burning and permanent firebreaks, particularly around water catchments, are put in place to ensure that we have the best possible means to protect our national parks.

The creation of firebreaks between public and private land will create firefighting buffers where back-burning can occur and fires can be fought to protect private property. This, as the Acting Speaker may be aware, is currently not occurring. In the alpine areas many mountain ash forests were lost because the dormant seedbeds, which are often at the base of trees, were destroyed because the fires were so hot. This has potentially eradicated a number of mountain ash species in the alpine areas.

With regard to our water catchments, I am advised that hot-burning fires change the nature of affected forests. The regeneration is often much more dense and affects water catchments. Particularly around riparian zones the water level drops by as much as one-third in the first three years and after seven years by potentially 50 per cent. Growth peters out as trees grow too close together and consequently die.

It can be seen that this government does not have a clear plan for the management of our forests. To placate Victorians the government indicates it has a clear plan and understands what it is seeking to do with regard to the management of our forests. However, one needs to look, as the current parliamentary inquiry has looked — and I have also spoken to people who were affected — at the devastation caused by recent bushfires to see the lack of management this government has put into national parks.

That allows me to move on to the next group of bills to be repealed. They include a number of bills to do with water, including the Water (Further Amendment) Act 1994, the Water (Rural Water Corporation) Act 1992, and the Water Industry (Amendment) Act 1995. I am sure that the member for Swan Hill, who is in the house, will also be seeking to make a contribution on this important issue, as will the member for Brighton.

This government has talked big on water but has done very little on this important issue. Let us not forget that water was the no. 1 priority in 2002 of the then Bracks government. It is now 2008 and very little has changed. The Water Act has doubled in size under this government, so the number of pages and the thickness have increased. We have a much bigger doorstop, but Victorians have less security on water tenure. This government has reaped over \$2 billion in public sector dividend taxes from water authorities. Just imagine what water infrastructure we would have if in fact this government had used that money and allowed those authorities to invest that money in critical water infrastructure.

For every issue we raise members opposite always have an excuse. But the reality is that this community is still on stage 3a water restrictions. The government said it was going to make water a priority in 2002, but six years down the track we are still waiting for the long-promised outcomes to ensure that the water supply for Melbourne and Victoria is improved.

The government separated the value of water from land for rating purposes and is now having to pay compensation to affected local governments. The government was advised of this issue and knew that it was going to face this problem but it chose not to listen. It is now paying for that lack of understanding and an unwillingness to take on board the views of others. The government has unbundled ownership of water from land and it has taken the Department of Sustainability and Environment two years to set up the register. However, when it was implemented on 1 July 2007 the system was overwhelmed, and farmers were unnecessarily delayed in trading water in a timely manner.

I am reminded, as was mentioned just before in the house, that this Parliament was recalled in December 2006 because we had to pass the critical water infrastructure bill. It was the most critical — pardon the pun — piece of legislation that this Parliament had to deal with it. I remember it distinctly because it was in fact the first bill I got to speak on; I had only delivered my maiden speech prior to that. I obviously understood that it was going to be a critical piece of legislation that this government had to pass. But, as we are all aware, that legislation has still not been brought back before this house.

If one looks at the way in which this government has managed the recycling of water, a lot has been said — a lot of fluff, a lot of bubble and a lot of spin — but this government pumps in excess of 300 billion litres of wastewater out to sea every year at places like Werribee and Gunnamatta, and the member for Nepean has been a passionate advocate on this issue. But despite the rhetoric and six years to deal with this critical issue, which the former Minister for Water, Environment and Climate Change, Mr Thwaites, had indicated was going to be his no. 1 priority and something that he was going to fix, nothing has been done. This government's record stands on its own, and the community rightly holds the view that this government has no clear plan on water.

I have not even touched on the other critical issue — that is, the north-south pipeline. That issue in itself could lead to a 30-minute discussion. I am sure that the member for Swan Hill will be speaking passionately on that issue.

In the area of police and law and order this government is seeking to repeal a number of acts. Those include the Corrections (Amendment) Act 1996, the Fire Authorities (Amendment) Act 1991, the Fire Authorities (Contributions) Act 1989, the Police (Industrial Functions) Act 1992, the Police Regulation (Amendment) Act 1989, the Police Regulation (Amendment) Act 1992 and the Police Regulation (Discipline) Act 1993. One only has to look at the significance of law and order in this state. I have listened with bemusement to the Minister for Police and Emergency Services standing up in this house and pretending that everything is fine: the community thinks there is not a problem with law and order; we have more police on the beat; everyone is happy; it is not an issue; and we do not know why the opposition keeps talking about law and order.

The reason the opposition talks about law and order is that the community talks about law and order. One only need listen to Neil Mitchell and the number of programs that he has run on this very important issue — —

The ACTING SPEAKER (Mr Ingram) — Order!

I remind the member that whilst he is the lead speaker for the opposition this is a fairly limited debate. He will be given a lot more latitude than following speakers, but he must confine his comments broadly to the bill.

Mr WAKELING — I thank the Acting Speaker, but I will certainly stand up in this house and talk about the importance of police and the significance of these bills that are being repealed because — —

An honourable member interjected.

The ACTING SPEAKER (Mr Ingram) — Order! Without interjection!

Mr WAKELING — I thank members opposite and remind the house that law and order is an important issue. The opposition will not be silenced on this very important issue. Despite the rhetoric of those opposite one only need look at the number of assaults that have occurred in the state of Victoria. In the last 12 months the level of assaults has increased by 13.9 per cent in Victoria. In Melbourne assaults have increased by 21 per cent. Whilst those opposite might think it is funny and that law and order is not an important issue, those on this side of the house know that it is a very important issue. I will not be silenced by those opposite, because I understand the importance of this issue. People in Boronia are deeply concerned about assault — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order!
The member for Burwood!

Mr WAKELING — I appreciate the member for Burwood's willingness to assist me in regard to this, but I am quite happy to deal with it. I know full well that residents in my community and residents in Hastings are concerned about assault. The member for Hastings is in the house and, unlike the previous member, this member for Hastings is standing up for his community and is fighting to ensure that law and order is dealt with.

A number of education acts are to be repealed by this bill. My contribution to the debate is limited to only 30 minutes, but as you, Acting Speaker, would appreciate I am sure, I could speak all day while examining the manner in which this government has handled important areas such as law and order, and education.

As I said, the government is seeking to repeal the Education (Amendment) Act 1981, the Education (Amendment) Act 1983 and the Education (Amendment) Act 1984, the Education (Miscellaneous Matters) Act 1986, the Education Acts (Teachers) Act 1993 — and I am sure I could come up with something about teachers — the Teaching Service (Amendment) Act 1987, the Teaching Service (Amendment) Act 1993 and the Teaching Service Act 1983.

This government should hang its head in shame about the way in which it has dealt with education in this state. It championed to the Victorian community that it would rebuild schools through its 10-year rebuilding program, but government schools in my electorate have asked the government to clarify when their schools will be rebuilt because they do not want to spend hard-earned money on unnecessary maintenance if part or a wing of their school is to be demolished.

However, the government refuses to clarify when the 10-year school rebuilding program will be rolled out in my electorate. If you were to ask any other school throughout this state, I am sure they also would not know when they will receive an upgrade or a rebuild as part of the 10-year rebuild program. One only needs to look at the school maintenance backlog. I walk around schools — —

Mr Stensholt — On a point of order, Acting Speaker, I have waited quite a long time before rising, because we are reluctant to take points of order on a lead speaker as usually they are given a lot of latitude. But I suggest, Acting Speaker, that as this debate is on the Legislative Reform (Repeals No. 2) Bill, the

member should concentrate on that bill rather than wasting time on an issue that may well be the subject of a matter of public importance or a grievance debate.

Ms Asher — On the point of order, Acting Speaker, it has been a longstanding tradition of this place that lead speakers are given significant latitude, and the bill before the house discusses seven spent acts in their entirety and 48 amending acts. I have been sitting here listening to the member for Ferntree Gully, and he has — —

Mr Holding interjected.

Ms Asher — We would expect that sort of comment from you! The member for Ferntree Gully has been assiduous in his dissection of the bill. Given that it is a tradition that lead speakers have a very broad range of opportunity in the use of their 30 minutes — which is his entitlement — I would ask that you rule that point of order out of order.

The ACTING SPEAKER (Mr Ingram) — Order!
I drew the attention of the member for Ferntree Gully to this matter earlier. The debate has to be relevant to the bill. I acknowledge the comments by the Deputy Leader of the Liberal Party about lead speakers being given some latitude, but that does not necessarily entitle them to undertake a broad discussion about things that are not necessarily in the bill. I point out to members who will follow the member in this debate that the Chair will not be anywhere near as tolerant as it has been so far. I uphold the point of order.

Mr WAKELING — I am pleased that members opposite are interested in my contribution to the debate and that, unlike some of their colleagues, they have remained in the house to hear this important debate.

I note that four acts dealing with teaching are being repealed by the bill, therefore I hoped I would be allowed to at least talk about teachers. It should be noted that I have been talking about the acts listed in the bill for repeal and have not been straying onto issues concerning unrelated acts.

If I may deal with teaching issues — I am now referring to the Teaching Service (Amendment) Act 1987, the Teaching Service (Amendment) Act 1993, the Teaching Service Act 1983 and the Education Acts (Teachers) Act 1993, all of which involve teaching — from a layman's interpretation. As has been put by many in the community, our teachers have been recognised as being some of the worst paid in the country. The Program for International Student Assessment results have shown that Victoria is the worst-performing mainland state, albeit behind

Tasmania. For what it is worth, if those opposite see that as an achievement, they should hang their heads in shame.

In the limited time I have left I will refer to the energy industry. The bill will repeal a number of energy acts, particularly the Electricity Industry (Amendment) Act 1996 and the State Electricity Commission (Amendment) Act 1988. That brings me to the issue of greenhouse gases and the future of brown coal. We on this side of the house are awaiting the federal Labor government's policy and research outcomes on carbon capture and storage. One can only assume that the federal government will be moving towards a national system, which begs the question: what will happen to the Victorian renewable energy target, because it will potentially be subsumed in a federal system?

This government needs to ensure it is responding to electricity demand peaks; the smart meter rollout is at least two years late; and the 2002 commitments in regard to demand management have been abandoned. On protections against and response plans for unexpected supply interruptions, the buck has been passed to National Electricity Market Management Company, and there are growing weaknesses in distribution infrastructure for both electricity and gas, which is compounded by a lack of planning for population growth. The Liberal Party will not be opposing this legislation.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the Legislation Reform (Repeals No. 2) Bill. I have to say that I was rather confused by the last speaker; I am not sure whether he was speaking on the statement of government intentions or on the May budget. I am really not sure because I did not hear 'repeal' mentioned too often.

I am very happy to speak on this bill, because it is clear that this government is committed to legislative and regulatory reform. We have established the Victorian Competition and Efficiency Commission, and we want to make sure that regulation and legislation do not impose unreasonable burdens on the community by reducing or retarding growth, productivity and innovation for Victorian businesses. It is fair to say that we have led the way nationally in regulatory reform. Indeed the National Competition Council has recommended that other jurisdictions follow Victoria's lead in creating an independent body to assess regulation and to reduce the regulatory burden on business.

In fact our leadership as a state was instrumental in securing a commitment from the commonwealth, state

and territory governments at Council of Australian Governments to review regulation in a number of areas and to reduce the regulatory burden and overlap between the state and commonwealth governments.

At the 2006 state election this government committed itself to reducing the administrative burden of compliance with government regulation by 25 per cent over a five-year period. The government estimates that that initiative will deliver ongoing savings to businesses of between \$495 million over the first three years and \$825 million over five years, which will improve our competitiveness and our attractiveness as a place for investment and help create jobs.

At the last state election this Labor government made a specific commitment in its policy statement *Efficient Government*, under the heading 'Reform legislation', to

Repeal all old and redundant legislation to reduce the number of laws by 20 per cent compared to 1999.

The member for Ferntree Gully was in here saying we have not reduced it by enough, that we have only reduced it by a small number.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The members for Swan Hill and Benalla should assist the Chair.

Mr HUDSON — The fact of the matter is we have just got started. This piece of legislation repeals 7 amending acts and 48 principal acts — —

Mr Walsh — The other way around.

Mr HUDSON — Sorry, the other way around. Members will see that we will be repealing at least another 100 pieces of legislation in subsequent reform bills that we will introduce into this Parliament. This is a work in progress. We are very committed to this. It is something we will be doing over time, and something that will have real and lasting impacts.

Members can see the need for this bill when they consider the number of acts passed by this Parliament and the way that number has increased in recent years. I want to congratulate the new chief parliamentary counsel, Gemma Varley, on her appointment; I think it is terrific to have another woman in that position. She has informed me that between 1850 and 1985 this Parliament passed 10 262 acts, or around 66 acts a year. Between 1986 and 2007 the Parliament enacted 2088 amending or principal acts, or about 100 pieces of legislation a year, which is an increase of about 50 per

cent. With that acceleration there is clearly a need to review and repeal redundant legislation.

The acts to be repealed by this bill fall into two categories. The first is spent principal acts, of which there are seven. Then there are spent amending acts, of which there are 48. The transitional or savings provisions in these acts are no longer required because of the passage of time and subsequent amendments since their enactment which have reduced the need for these provisions to be in place. The substantive provisions are no longer required because they have either taken effect or are spent or redundant. Part of the government's program is to unclutter the statute books. It wants the community, when it is being consulted on legislation, to be able to understand and know what legislation is in place and not to be confused unnecessarily by the various pieces of amending legislation, which only confuse the public about what is in fact on the statute books.

What is important here is that we now have a systematic program in place. This is not an ad hoc program but a systematic program. We are not just looking at amending acts but also at principal acts and we are looking at repealing the principal acts which are no longer required. Ministers are required to go through their portfolios and identify those amending and principal acts which should be taken off the statute books.

In the last year we have accelerated this process by including in all legislation provisions for amending acts to be self-repealing, so we will not have this problem with these new acts in the future. In the past we had amending acts and those acts stayed on the statute books. We now have provisions in all legislation that amending acts are self-repealing once they have done their job and their provisions have been incorporated into the principal acts. Basically these amending acts are repealed 12 months after the last of their provisions comes into effect. Where previously transitional and savings provisions were left behind in amending acts, we now have a system where transitional and savings provisions are in the principal act, which allows the amending act to be automatically repealed. Members can see that this is something of a self-cleaning process. We will have amending acts being automatically repealed once their provisions are spent, and the savings provisions will be automatically included in the principal acts. I believe the government is on track to meet its target.

In his rather confusing and interesting presentation to the Parliament the member for Ferntree Gully talked about a whole range of things. One of the things he

referred to was the original Murray–Darling Basin agreement plans. He made the astounding statement that the government is only cooperating with the Rudd government on the Murray–Darling Basin plan now — —

The ACTING SPEAKER (Mr Ingram) — Order! Just because the previous speaker made comments does not mean that the current speaker can divert his attention off the legislation.

Mr HUDSON — On that, Acting Speaker, you gave him enormous latitude and he made a number of astounding comments in relation to the Murray–Darling Basin agreement act. Can I just make the point — —

The ACTING SPEAKER (Mr Ingram) — Order! Is the member defying the Chair?

Mr HUDSON — Absolutely not, Acting Speaker, I accept your guidance. Good luck to the member for Ferntree Gully for being able to get away with such a broad-ranging contribution.

The point is that the government has a great track record in relation to this legislation. It has already brought in two substantial pieces of repealing legislation. It has already started to systematically get rid of quite a number of pieces of redundant legislation. That process will be accelerated because all future legislation will be repealed automatically. All amending acts will be repealed when they are spent and their provisions are no longer required because they have been incorporated into the principal act. Further repeal bills will accelerate this process by repealing more legislation. This government will easily meet its target of repealing 20 per cent of legislation. The member for Ferntree Gully attempted a little bit of sophistry by seeking to put together some statistics. He will be proved horribly wrong by the government's program. I commend the bill to the house.

Mr WALSH (Swan Hill) — It is a pleasure to join the debate on the Legislation Reform (Repeals No. 2) Bill. To start off I would like to take up some aspects of the member for Bentleigh's contribution about how the government is reducing the regulatory burden on Victorians and how it will be doing this over a five-year time frame. Recently I was very interested to read a press release from the Treasurer in the other place where he said he was reducing the red-tape burden for people running barbecues, sausage sizzles and cake stalls. He said this would make life easier for those mums and dads out there who are running these things and are being strangled by red tape. I thought this was fantastic. It is something people in my electorate and

right around Victoria have been asking for for years. Lo and behold, when the question was asked of the Treasurer, ‘When is this going to happen?’ the answer was, ‘It is going to take some 12 to 18 months to do this’.

Dr Sykes — The sausages will be burnt by then!

Mr WALSH — As the member for Benalla said, the sausages will be well and truly burnt by the time we take 12 to 18 months to get rid of one little bit of red tape. The member for Bentleigh may believe his spin but the reality out there is it is not happening at the rate the member believes it is. As he says, people are sick of the complexity of legislation, they are sick of the burdens on their lives, but the government’s program is not delivering at this stage. Everyone in this house would be very mindful of the fact that this government is almost one-third of the way through its current parliamentary life, and most people would realise that it probably will not get another turn, so it needs to speed up on the things that it talks about.

However, I want to briefly touch on several of the acts that are being repealed here, particularly those concerning water and national parks. A lot of history is being consigned to the dustbin here. We will probably miss this when we have this automatic repeal in the future — we will not go back and see what our forefathers did with legislation. If you go through some of the water legislation that is being repealed you think about the history of water in this state.

For a long time we had the State Rivers and Water Supply Commission. Then we had a number of changes to the water authorities, particularly through the Cain-Kirner era. We went from having the State Rivers and Water Supply Commission to having the Rural Water Commission and then the Rural Water Corporation; and under the Rural Water Commission and the Rural Water Corporation regional management boards were put in place to provide advice on how those regions should be run. Then we saw the break-up of the state water body into the regional water authorities, as we have now, and the appointment of boards to run those authorities. It happened under the Kirner government.

At the time it was a very good move — there is no argument about that. At the time we all had great hope that the boards of those regional water authorities would deliver for their constituents and for the industries they support. But over time we found there was an insidious creep and now, in effect, water bureaucrats in the Department of Sustainability and Environment run those regional water boards — the

boards are now directed to do things. If one talks to the directors of those boards, they confess that they feel almost powerless to fulfil their duties for their own water businesses because the DSE water bureaucrats are constantly telling them what they do and do not need to do, and they find their lives are no longer about serving their communities but about serving the DSE water bureaucrats.

As the member for Ferntree Gully said, water is the biggest issue in town. This government has talked big about the things it will do legislatively and about the infrastructure projects for water, but it has delivered little. The figure often bandied around — it is fact — is that the government has collected in excess of \$2 billion in public sector dividend taxes from the water authorities. That money should have been left with those water authorities so they could invest in the future for Victorians instead of being put into consolidated revenue at Treasury.

The member for Bentleigh talked about simplifying legislation and making it less complex for people to deal with, and the government may be repealing the number of bills, but if you look through some of the legislative changes that have taken place, I believe you will find there has not been a reduction in either the number of pages or the complexity of legislation. The Water Act is a classic example of that. It has doubled in size since this government was elected. We now have an act that is twice the size and many times as complex as the original act. It is very hard to read and understand, and people feel less empowered when it comes to water legislation in this state than they did before the Bracks and Brumby governments were elected.

We have seen people’s rights to water reduced. We stood in this place a couple of years ago and witnessed people’s rights to stock and domestic water being taken away from them, because the right to stock and domestic water was rolled in with all the other water rights. People thought they had absolute entitlement to stock and domestic water as of right, but because that is part of their overall water right, during the drought they have found they have only 10 or 20 per cent of their stock and domestic water right. Over time people’s rights have been reduced by the changes this government has made to the Water Act. We have seen the unbundling of the value of water from the value of land in shire rating — something that we warned the government about at the time. We said there were consequences for local government in doing that, but — lo and behold — the minister at the time would not listen. He proceeded with that change, and we now find that the government is having to pay compensation

to local government for the legislative changes it brought in without thinking them through.

We have seen unbundling of the ownership of water — the issue the honourable member for Ferntree Gully touched on — where water has been separated from land from an ownership point of view. DSE had two years after the legislation was introduced to set up the systems whereby from 1 July 2007 people could start trading water so that land transfers could go through seamlessly without water being an issue. However, we saw the system fail, and many people had their transactions held up. I had a lot of inquiries in my office, as I know did several other country members, about people's land transfers being held up because that system did not work. They had to pay penalty interest because their transfers were held up and they could not get their money through on time.

We have a government that has talked big on water and how it will have recycling in place. Again, as has been touched on in this place many times, it is a blight on our society that we are still pumping over 300 billion litres of waste water out to sea each year at Gunnamatta and Werribee. The government was also elected on a promise to provide water to the Snowy River and to the Living Murray. On our last best estimate it still owes those two rivers 170 billion litres of water, which it promised to find from savings. Those savings are now planned to be sent to Melbourne through the north-south pipeline, and we find that again the government has been very casual with the truth on these issues.

But the great issue when we talk about legislation is the fact that the Brumby government was elected on a promise of getting rid of the catchment management authority levy. It was going to be taken away because it was supposedly inequitable. However, the environmental contributions water legislation was introduced and there is now a secret levy on everyone's water bill — 5 per cent on all urban water and 2 per cent on all rural water — raising something like \$60 million a year, year in and year out. It is a secret water tax that the government has forbidden the water authorities from showing on water bills.

The last thing I want to touch on is the repeal of the various national parks acts. It is a fallacy that if you change the name on the sign on the front of Crown land, you improve its management. Acting Speaker, you would be well aware that just changing the name from 'state park' to 'national park' does not improve the management regime; you actually have to put resources in there. You have to put men and women and money into those parks to ensure that they are

managed better in the future. One of the very sad statements that is often repeated is that the Crown, as the manager of a vast majority of the land in Victoria, is the neighbour from hell. I am sure that is not a slight on the Parks Victoria staff, who try to do their best, but the issue is that over time we have had an increase in the area designated as national parks but we have not had a consequential increase in the resources put in place to manage those national parks. When we are repealing some of those pieces of legislation we should be reminded that it is not just about the sign on the front of a national park but about the resources that are put into managing it.

Ms MUNT (Mordialloc) — I am pleased to speak in support of the Legislation Reform (Repeals No. 2) Bill. The government has instituted a review of all acts across every portfolio, and every minister has been asked to pinpoint legislation within their area that may be redundant and suitable for this treatment. This is intended to reduce the number of acts in operation by 20 per cent. Some legislation in this regard was introduced in 2007, and there is more to follow. We have also committed to writing legislation in plain English so that it is easier to understand, and a little later in my contribution I will give an example of non-plain English which is very hard to understand which is on the statute books at present.

This bill repeals a number of acts. I will go through some of them, because it is interesting to me to see the range of legislation which is on the books and which governs our life in Victoria. This legislation starts with a 1931 act, the Mildura Vineyards Protection Act. I am not exactly sure what is contained in that act. It might concern wine, Acting Speaker, that is true, but because of this process it has been determined that it is no longer useful for the government of Victoria. Then we have the River Murray Waters Act 1949 and Shepparton Abattoirs Act 1966, and I am not sure what that covers either. I have visited that abattoir, and I had no idea it was covered by a piece of Victorian legislation. In 1967 there was another Shepparton Abattoirs Act. There is also a range of education acts, a Constitution Act Amendment (Electoral Legislation) Act — and we are all very interested in that one, as we are all keen readers of electoral legislation.

There are also acts for the teaching service, for the former State Electricity Commission and for the Victorian Arts Centre from 1988. There is the Transfer of Land (Computer Register) Act 1989, an act which is almost 20 years old and which must have been one of the first acts that considered computer registrations in Victoria. There is a 1990 road safety act, a 1991 act for fire authorities, a 1992 act for alpine resorts, right

through to a Como Project Act 1994. I am not sure exactly what that act covers either. The 1994 estate agents act, the 1995 road safety act and the 1996 Farm Produce Wholesale (Amendment) Act are also being repealed, right through to the Dried Fruits (Repeal) Act 1998. Once again I am not certain what was covered under the dried fruits act, but obviously it is no longer required to be legislated for in Victoria.

I was a little bit involved with the consultation process that went into the rewriting of the education act. I actually looked at the old education act, and it was a huge volume that had been amended and amended again and re-amended until it was swept clean with a new broom by the then education minister, now the Minister for Public Transport, a few years ago. It was reconstituted as a new act in plain English so that it was much more up to date, relevant and easy to read. It is not bothered with so many amendments as the original education act was which I think dated from the 1880s.

When I talk to students from my schools in Parliament I always move down to the centre table in this chamber and tell them that these are all of the acts of the Victorian Parliament on that table. There is quite a number of them. You can see why it is important to go through those acts and update them, clean them out and try to make the legislation more modern and efficient.

While I was researching this bill I came across something else that interested me a great deal. I will just talk about it for a few moments. This particular legislation is not being repealed by this act. It has not been earmarked for repeal because it is still in operation in Victoria and needs to be in operation in Victoria because it covers such things as trusts and land. But this is the Church of Scotland Act 1840. This act is in operation in Victoria as a piece of Victorian law that never actually went through the Victorian Parliament because it was passed in New South Wales before the Victorian Parliament was actually in existence.

Ms Asher — We should repeal it then!

Ms MUNT — I advise the Deputy Leader of the Opposition that it cannot be repealed because it still covers some very important matters. This was put in place by the Parliament of New South Wales in 1840. I am fascinated by this because it is still on the books; it is still current; it is almost 170 years old. As I said it was not even passed in Victoria but it passes as Victorian law for this particular purpose. I will just read what it does. It is:

An Act to amend an Act intituled "An Act to regulate the temporal affairs of Presbyterian Churches and Chapels

connected with the Church of Scotland in the Colony of New South Wales."

The ACTING SPEAKER (Mr K. Smith) — Order! When I came into the chamber earlier I heard some discussion going on with regard to relevance. The member has actually raised the issue that what she is referring to is not legislation relating to the bill before the house. It may be that if the member wishes to see that act repealed, she should put it to members of the government at a later stage and bring it in later in the year.

Ms MUNT — No, it is — —

The ACTING SPEAKER (Mr K. Smith) — Order! So do you feel you might return to the bill — —

Ms MUNT — No, it is not an act that is before the house, but it is relevant to the bill that is before the house because we are talking about the repeal of — —

The ACTING SPEAKER (Mr K. Smith) — Order! We are talking about repealing the bills from 1931 to 1999 that are all listed, and the one mentioned by the member is not. It goes back further than that. It is not on the list that I have before me.

Ms MUNT — Thank you, Acting Speaker. If I may just to point out the — —

The ACTING SPEAKER (Mr K. Smith) — Order! You may conclude on that issue; that is what you are trying to say.

Ms MUNT — I will conclude on that issue. If I may just read some parts of this act to point out how old English differs from plain English that is being covered by the repeal of this legislation, because I think it is very interesting to look at how old English is still on the books and will be repealed by this legislation.

The ACTING SPEAKER (Mr K. Smith) — Order! Good. Let me put it to you: ye will return to the bill before the house.

Ms MUNT — So the Acting Speaker does not want to hear any of the old English in the Church of Scotland Act?

The ACTING SPEAKER (Mr K. Smith) — Order! You are right; I do not.

Ms MUNT — So the Acting Speaker is not interested in the history of Victorian legislation?

The ACTING SPEAKER (Mr K. Smith) — Order! It is true I am interested in the bill before the house.

Ms MUNT — I will return to this bill. As I said, it is the intention of the Victorian government, and it was an election commitment I believe in 2006, to look through all of the state's legislation and to find measures that can be repealed to streamline the legislation of Victoria and to put it into plain English not like the old English in the other piece of legislation that I have been talking about in this place today — I have lost my place now.

An honourable member interjected.

Ms MUNT — Yes, I will go back to Scotland. I commend the bill to the house.

Ms ASHER (Brighton) — As has already been indicated, the Liberal Party and The Nationals do not oppose the bill before the house, the Legislation Reform (Repeals No. 2) Bill 2007. I am very pleased that the Minister for Small Business is sitting at the table while this particular bill is being debated because it is always of interest to ministers for small business who are actually in charge of the regulatory reform program of governments, whether they be Liberal or Labor.

As I listened to the member for Bentleigh contribute to the debate on this bill I got the impression that he thought the whole process of statutory law reform was new and something invented by this government. Given that he is a relatively new member of this place, I want to point out to him that statutory law revision is a practice which has gone on over decades under many governments, both Liberal and Labor. It has been the practice of various governments of different persuasions to actually go through the statute books and remove acts that are redundant, or spent in the case of amending acts.

I also want to make reference to the second-reading speech where the government said that it is going to increase the priority of this particular process and wants to reduce the number of acts by at least 20 per cent using the base of those acts operating in 1999.

I thought the comments made by the member for Ferntree Gully were instructive. He actually did some homework and found out that the government has in fact increased the number of acts in the statute books in the time it has been in government. It is now claiming — —

Mr Helper — They're better quality!

Ms ASHER — They are better quality. The Minister for Small Business, who is at the table, is acknowledging that the government has increased the number of acts on the statute books — then it claims that to reduce that number is some sort of feat.

The bill before the house removes 7 redundant principal acts from statute law and removes 48 amending acts as well. The government is indulging in a fair degree of spin both in the second-reading speech and in its presentation of this reform. I particularly refer to page 2 of the second-reading speech which says:

This fits in with the government's policy of reducing the regulatory burden on the Victorian community wherever possible.

I wish to direct a couple of comments to that statement, because that is the task of the Minister for Small Business. It is his job to respond to business concerns and community concerns and to reduce the regulatory burden on Victorians.

The government has established the Victorian Competition and Efficiency Commission. While this bill is looking at redundant legislation, there are other forms of regulation which impose in many areas equal if not more burden on the small business sector or the community. The Victorian Competition and Efficiency Commission has outlined the burden of regulation on Victorians; I have spoken about that previously. Numbers about that are on the public record.

A recent example of a report put out by the VCEC — and the member for Swan Hill, the Deputy Leader of The Nationals, referred to it — was a food industry report. The government commissioned a report on the food industry which is dominated by small business and which provides significant export opportunities for Victoria. In the handling of this particular report the government responded to it by saying no to a whole raft of recommendations that the VCEC had actually put up. As the member for Swan Hill pointed out, some recommendations were responded to by the government in an incredibly tardy way. A range of reforms were recommended by the VCEC — the very body this government set up to advise it on the reduction of regulation in particular areas, which is referred to in the second-reading speech — and the government response in this particular example and in many other instances was to say no.

On the one hand we see the government's spin of the VCEC and the government's role in reducing regulation while on the other hand when we have a considered report by experts in this instance, the

government says it will not proceed with a number of recommendations which I think are very important.

Some of the acts listed in the schedule of acts to be repealed in the bill have been touched on by other members. Why were these acts not picked up earlier? For example why were the acts in the Legislation Reform (Repeals No. 1) Bill chosen and others, listed in this bill, deferred until later? I would have thought that if the case for the repeal of something like the Mildura Vineyards Protection Act 1931 was so self-evident it could have been picked up earlier. The government may wish to trumpet about this particular bill now before the house, but I think the question the minister at the table needs to answer is why this bill has taken such a long time to be introduced.

The government asked the Scrutiny of Acts and Regulations Committee to be involved in the process of this bill, whereas previously and in regard to the first repeal bill the government initially did not ask SARC to be involved. The SARC report on the Legislation Reform (Repeals No. 2) Bill 2007 states on pages 3 and 4 that SARC found the repeal of the seven spent or redundant principal acts is appropriate and that the committee considered the repeal of the 48 amending acts in the schedule is also appropriate. That is a proper role for the SARC to take on. At least I am pleased that the government referred this bill to SARC, unlike its practice regarding the Legislation Reform (Repeal No. 1) Bill.

A number of water acts are being singled out for redundancy and are listed in the schedule. They include the Water (Rural Water Corporation) Act 1992, the Water (Further Amendment) Act 1994, and the Water Industry (Amendment) Act 1995. By way of observation, I will say that the government's greatest policy failure is over water. Former Premier Bracks designated that water would be the no. 1 priority in 2002. Future circumstances may be that Melbourne's population is going to increase by 1 million people, but there has been no increase in water supply planned for 2002–10. This would be the area of most significant policy failure by this government in terms of the livability of Melbourne.

I contend that the government could have built a dam, it could have built a desalination plant, it could have upgraded the eastern treatment plant and it could have fixed the leaks in the Melbourne system. I would refer honourable members to the three water acts that are being repealed by this bill, and I would urge members of the government to consider their policy failure in terms of water.

I also want to make brief reference to the self-repealing provisions which have been touched on by other members. In the future we will not see bills such as this coming before the Parliament, because the government — again, with the full support of the Scrutiny of Acts and Regulations Committee, which of course is a committee on which all parties are represented — has indicated that now there will be self-repealing provisions in every bill, and members will have seen this happen within bills. That is a significant step forward, although of course for those people with an historical interest in the Parliament, unless the government wants to actually provide lists of bills that have lapsed over certain periods of time, we will not know which bills have automatically lapsed.

In conclusion, whilst we are pleased to not oppose the Legislation Reform (Repeals No. 2) Bill 2007, we would make the general point that whilst the government claims that it is addressing the reduction of regulation, it needs to do more, and it needs to do more than simply clean up the statute books, which is something that governments of both persuasions have done over many years and over many governments. What the government needs to do — and specifically the Minister for Small Business, who is entrusted with this task — is ensure that regulations impacting particularly on small business are removed or in fact are not made in the first instance by this chamber or by ministers.

Mr STENSHOLT (Burwood) — I hope that you will offer me the same indulgence that you offered the member for Brighton, Acting Speaker, when on many occasions she strayed off the bill, particularly in regard to the role of the Minister for Small Business when she talked about regulation; in fact this bill, which I hasten to support, is actually talking about legislation. There is actually a difference between legislation and regulation. I notice that in the second-reading speech there is no mention of the Victorian Competition and Efficiency Commission, even though the member for Brighton seemed to spend a lot of time talking about that in respect of regulation rather than in respect of legislation.

I should also note, as others have noted, that this is pretty much a straightforward bill, and it stems from the policy of the Labor Party at the 2006 Victorian election contained in the document headed *Efficient Government*, with the subheading 'When it matters — Steve Bracks and Labor'. This particular policy of course was in great contrast to the Liberal Party policy, because the former Liberal government fostered a culture of excessive secrecy surrounding use of public funds, limiting the powers of the Auditor-General and

shielding its contracting activities. In other words, this particular policy is about trying to improve accountability, including in regard to legislation reform.

On page 10 of that particular policy document is the genesis of this particular bill and indeed its predecessor, the Legislation Reform (Repeals No. 1) Bill, which came before this house and was passed at an earlier time. This policy states, firstly, that:

Clearly expressed legislation enables Victorians to understand their obligations and rights under the law.

In other words, it states that Labor will ensure that all laws are written in clear English and are easy to understand. That is part of the policy which is the genesis of this bill. I note that this bill is actually expressed very clearly. If you look at its four clauses, you will see they are very clear and easy to read. I know it is a short bill, and of course the main guts of it are actually contained in the schedule, but we very much support bills that are in clear and succinct English and that are easy to understand.

The main genesis of this bill is contained in this policy document, which states:

Labor will complete the process of modernising all of Victoria's legislation so that by 2010 all laws will have been reviewed and modernised within the past 10 years.

The first part of this bill, which is the schedule, talks about principal acts. The Labor Party policy said its target was that by 2010 only one principal act would be older than 10 years — namely, the Constitution Act of 1975. I understand that the Constitution Act is a pretty crucial act, although we actually reviewed it subsequent to 1999 and brought in extensive changes to it to improve the accountability of Parliament to the Victorian people. I refer to the terrific reforms of the upper house which were brought forward by amendments to that particular act.

Another part of the policy states:

Labor will repeal all old and redundant legislation to reduce the number of laws by 20 per cent compared to 1999.

In other words, it is continuing that process. The member for Brighton talked about a continuing process, but we have actually set goals for ourselves here in terms of reducing the number of laws by 20 per cent compared to 1999, and this bill — the second one of its type — continues that process.

I notice that the bill has been dealt with by the Scrutiny of Acts and Regulations Committee. I think the member for Brighton was perhaps overblowing exactly what that committee did by saying that it had a look at

it and said, 'This bill is okay to go ahead and the acts contained in it are okay to be repealed'. In fact the only thing it said was that the committee made no further comment, which of course implies that it was satisfied with the bill as put before it. That is pretty simple and straightforward, and it is good to see that that particular committee sees that there is no problem with this bill.

There is quite a range of things contained in this bill. I see that the member for Mildura — the member for New South Wales! — is here, and no doubt he will wish to talk about some of the history behind it, particularly the Mildura Vineyards Protection Act 1931, which is being repealed by this bill. Obviously that act provided for the conversion of property and assets at one stage of the Mildura Vineyards Protection Board, with the money going to the Mildura High School scholarship fund, which was a very commendable exercise. I hope that there were quite a number of people who benefited from that scholarship fund, and I am looking forward to the member for Mildura telling us about some of the people who may well have benefited from that fund.

There is a range of other repealed acts which have been described by previous speakers, including acts relating to the primary industries and agriculture area. I commend the minister who has responsibility for that for bringing those acts forward. There is a process being undertaken by the Brumby government whereby it is reducing the number of acts, and each minister has been required to go through the list that they are responsible for, to bring them forward in an ongoing process, and to make sure that they are looked at and that they are put on the list for repeal. I am sure there will be a number of further bills in this regard coming forward which will repeal either spent principal acts or indeed other acts which have transitional or substantive provisions.

I note that the final clause of this bill — the now standard one — deals with the repeal of the repealing act. In this case the act will be repealed on the first anniversary of the day on which it receives royal assent. This is now a standard clause, which is supported on all sides of the house. This means that we will not have too many of these transitional acts or principal acts, which are no longer in vogue in a legislative sense. In future we will not need to have bills like this come before the house to repeal acts that happen to be spent, because they will automatically be repealed on the anniversary of royal assent or in terms of whatever clause is put in the relevant bill that comes before the house.

This legislation is aimed to ensure that we have a smaller number of acts to deal with. It is good

housekeeping, and of course sensible housekeeping is something which is done all the time. The Labor Party has set itself particular goals in this regard, and the target, as I have mentioned before, is a comprehensive one covering all the principal acts, so that no principal act will be older than 10 years.

This, of course, will mean that the number of principal acts will be cut by 20 per cent by 2010. As I said, this is good housekeeping. They are sensible measures and improve accountability, transparency and ease of understanding of legislation by the community. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to speak on the Legislation Reform (Repeals No. 2) Bill. The purpose of the bill is to provide for the repeal of 55 acts. They are divided into two categories: 7 principal acts and 48 amending acts. According to the second-reading speech, the purpose of repealing the acts is to reduce the quantity of acts in order to make the task of consulting legislation less confusing and by reducing the legislative burden.

I will focus on the three acts that principally deal with Mildura. The spent principal acts are the Dried Fruits (Repeal) Act 1998 and the Mildura Vineyards Protection Act 1931, and the amending act is the Mildura Irrigation and Water Trusts (Merbein) Act 1978. I notice that there is a pattern all the bills fall into. It is worth noting that the pattern is that the acts deal with land, particularly valuation, transfer, possible acquisition, estate agents, vineyards protection, dried fruits, farm produce, coal mines, abattoirs, Como on the Yarra River; water, being rural water, River Murray water and Mildura irrigation; legal issues, being legal aid; national parks; fire authorities; safety; and education, being teaching services.

I now wish to talk on the three acts that affect Mildura. The Dried Fruits (Repeal) Act 1998 provided for the repeal of the Dried Fruits Act 1958 and the abolition of the dried fruits board in Mildura which, amongst many things over time, set prices and made export allocations in the great days of the dried fruit industry. However, with the changing landscape in how commodities were managed, they were repealed and the money was moved into a trust.

I have been told by the Australian Dried Fruits Association that that trust is operating extremely satisfactorily. Its aim is to further the dried fruits industry, in particular in the task of research and development and marketing. It is an industry that is under considerable change and pressure, not just with water but with the changing commodity markets in the

world and pressure from our trading partners. What makes us different is that right back even when the act was originally framed Australia was trying to keep its competitive edge by being smart in everything it did. This finally closes the book on what is probably 100 years of history of the industry and opens another book as it goes forward with this trust.

The Mildura Irrigation and Water Trusts (Merbein) Act is to do with the incorporation of the Merbein urban water supply into that of Mildura as higher standards of drinking water were set at the time. However, country towns did maintain their independence and parochialism is alive and well. The people of Merbein wished to have one commissioner on the expanded water trust. That has now passed into history and the supply to Sunraysia area has been through many name changes and now rests with Lower Murray Water, which supplies the potable water to a large number of our towns and cities in the lower Murray area of Victoria.

The Mildura Vineyards Protection Act 1931 is quite a deal more interesting because as time goes on the more things do not change. The act addressed the need for pest and disease control and these are now controlled under the Plant Health and Plant Products Act 1995, but the problems have not gone away. The driving causes of that was to stop the spread of disease. Phylloxera was a devastating vine disease at the turn of the 20th century, but it then subsided. Unfortunately it has reared its ugly head again and is now challenging our ability to keep the disease at bay. Some of the work has spread internationally as we endeavour to protect our industry from international diseases because we must trade both ways.

With vineyards there is considerable concern over what is called Pierce's disease and the vector for that is called the glassy-winged sharp shooter. There is quite a lot of work being done to make sure that does not arrive on Australia's shores. The Plant Health and Plant Products Act that we are currently operating under is being challenged, and that work goes on. There is a major pest in my electorate that we are greatly concerned about.

Honourable members interjecting.

Mr CRISP — No, it is the Queensland fruit fly. It is a major problem and is challenging us. While the minister is at the table I indicate that we are concerned greatly about this pest and a lot of good work has been done in keeping it at bay. The large amount of legislative history tells us that that pest and disease has been a major issue with horticultural areas. The pest

typically comes from the north. It is slowly moving around the eastern part of Victoria, and we now have a problem in Melbourne. With the problem in Melbourne and as it is coming up to Easter I make a plea for anyone travelling north during this time not to take fruit with them because the risk is so great. The legislation has shown over time that these are the sorts of risks we face.

Sunraysia is endeavouring to have one year without a single fly being caught, which will save us a considerable amount of money with our export fruit not having to be disinfected. In a business where it could make 20 per cent difference in your margin on packed fruit, we are becoming fairly hysterical about even a single stray fly turning up in Mildura. In recent weeks we have noticed that there has been a pattern of outbreaks in Melbourne, and that means our legislation is being tested as we are not well equipped for a threat from the south from this pest.

That is our fruit fly problem. It is a hitchhiker; it is lazy and travels with people. It does not necessarily travel in fruit; it has been fond of getting in cars and settling down with the air conditioning and taking a ride. It will only take one single fly to cause major problems. With the outbreaks that are occurring in Melbourne, what we have to do in a short time is embark on a media campaign to get that information across to the people of Melbourne. I say to the minister that resources are needed to help protect us until we get to 8 May. In one of those quirks of international trade protocols, a fly on 9 May is fine, it is just a problem before 8 May. That is the challenge we face.

As I have emphasised, the problems have not gone away, and one hopes that with the repeal of these acts the problems will be better managed. However, we need to protect Victoria's food supply into the future, particularly from pests and disease; we must ensure that the current and future generations of Victorians have the food they need. The Nationals will not be opposing this bill.

Mr SEITZ (Keilor) — I support the Legislation Reform (Repeals No. 2) Bill. Although it seems to be small, it deals with a very important task. A lot of work has gone on behind the scenes to bring this bill to the house with the aim of having legislation updated all the time and to repeal legislation that is no longer in use. A very important part of the legislature is being carried out.

When a bill is repealed it is important for the people who will be affected to know where the responsibility has gone and which body or organisation has

jurisdiction. In the past I have seen some hasty repeals carried out. Some repeals have affected people's superannuation or other entitlements which they might not need to use until a long way down the track. Historically they have had access to it.

The process has been refined and improved, which is tremendous. People need to know who to turn to if they think they have some entitlements or claims under legislation that has been repealed by this house, and the parts of our administration and bureaucracy and the judiciary need to be able to cope with it when it comes to that point. We have far less of that these days because the work has already been done before the acts come before the house for repeal.

I recall in my early days in this house I was on a parliamentary committee called the Public Bodies Review Committee. There was so much archaic legislation that we made recommendations to repeal it. In the Mildura area there was the onion board, the wheat board and the citrus fruit board. It just kept going on and on. Then there was the meat industry with each of the abattoirs; and there was private land, Crown land and all sorts of things. Nobody could make sense of it. There were different interpretations. Councils had different interpretations as to who actually had title to the land — whether it was Crown land, whether it was state land or whether it belonged to the local council.

The department had to work for six years just to establish which land belonged to the Crown. Farmers thought the land was theirs, and municipalities thought the land was theirs. We had to deal with some of those public institutions involved in the development of Victoria; they were building country towns. They were allowed to build abattoirs and cooperative buildings that benefited the whole community, the town and the industry and indeed the whole state of Victoria. During the war years and afterwards there was a boom, and we had all those things taking place. These processes have taken place by repealing bills and assigning responsibility to other people and by introducing acts to cover them. That is important.

I well remember the act which set up a trust for the Mildura High School. There was lengthy debate on it. The locals came up and said, 'We want to keep the money here and not put it into consolidated revenue. Whose money is it? It is our local money'. Suffice it to say, they won, and the people of Mildura were able to keep the money and create a bursary for the high school. It was a nice gesture at the time, but it did not just happen because the people in Melbourne said it was necessary; it happened because the people from

that end said they wanted to keep the money because it was theirs.

I am trying to think of the school principal who was very active at the time and instigated it. He came back with another suggestion about dealing with the public goods when the act was repealed and the organisation wound up. Those of us in the house who have been here for a while received a lot of letters and thank you notes from the students of the school and the education fraternity at the time. Some good came out of that one.

But we still have the Dried Fruits Board. The money that has been put into the trust has been used for research, development and promotion. There is competition, and Mildura needs to promote its dried fruits and citrus fruits. Over the years we have often heard the members from Mildura complain that we import tomatoes, fresh orange juice and everything else from other countries while their local product goes to waste because they cannot sell it at market. When you repeal an act you have to look at the benefit that will go to the community later on and what legislation needs to be taken on.

Legislation dealing with Crown land comes before this house for amendment all the time. An organisation might want to expand onto Crown land. An organisation might want to build on Crown land or it might encroach on the Crown land so that the land is half freehold and half Crown land. It is important that we clarify where the proceeds go. From my observations, whenever we have passed land on to an institution, we have found out that it sold it years later at a huge profit. Sometimes the organisations do not even consult the community. The benefits do not go back to the community, yet the organisation was granted that land to entice it to establish a service in that region for a benefit of the community.

Our country is becoming smaller with modern technology. With cars, the internet and everything else we are becoming a small global village, but consideration should still be given to ensure that the benefit goes to the people who originally worked for it in their own community rather than being taken out by some of the groups that sell land and shifting the benefit to bigger towns because people happen to prefer living in bigger towns than in little country towns.

It is important that these reform bills and repeal bills continue to come before the house. As we have heard previous speakers saying, it is important that the books are not flooded with legislation that is no longer in use, has no purpose in a modern society and does not affect anybody's livelihood or individual rights. Those acts

should be removed to make it a lot easier to interpret acts in the future. With the computerised world of today, it is important for it to be easy for people to follow the meaning of legislation. I do not think many people these days are going to search the archives and look at the old acts and paperwork. Unless it is on the internet or they can read it on the screen, it is history. Some of those acts assigned to history are being repealed. I wish the bill a speedy passage through the house.

Mr DIXON (Nepean) — It is a pleasure to speak on the Legislation Reform (Repeals No. 2) Bill 2007. This process of legislation reform has been an ongoing process in this Parliament for many years. When you look at the folders of legislation on the table of this chamber, you can see that legislation has only been growing and growing over the years. There never seems to be a net reduction in the amount of laws that this Parliament passes and repeals. As life, and Parliament, get more complex, we have more and more legislation. This time round the government has gone through a correct procedure and has run this legislation through the Scrutiny of Acts and Regulations Committee. As a former member of that committee, I believe this is an unsung but very important part of the committee's work. It has gone through these acts and realised they can be repealed. Therefore the governance of this state is not going to be left in the lurch in any way.

A number of education acts and the national parks legislation are the two areas I want to concentrate on. The education acts being repealed through this bill are the Education (Amendment) Act 1981, the Education (Amendment) Act 1983, the Education (Amendment) Act 1984, the Education (Miscellaneous Matters) Act 1986 and the Education Acts (Teachers) Act 1993. Those acts have basically been replaced by the Education and Training Reform Act 2006, which was amended, I think, late last year. The government has also foreshadowed other amendments to that act — for example, a new bill coming into this place will deal with the moving of early childhood education sections into the department of education, so there will be a number of factors to do with that which will require further amendments to the Education and Training Reform Act. Basically the Education and Training Reform Act was a large rewrite which made existing acts redundant, and they are listed in this bill.

It is interesting to look at what these soon-to-be redundant acts covered. They covered a broad range of educational issues, including teaching and services provided by teachers, conditions of schools, school curricula and how they are organised, and

accountability of teachers in schools — all these sorts of very important operations in education. Even though those acts are going to be repealed, and are part of the new legislation, I just want to touch on some of the issues.

Firstly, over the last 10 years we have seen a real change in the make-up of education in this state, observable when you look at the number of students in our government and non-government systems. In fact even though the population of Victoria is on the increase, as we hear a lot, there are 330 less students in government schools now than there were in 2004, which is quite a big change in the face of education in this state. If you look at the figures for non-government schools, you will see that over the same time they have had an increase of 12 000 students. There are a number of factors behind that, and we could talk about those, but on the face of it that is a major change in Victorian education. One of the reasons we have to change education legislation is that education changes, and the reasons why education changes need to be addressed by this place.

In relation to the Education Acts (Teachers) Act 1993, we have had a lot of education news recently to do with teachers. Our teachers are the lowest paid in this country, and we have had strikes by Catholic teachers as well as strikes by government teachers. We have ongoing stoppages by government teachers happening this week right throughout the state. Our teachers are facing a lot of factors in schools that they have not had to face before. The old acts are not relevant to what is happening now in schools. You just have to talk to and listen to teachers about what is happening out there to hear that they are facing a set of conditions they have never had to face before.

I came across an interesting document, the former Victorian Teachers Union's *Teachers Journal* of 10 August 1982, in which the Knox area organiser, one John Brumby, said, 'Good teachers are good unionists'. I think there would be a number of teachers out there who would beg to differ on that one! The attitude of this government now towards teachers is quite different.

I move to some of the national parks issues. The bill repeals the National Parks (Alpine National Park) Act, the National Parks (Amendment) Act 1986, the National Parks (Amendment) Act 1997, the National Parks (Further Amendment) Act 1990 and the National Parks (Wilderness) Act 1992. The Mornington Peninsula National Park is in my electorate, and the legislation covering that has changed a lot over the years as areas have been added to the park and relevant

names have been changed. The park is now called the Mornington Peninsula National Park, and under this government the Point Nepean area and the South Channel Fort heritage area have been excised from the Mornington Peninsula National Park and become part of the Point Nepean National Park. This government has foreshadowed changes in the national parks legislation to be brought about when it deals with Point Nepean later this year.

I think that is a good study in how legislation changes and in how the nature of our government, and the nature of national parks, in this instance, change a lot over the years. A large area of Point Nepean has been under commonwealth control. The former federal government had left a number of grants totalling about \$46 million to be spent on renewing the infrastructure at Point Nepean at the old quarantine station. With the change of government, that part of the national park is going to be handed over to be totally managed by the state government and Parks Victoria.

That is going to happen in October this year, and we might have legislation to cope with that change. The reality is that Parks Victoria has not even sat down with the community trust that has the control of and is spending all that money at the moment to talk about even a transition group. In fact Parks Victoria said, 'What do we need a transition group for? What is going on down there?'. There is \$50 million worth of infrastructure being worked on down there. Parks Victoria does not want it because once the community trust money has been spent, it will be up to the state government to supply all the money for capital infrastructure and for the ongoing costs of that national park, which could be up to about \$5 million a year.

I wonder if the legislation that comes into this place that will mirror the changes in the national parks acts over the years will actually envisage or talk about where that money to run and maintain the wonderful icon we have down at Point Nepean will come from. What is the future of public events down there? What will happen to the various community groups that have established a presence down there? What will be the income source if Parks Victoria does not have an extra \$5 million in its budget to pay for the ongoing maintenance and use of Point Nepean?

Where will the money come from? Will commercial activities have to come in to fund that? All those questions are out there, and we are waiting with great anticipation to see how future legislation on national parks, and Point Nepean National Park in particular, is going to cope with those changes.

I have just picked out two very important aspects of governance in this state: education — the changed conditions, poor state of education in this state and what is happening in our schools; and also foreshadowing some of the changes in national parks legislation, and I have taken my electorate as a case in point there. I put this challenge to the government: how is it going to cope with the real changes that will take place when the new legislation about the Point Nepean National Park comes into effect in October this year?

The ACTING SPEAKER (Mr K. Smith) — Order! That was a wonderful contribution!

Ms BEATTIE (Yuroke) — I did not know it was the Chair's responsibility to score members in a debate, but I will be interested to see how I go. It gives me great pleasure to support the Legislation Reform (Repeals No. 2) Bill 2007 and join the very broad-ranging debate. I have a feeling that my score has just got somewhat higher.

This is an important bill, because it delivers on the policy the Labor Party and the Labor government took to the 2006 Victorian state election, called 'Efficient government'. We all know the results of the 2006 election. It gave the Labor government a mandate to go ahead with efficient government, and part of that promise to the Victorian people was that there would be a reduction by about 20 per cent in the number of acts in operation as of 1999. We have seen the previous Premier right through to the current Premier really crack the whip over the ministers. They were told to clean out any old bills that were no longer relevant and were redundant. We have certainly seen the ministers responding because this bill contains a whole raft of bills the ministers have cleaned out. I congratulate them on their good housekeeping.

I, too, am a former member of the Scrutiny of Acts and Regulations Committee. It was the committee I was on when I first came into this place, so I realise the importance of its work and the great work that it does. I must also compliment parliamentary counsel on the work that they have done to assist the ministers in that cleanout of those acts.

I want to go through some of the acts. It is interesting to read the terminology surrounding them. Those acts date from 1931 through to 1998. The member for Mildura certainly raised some concerns about fruit fly, with the Dried Fruits (Repeal) Act 1998 to be repealed. I have to say while the Minister for Agriculture is still in the house that I am reliably informed that fruit fly is not only a concern to country people but also in the city,

because fruit fly has been discovered in both Ascot Vale and Kensington. It is not as simple as it seems.

The acts are the Mildura Vineyards Protection Act 1931; the River Murray Waters Act 1949; the Shepparton Abattoirs Act and the State Coal Mine Act in 1966; the Shepparton Abattoirs Act in 1967; the Mildura Irrigation and Water Trusts (Merbein) Act 1978; and we have already talked about the raft of education acts. Also included is the Melbourne and Metropolitan Board of Works (Administration) Act 1982. We all remember the Melbourne and Metropolitan Board of Works. I think Mr Croxford, the chairman, had his name on more plaques than any politician in this state could ever hoped to have on plaques. I talked about the Education Act, The Constitution Act Amendment (Electoral Legislation) Act 1984, and I just want to skip from there to 1988, to the State Electricity Commission (Amendment) Act 1988.

The house will recall that just a few moments ago I said the terminology was dated. Members of this house will know that we once had a state electricity commission, but it was flogged off under a previous government — I think it was under the Kennett government! — so you can see why some of these acts have become redundant. Other acts include the Police Regulation (Amendment) Act and the Transfer of Land (Computer Register) Act. Just to echo a previous speaker: what has happened is technology has overtaken some of the old acts.

The previous speaker raised concerns about a number of education acts. The previous education minister and I reviewed the Education Act, and the report of that review was presented to the last Parliament. It was a good and very wide-ranging review. Members will recall that at that time we were inundated by emails from people who were concerned about home-schooling — and they were from Czechoslovakia, Guatemala and all sorts of other places. I think it was a bit of a campaign at that time. It is hard to believe that people in Czechoslovakia, Guatemala and other places were really sitting down and looking at a review of the Victorian Education Act.

It is disappointing that that section of the act got so much attention when there was a review and discussion of the whole act which resulted in an extension of the school leaving age. Many good things were done through that act, and it was a pity that there was such attention given to home-schoolers, if you like, who really had absolutely nothing to fear from the act. The act has not changed home-schooling one iota. We just

wanted to know where the home-schoolers were, but it caused a great kafuffle at the time.

Mr Delahunty interjected.

Ms BEATTIE — Members from all sides of the house got those emails. I understand that at one point they jammed the parliamentary system and members could not send or receive any other emails.

That leads me to another point which has been discussed — that is, water. Previous speakers highlighted the water acts. We will see some great things done with water through the desalination plant process and the north–south pipeline. Just as a moment ago I was critical of the home-schoolers using tactics such as flooding the email system, I am also critical of people who use threatening tactics on any of the water issues.

Another thing I would like to say while I am focusing on water is that one of the opposition policies during the last election campaign was to dam the Maribyrnong River at Maribyrnong. The people of that area were in absolute hysterics about it; obviously opposition members had never been out there or they would know why.

Mr Andrews — A puddle.

Ms BEATTIE — The Minister for Health says ‘a puddle’. I would be a little bit more generous and say it would be a small billabong, but that is as generous as I can be. That caused great hilarity among the people who know the area. I would ditch that water policy as soon as possible if I were the opposition, or it will keep getting ditched.

With those few words, I conclude by saying that this is a good bill. Both the previous and current Premiers have cracked the whip over the ministers and said, ‘Clean out, do your housekeeping’. The ministers have responded wonderfully and have done so with the assistance of parliamentary counsel. I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I rise on behalf of the Lowan electorate to speak on this Legislative Reform (Repeals No. 2) Bill. As we know, the purpose of this bill is to repeal spent and redundant acts. I noted from the departmental briefing I had that 7 principal acts and 48 amending acts — 55 in total — will be made redundant following the passage of this legislation. Like my colleagues, I am not opposed to that. It is a procedural matter, and it is good to see that this time the bills that are to be repealed have been examined by the Scrutiny of Acts and Regulations

Committee, which I note from its report made some comments on a few of them.

Most people believe we should not oppose this legislation given the government’s assurances that there will be no adverse consequences. In the eight or so years that I have been here many acts of Parliament have come into this place. Acts of Parliament have a big impact on the people in the community who have to work through them. Whether they be lawyers or people in general, they have to work within the acts of this Parliament in their day-to-day lives.

I want to make a couple of comments on a few of the acts that are being repealed. The first is the Education (Amendment) Act 1983. The bill talks about the repealing of the transitional provisions relating to the registration of schools under the Education Act 1958. I have heard a lot of comment in this chamber about the closing of schools. Since I have been here three schools in my electorate have closed: the Brim Primary School, the Harrow Primary School and the Pimpinio Primary School. When the Murtoa Primary School amalgamated with the secondary school one of those schools lost its registration, but it was not the primary school — the primary school registration was continued for the new amalgamated school.

Education is important not only to the continuing development of students but also to the state of Victoria. One way of assisting students to get to school is what is commonly known in my area as the VET (vocational education and training) buses. These buses come from a wide range of towns — and in fact in 2006, 12 schools in the Wimmera region participated in the program. A total of 378 students from those schools were being bussed to a number of registered training organisations at a cost of around \$100 000 a year. We are pleased to see that with a little bit of pushing each time the government is continuing to provide some of the funding. Others funding this initiative are the parents, local government and the Department of Infrastructure, and I really welcome their support.

The students, some of whom leave at 7 o’clock in the morning and do not return until 6 o’clock at night, are doing automotive courses and courses in agriculture, conservation and land management, building and construction, child care, furnishing, retailing and many others that are run through this excellent program. That is facilitated by the buses that go to Horsham or to Longerenong College, which is now part of WorkCo and which provides excellent programs. We are pleased to see that continuing.

The other thing in relation to education is we know many students have difficulty connecting with the education system as it is. I am not sure if it applies in your area, Acting Speaker, but in Hamilton and Horsham we have programs which allow students to go to different forms of education. In Hamilton it is to the Southern Grampians Adult Education Centre, and in Horsham it is to what is called Connect Ed. Last Thursday night I was at a briefing by the Wimmera Southern Mallee Local Learning and Employment Network at which a teacher at Connect Ed, Kim Drummond, spoke about 54 students who currently do courses in various areas, including basic maths, reading and English as well as other things such as cooking and even boxing. Those students are now connecting with the education system and hopefully will get back into the broader range of education programs that are provided, which is very important for their continuing development. It was a great briefing to be part of.

We also have special development schools. I say a really big thank you to the teachers who work in the special development schools, particularly those in Hamilton and Horsham in my area. The Horsham school badly needs some infrastructure funding, which I hope it will get in the next state budget, because the teachers, parents and the students there have to work in very dilapidated facilities. When it rains the water creeps in through the walls, and the conditions are very dangerous. As I said, this bill will make a couple of those education acts redundant, but importantly there are some good things going on within education.

I turn to the Victorian Arts Centre (Amendment) Act 1988. This act will be repealed following passage of the legislation. Art is one of the things I grew up with. In my younger days the visual arts were very popular in my area but in the last 10 years or so we have seen an enormous growth in not only the visual arts but also the performing arts and events like the Awakenings Festival. This is a 10-day festival in my area that caters for people with a disability. It is the biggest such festival in Australia. It really is much more than a regional disability arts festival; it is about being inclusive for participants and the community I represent.

I would like to say a big 'Congratulations' to the outgoing festival chief, who has retired after working with the festival since its establishment in 1996. Her name is Denise Leembruggen. She has retired after making an enormous effort to grow the Awakenings Festival. It is now supported by a new executive officer, Jacinda O'Sullivan. I met her last week at the Art Is opening, and she is doing great work in my electorate.

These are some of the good things that are happening in the arts but there are also things happening in the communities I represent. The Natimuk community is a highlight in the northern area, and there is also the Dunkeld community in the southern area. We are seeing a lot of growth in other arts activities in these areas, whether it be in the visual arts, the performing arts or other arts activities. There are some good things going on in the arts area even though we are repealing this act.

Another act I want to talk about is the Fire Authorities (Contributions) Act 1989. This act amended the Country Fire Authority Act. Some of these amending acts will be repealed after this legislation goes through. I want to highlight that five times in the last 12 months we have seen an increase in the contributions paid by insurance companies. The reality is that that cost is passed directly on to consumers. Some people do not insure and therefore they are not contributing to the Country Fire Authority. We could use the example of a person paying a \$100 insurance premium who would also pay the CFA levy and stamp duty and GST; in some cases they also pay a terrorism levy. That can add another \$90 to the \$100 paid in the first instance in fire insurance.

A lot of people are not insuring, and therefore they are putting a greater burden on people who are insuring. I want to highlight that we must do something about the CFA fire insurance levy. It was reviewed back in about 1999, or it might have been 2000–01, and the government stayed with what it had. The reality is other states are doing it differently. The Nationals believe it should be done on a property basis. That would be the fairest way to do it.

Another act that is being repealed is the Road Safety (Miscellaneous Amendments) Act. We have seen a lot of wire rope barriers put up on the Western Highway to catch vehicles bouncing off the road. There are also roads under state government responsibility, such as the Henty Highway, the Glenelg Highway and the Wimmera Highway, which are totally the responsibility of the state government. A lot of work needs to be done for the safety of people travelling not only in cars and buses but also in the many trucks that use those roads. The government needs to do more work in that area.

There is also great concern about the vegetation which is growing close to the roads and making them unsafe, particularly when animals, whether they be kangaroos or foxes or even sheep and cattle, unfortunately wander onto roads. More work needs to be done in that area.

Ms GREEN (Yan Yean) — It is with great pleasure that I join this debate on the Legislation Reform (Repeals No. 2) Bill 2007. This is the second occasion that I have had the privilege of speaking in a debate like this — this is the second repeals bill that has come before the house in my time as a member. We are in autumn at the moment but this sends a great message to our community that even though it is autumn, this government and this Parliament are prepared to indulge in some spring cleaning at all times of the year.

Going towards the last election, when this government was very successful — it secured the second largest majority for the Labor Party in the history of this state — one of the policies we took to the people was the ‘efficient government’ policy, which I very much support. The policy statement included a specific initiative to repeal all old and redundant legislation to reduce the number of laws by 20 per cent compared to when we came into office in 1999. I think this is a forward-looking piece of legislation in trying to achieve that sort of reduction. It recognises that the world has moved on and technology means a lot of these pieces of legislation are now out of date.

However, I think it is important to say to the community that in an increasingly complex world we want to do what we can to make people’s lives simpler and easier, whether it is in business or people going about their daily lives within the community so they do not have to refer to too much onerous legislation and regulation.

I found, as with the previous repeal bill that I mentioned before, looking at the schedule to the bill and seeing what acts are being repealed is a bit of a history lesson. From 1931 we have the Mildura Vineyards Protection Act. From 1949 there is the River Murray Waters Act. Then there is the Mildura Irrigation and Water Trusts (Merbein) Act 1978. The final act in the list is the Dried Fruits (Repeal) Act 1998.

I heard the earlier contribution from the member for Mildura. All these acts now being repealed remind me of my teenage years when I spent some time in Mildura; they brought back quite a few fond memories of waterskiing, fishing and swimming in that beautiful river. There is a reference to dried fruits, and in my time up there I picked a lot of sultanas and my share of wine grapes.

One of my early roles was as a promotions girl for the Australian Dried Fruits Association at the Mildura show. That was a great experience for me. I was talking about a product that I believed in and which I loved to eat. It probably prepared me for a life in politics and

talking about other things that I believe in like Labor Party policy.

Other speakers have made reference to some other acts that are being repealed. The member for Yuroke referred to the State Electricity Commission (Amendment) Act 1988. That took back to some more recent history and the time when I was a public sector employee, and indeed a public sector union official as the vice-president of the Community and Public Sector Union, when the public sector was riven with division and was gutted.

One of the real losses of the 1990s was the gutting and flogging off of the State Electricity Commission, which used to train more apprentices — electricians, gasfitters, plumbers, and in the metal fabrications area — than any other organisation in this state. That was a great loss. Ten thousand jobs were lost virtually overnight, and the Latrobe Valley is only now recovering from that. The people in the valley will never forget that. I think that might be why the coalition will find itself occupying the opposition benches for some time into the future.

The member for Lowan, in his free-ranging contribution, referred to fire insurance levies. He talked about The Nationals policy and said there needs to be some change in this area. I would remind him of statements by a previous member for Benalla, a former Minister for Police and Emergency Services, Pat McNamara, on ABC radio only last year, where he said that The Nationals policy is completely wrong on this and that it would be bad for country Victoria. The levy arrangement actually subsidises country Victoria. Because I reside in a rural and suburban interface in the outer suburbs I am in a Country Fire Authority area and am more than happy to pay a bit extra in my fire service levy for those fire services in order that struggling farmers in country Victoria pay a bit less. The Nationals should examine quite closely other states like Western Australia where they have moved to a local government rating arrangement, and this has been extremely disadvantageous to farmers and to rural dwellers. So The Nationals should have a rethink about that. I agree with a former Minister for Police and Emergency Services, Pat McNamara, on this matter.

It was interesting that the member for Lowan should raise anything in this portfolio. Members of The Nationals should hang their heads in shame for the fact that they have relinquished the portfolio of police and emergency services under their new marriage in the coalition so that there is now no spokesperson. The member for Benalla is currently in the chamber. He had an earnest go at the portfolio and has now been relegated to the back bench, and nobody believes that a

spiv in a suit from Kew, who could not even understand the track of question time today, is going to pay any attention to the needs of rural Victorians in relation to emergency services. In particular I do not think he would even know what the fire service levy was and what its impact would be in country Victoria. I am sure that that would be just another compromise that the member for Gippsland South has said is the nasty medicine that The Nationals may have to take for this marriage of convenience.

I am proud to support the bill. It is an excellent opportunity to reform redundant legislation. It covers 13 portfolios and many, many acts, and I think it is a very good process to undergo. I commend the work of the Scrutiny of Acts and Regulations Committee and also the work of parliamentary counsel and the public servants who have played a part in doing this. It will certainly be a continuing and ongoing process of the government delivering on its commitment to reduce the laws that apply in Victoria by 20 per cent from 1999, and I look forward to seeing more pieces of legislation along these lines before the house. I commend the bill and wish it a speedy passage.

Mrs FYFFE (Evelyn) — I am pleased to make my contribution on the Legislation Reform (Repeals No. 2) Bill. I have been listening to the debate assiduously, and it has been wide-ranging, but when so many pieces of legislation are affected by a bill such as this, I suppose one can expect that. It will be difficult in 10 minutes to cover all the areas in which I have some interest from my electorate.

One in particular — the Mildura Vineyards Protection Act 1931 — will be repealed. The reason is that vine diseases are now controlled under the Plant Health and Plant Products Act 1995. In my electorate of Evelyn we are at present fortunate to have a thriving viticulture industry. The success of our industry cannot be put down simply to climate and good luck. Our industry is one of the most competitive in the world because our winegrowers have adopted sound business practices that include what I term ‘agricultural vigilance’. One example of this came to hand after I was contacted by the Yarra Valley Winegrowers Association with regard to an exploration licence that had been issued to Beadell Resources by the registrar at North Petroleum. It is my understanding that North Petroleum operates under the auspices of the Department of Primary Industries. The licence permits Beadell Resources to conduct gold exploration activities. As I understand it, a date for commencement has not been set as yet because Beadell has not paid the \$10 000 bond or submitted a work plan as a mandatory component of compliance with the terms of the licence.

I raise this issue because, despite my attempts to get a definite answer, it is still not clear whether the government gave due consideration to the fact that the planned exploration site falls within a designated phylloxera-infested zone. For those who have never heard of phylloxera, the term refers to a beetle that destroys grape vines and is transmissible to other grapevines through the transfer of soil. As such, winegrowers in the Yarra Valley are meticulously vigilant about making all machinery used in vineyards undergo strict sterilisation before travelling from one vineyard to another, and visitors are prevented from walking or driving through relevant areas.

The Mildura Vineyards Protection Act 1931 recognised the potential hazards associated with such vine diseases. If mining is set to take place in the Yarra Valley without the same robust provisions being applied to any mining company wanting to explore for minerals, our strong viticultural industry will be put under threat and thousands of local jobs will be put at risk. Millions of dollars which the Yarra Valley wine industry pumps into the Victorian economy each year will be slashed if phylloxera takes hold of the region.

The Plant Health and Plant Products Act 1995, which now controls vine diseases, refers to the testing and certifying of plants including vines. By extension we are arguing that the fact that vine diseases are even considered to be important enough to comprise legislation means that the same sort of robust provisions acknowledging the effect of vine diseases need to be applied when considering mining permits because the potential impact of diseases can be very damaging and can wipe out the entire industry. I understand the requirement for any government to balance the needs and objectives of competing industries, and I, for one, am certainly not opposed to mining in principle or practice, but I am opposed to mining being conducted when government departments are not able to give a definitive answer about whether the fact that exploration is set to occur in a phylloxera-infested zone was given any consideration when the licence was granted.

Other bills that are being repealed include multiple education acts. It is interesting that the government has targeted a number of education amendment acts to clean up, including the Education (Amendment) Act 1981, the Education (Amendment) Act 1983, the Education (Amendment) Act 1984, and the Education (Miscellaneous Matters) Act 1986. With all the attention the government is paying to redundant legislation that applies to our schools, it astounds me that the education minister has failed to put schools on the agenda in a meaningful way. We all heard recently

that the government was going to contribute \$20 million to clear a backlog of maintenance in our schools. On the surface it sounded pretty good, but when you look at the backlog, according to the shadow Minister for Education, it is \$268 million, which is a far cry from the \$20 million the government has agreed to commit.

I have had a discussion with several school principals in the Yarra Valley, and was disturbed by some of the stories. Maintenance is so poor that one child was hurt by a bucket which was perched on a bookcase which toppled over. The bucket was put there because the roof leaked when it rained, despite the school's attempts to get a new roof. It was only after an accident occurred that the school was given \$30 000 to have the roof replaced. Principals in the valley are continually trying to fix things with a bandaid when it really needs a major rebuild or major works. They should have learned from the Cain and Kirner years that letting the maintenance fall behind means it will cost far more in the end.

The Water Industry (Amendment) Act 1995 that is going to be repealed reminds me, of course, of the north-south pipeline and the impact that will be felt in the Yarra Ranges, an area I feel very deeply about. An extension of time has been sought for submissions, but the government gets the documents out and the people have less than 30 days to put their submissions in. It would be pretty good, with all the repeals and all the work that is being done in this area, if more effort had been put into giving people time to actually make submissions on the report that only arrived in Parliament on 28 February.

Mr Andrews — I look forward to reading yours!

Mrs FYFFE — Submissions on the report have to be made by 18 March. The minister is interjecting, but unfortunately my cold has affected my hearing and I cannot hear what he is saying. If he would like to loudly repeat what he has said, I might even try to answer him!

The Shepparton Abattoirs Act 1966 makes me think of the debacle we have in regard to the number of kangaroos that are killed in Victoria; they are just buried. That is a waste of prime meat and food that is of an excellent quality. We should be processing it here and not wasting it. We are having to import kangaroo from other states.

Ms Green interjected.

Mrs FYFFE — This is not actually a laughing matter; we have a valuable source of protein and we are

burying it. It is such a waste when people are desperate for hearty protein such as that contained in kangaroo.

The bill repeals the Dried Fruits (Repeal) Act, training reform acts, spent amending acts, education acts, teaching services acts, more education acts, and state electricity acts. As we read the bill and turn its pages, we find national parks acts. This government has been proud to extend national parks and state parks; it has acquired more land but has locked more people out.

Last week at Licola I was appalled to discover that 15 months after the bushfires had gone through the town, the walking tracks of the national park there have not been reopened, yet there has been ample time to reopen them. They have been just closed off. I wonder if it is because the government does not want the general public to see the devastation caused by the bushfires. The roads have not been repaired and part of the river is still waiting for work and funding. Schools have not been able to hold their camps in the area. I do not understand the expansion of national parks and state parks when the ones that we have are not being properly looked after.

The bill also repeals police regulation acts. The bill goes on and on. There is so much that one could say about this bill; I think all members should have had an hour to speak on it, because it touches on so many parts of our electorates and so many issues of concern to our constituents.

Mr BROOKS (Bundoora) — It is with great pleasure that I rise to speak in support of the Legislation Reform (Repeals No. 2) Bill 2007. This bill had its genesis in an election commitment made by the Bracks Labor government to make government more efficient. The government at that stage released a policy about making government work more efficiently and investing the gains of that efficiency into services like health and education. The policy talked about reducing the burden of legislation and regulation and reducing the cost and time that it takes to deal with government. Today many of the speakers on both sides of the house have been speaking in support of that sort of general principle.

The Labor government is now implementing that policy to modernise Victoria's legislation so that by 2010 all the laws of the previous 10 years will have been modernised. It aims to cut the number of principal acts by 20 per cent by 2010. Also, Labor indicated it is keen to ensure that all laws are written in clear English and are easy to understand.

This bill was referred to the Scrutiny of Acts and Regulations Committee, of which I am a member. The committee has considered the bill and has produced a report which is available to all members. In producing that report and considering the bill, the committee received evidence from the second deputy Chief Parliamentary Counsel, Ms Gemma Varley, and also considered a certificate which was issued by the then Chief Parliamentary Counsel, Mr Eamonn Moran, QC. His certificate indicated that this bill should contain only the appropriate provisions for a statute law repeal bill and that any of the transitional saving or validation provisions in the acts to be repealed would be saved under the relevant parts of the Interpretation of Legislation Act.

The committee also considered the attached statement of compatibility under the charter of human rights. As I said, the committee then produced a report, two recommendations of which state that this bill is appropriate. I urge members to support it.

When I listened to the debate today I heard a number of opposition members express their concerns regarding ever-expanding regulation under this government. Clearly that has not been the case. This government has worked hard to ensure that the cost of regulation legislation on all facets of Victorian society, particularly the economy, is reduced. When some opposition members said there should be further massive reductions in legislation and regulation in Victoria, I wondered which particular pieces of legislation or regulation they think should be removed. Research of their policies at the last election answers that question very easily. In a one-page document entitled 'Cutting red tape on small business' — which I am happy to provide to the house — —

Mr Andrews interjected.

Mr BROOKS — Yes, it is slashing its own policy of red tape to one page. The 2006 state election policy of the Liberal Party says:

A Liberal government will establish a Victorian Regulatory Reform Commission (VRRRC) — put simply, its job will be to cut red tape. It will replace the current Victorian Competition and Efficiency Commission, and will have the following advantages over this body —

and one of the main advantages of this new commission over the Victorian Competition and Efficiency Commission is —

It will be truly independent —

according to the Liberal Party and —

not subject to ministerial direction in conducting its inquiries.

The document then states:

The VRRRC will, as a priority, draw up legislative plans to either scrap these regulations or reform them to ease the burden on small business.

The first thing this Liberal policy does is direct the VRRRC to delete and scrap or reform regulations even though it says the VRRRC would be an independent body. When you look at the top 10 of the Liberal Party hit list, it makes you shudder. First on the list is the Child Employment Act; the second is the Occupational Health and Safety Act 2004; the fifth is the Outworkers (Improved Protection) Act 2003 — the Liberal Party has form regarding this issue — and its no. 10 is the Road Safety (Heavy Vehicles Safety) Act 2003. There are a number of other acts which I am happy to talk about but those acts I mentioned give members a taste of the opposition's approach to many of these issues.

This sounds like a record of the former Kennett government that the opposition does not like hearing about and does not like being reminded of. It is worth remembering that these are the policies that the Victorian opposition took to the last election; one can only assume the sorts of things it would do if it were to get into government in the future. I think the bill before us is a sound bill. It has been carefully considered by the Scrutiny of Acts and Regulations Committee, and I commend it to the house.

Mrs POWELL (Shepparton) — I am pleased to speak on the Legislation Reform (Repeals No. 2) Bill 2007 and to say on behalf of The Nationals that we do not oppose this legislation. As other speakers have said, the bill repeals a number of spent and redundant acts following a review of the legislation on the Victorian statute book. From time to time we come into this place to deal with spent acts, because there are pieces of legislation that for one reason or another are now not needed.

One of the areas that I will perhaps devote some time to relates to the Shepparton Abattoirs Act 1966 and the Shepparton Abattoirs Act 1967, which are both being repealed by this bill. I was actually a councillor with the former Shire of Shepparton, and I had quite a bit to do with the Shepparton abattoirs; I know quite a bit of the history of that facility. The Shepparton Abattoirs Act 1966 authorised the Shire of Shepparton to borrow money and to repay that money by 30 June 1968. The funds that it borrowed and the reason it needed to get the authorisation was that it was going to borrow money in excess of the amount that was authorised under the Local Government Act 1958, which was

followed by the Local Government (Miscellaneous) Act 1958.

The money that the shire borrowed from the banks was to enable the shire to reconstruct the municipal abattoir and also to enlarge the abattoir. There was a need for that to occur because the area was a very strong agricultural area and obviously there was a need for an inland meat abattoir, or killing facility, in that area. The Shepparton Abattoirs Act 1966 ceased to apply when problems occurred, and the Shepparton Abattoirs Act 1967 was enacted to put in place new arrangements for the repayment of the debt. In fact what happened was that the money was borrowed, the tenders were put out and the contractors started to do the work, but unfortunately there was no money coming back into the shire from the organisation renting that facility.

The 1967 act provided for an agreement between the shire, its contractors and the lenders in relation to repayment of the debt which was incurred for the construction and enlargement of the Shepparton abattoirs. The act also provided that the loans be repaid by half-yearly instalments over 40 years, and that period commenced on 1 April 1973. This debt has now been discharged, and the guarantee by the Victorian government is no longer required. The state government had to be a guarantor for that money that was loaned to the Shire of Shepparton by the lenders so that it could raise the amount of money required — and we are talking about millions of dollars that needed to be repaid.

I will later talk a little about history, but the Shepparton abattoir actually closed in the 1980s. I know it was one of the largest employers in the Goulburn Valley, and I will just speak briefly about a *Shepparton News* article that quoted Mrs Margaret Wayman. The article states:

Mrs Wayman said the most debilitating change to north Shepparton came when the abattoirs closed in 1981, which resulted in many families moving away to find work and many others resorting to welfare.

‘When the abattoirs closed it devastated the area’, she said.

‘Economically the closing of the abattoirs was a disaster. A quarter of a million dollars has gone from wage packets in the area and a lot of that money had previously been spent in corner stores’.

That demonstrates the type of employer the abattoir was and the need for it in the area.

When the abattoir closed we had what we called the ‘white elephant complex’, and that was around about the time that I was a councillor with the shire. We tried to find a use for that facility, and to recoup some of that money as rent we put businesses in rooms there at a

very cheap rent so they could get started. It did not always work, and in fact the buildings were later demolished.

Ian Martin, who was a former chief executive officer of the shire, advised that the abattoir was demolished in 1994. I was in fact the shire president in 1994, and I remember that one of the issues about the demolishing of that building was that it was very difficult and very costly because of the huge amount of asbestos in the building. It cost the shire quite a bit of money, because obviously the appropriate safeguards had to be put in place.

The history of the abattoirs was covered very well in a document called *Shepparton Shire Reflections — 1879–1979*. It is a 100-year history that is well documented by the author, Sue Wallace, who actually went back through the minutes of the shire to find out the history of that business. It talks about 1914 when the first abattoir started, which was a freezer works established in south Shepparton. Lambs were killed at the works and frozen for export, because we had a lot of agriculture in the area at that time, and even during the tough times — —

Mr Delahunty interjected.

Mrs POWELL — The member for Lowan reminds me that we still have some tough times, but this reminds me of some of the tough times during the droughts. The works used to freeze rabbits and sell them there. The Shepparton freezing works burnt down in 1919, and they were rebuilt in 1920, closing again two years later. Obviously those works opened and closed over the years under different ownership as the need arose.

By the early 1960s it was obvious that there was a need for improvement and extensions, and a parliamentary Public Works Committee report tabled in this place in June 1962 actually talked about the need for an expansion of the abattoir as it was then. The conclusion by the parliamentary committee was that there was a need for an expanded abattoir facility in the Shepparton area. The report stated that the development of stage 1 of the shire council’s proposal at an estimated cost of £227 000 appeared justified. If we work that out in today’s figures, it is about \$908 000. Following that parliamentary report, the decision was made to borrow that money to extend the abattoir.

In 1962 the council decided to go ahead with the improvements, and the then Department of Primary Industries requested that certain conditions had to be met to be able to register the premises for export trade.

One of the issues that was brought up then was the killing of stock for the Islamic market and the need for certain conditions to be met.

Also in 1962 Campbell's Soups — an Australia-wide and in fact an internationally known organisation — started at Lemnos, and it assured the council that it would use those killing facilities for its fresh meat. Anderson Meat Industries, another large organisation operating right across Australia, also entered into an agreement with the council. In 1967 work was continuing on the enlargement, but the money was not coming in because there was no income received from Anderson Meat Industries at that stage. The banks were very concerned, which is why the second act was brought in to renegotiate the deal between the council, the state government and the banks. Anderson Meat Industries then advised that it was ceasing operations until work was completed.

There has been a history of the abattoir being quite extensive and having to deal with the ebb and flow of droughts and the need for killing stock. In 1971 the abattoir was sold to the Rural Finance and Settlement Commission for a net loss of \$1 million to the shire. All along the abattoir has been a great facility for the shire, but obviously it has been one of those facilities that, while needed, from time to time has not made the council very much money.

Because of time constraints, I will just very briefly read an extract from *Hansard* that appears in Sue Wallace's publication. It quotes the then local government minister as saying, when introducing the Shepparton Abattoirs (Amendment) Bill:

I could have nothing but the highest praise for the financial management and administration of the shire. Its commitments have been honoured in an impeccable fashion. Works programs in the shire have been cut to some extent to maintain rates at a reasonable level for ratepayers, who are, in the main, suffering from the rural crisis, but the affairs of the shire have been conducted most responsibly.

This outcome has now been finalised. The two Shepparton Abattoir acts are therefore no longer needed and are being repealed.

Debate adjourned on motion of Mr SCOTT (Preston).

Debate adjourned until later this day.

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

CROWN LAND (RESERVES) AMENDMENT (CARLTON GARDENS) BILL

Second reading

Debate resumed from 6 February; motion of Mr BATCHELOR (Minister for Community Development).

Ms ASHER (Brighton) — The opposition will not oppose the Crown Land (Reserves) Amendment (Carlton Gardens) Bill 2008, in part because it devised the event strategy that produced this event. The purpose of this particular bill is found in clause 1, and it is non-specific. The main purpose is to amend the Crown Land (Reserves) Act 1978 to provide for the management of land in the Carlton Gardens reserve for what is described as 'special events'. The mechanism for this is described in clause 4. It states that if the minister recommends, the Governor in Council may publish in the *Government Gazette* that an event or a series of events is a special event for the purposes of this act. The minister has to meet two tests: firstly, that the event or events are suitable to be held in the Carlton Gardens reserve; and secondly, that the event or events are of significance to the state of Victoria. This will be published in the *Government Gazette*, and the practical effect of this particular declaration will be that either the Secretary of the Department of Sustainability and Environment or the Melbourne Convention and Exhibition Trust will have the management powers, not the city council. Under the bill before the house the council's powers may be suspended in whole or in part.

I want to briefly touch on clause 4, which addresses some of the environmental concerns with this bill that a number of people have had. New section 29S states:

- (1) The event organiser of a special event must immediately after each special event period, restore, or ensure the restoration of, the special event management area to a condition reasonably comparable to its condition before the beginning of the special event period.
- (2) If the event organiser does not comply with subsection (1), the Secretary or the Trust may carry out the restoration works and recover the costs of those works from the event organiser as a debt due to the Secretary or the — —

Melbourne Convention and Exhibition Trust.

What we have here is a very broad bill, a very sweeping bill. The background to this bill is particularly important, and I want to take a couple of moments to make some comments about it.

The Melbourne International Flower and Garden Show commenced in 1996. It will be held for the 13th year this year. This bill will not affect this year's show; it will kick in from next year. The second-reading speech refers to the fact that the show has 100 000 visitors — so the government claims at the moment — and provides an economic benefit to the state of Victoria of \$8 million. The event was secured by previous Premier Kennett, and I want to run through the event strategy, which a number of key members of the now government derided at the time. The event strategy was simply devised as a tourism incentive, if you like, to compete with the attractions of Queensland and Sydney. Queensland has the Great Barrier Reef and has always been able to attract significant numbers of tourists as a consequence of that natural attraction, and Sydney has Sydney Harbour, an enormously famous worldwide tourist attraction. Both international and interstate tourists flock to those two venues.

In 1992 when the Kennett government came to power tourism was at an all-time low. It was not an economic generator for Victoria, and the government at that time, spearheaded by Premier Kennett, decided that, in order to showcase Melbourne as a shopping venue, a restaurant venue and a great place to come and experience rather than just look at things, it would embark on an event strategy to market the city of Melbourne. It did this through a process of branding Melbourne internationally so as to secure events, get people into Victoria, fill up the hotels and in that way generate some economic benefits.

It is interesting to note that because we were elected to government after the disastrous Cain and Kirner governments, which brought Victoria to its knees, very few portfolio areas escaped cuts in 1992, but one of the areas that actually got an increase in the budget under Premier Kennett was tourism. One of the reasons for that is that tourism is recognised as a generator of jobs and economic growth, and the Melbourne International Flower and Garden Show was one of those hallmark events that formed part of the event strategy.

I want to refer to an article that appeared in the *Age* of 19 April 1996. The first show was announced in that article written by Manika Naidoo, whom I think is well known to the Labor government. It states:

Victorian garden lovers are set to take on the world's best with the launch of the biggest horticultural show ever staged in the Southern Hemisphere.

...

The Premier, Mr Kennett, said at the launch that he would not be satisfied until the show became an international calendar event.

'We must always reach for the top — we won't accept anything less than the best' ...

That was the whole strategy of the Kennett government: to secure the events, get in the international visitors, get in the interstate visitors, and as a side benefit provide interesting things to do for Melburnians and other Victorians, but in the end concentrate on the economic generation of this event strategy, the economic strategy of tourism.

I also want to refer to another article that appeared in the *Age* of 19 August 1995. The article written by Shane Green analyses that event strategy. It states:

Victoria has based much of its tourism strategy on a goal set for it by the Premier that the state should host one world-class event a month.

It goes on to talk about the grand prix. Is that not apposite at the moment, with the grand prix being held this weekend and the subsidies put forward by this Labor government being way in excess of any of the subsidies put forward under the Kennett government?

I urge members opposite to look at the total sales revenue figures for the grand prix. They will see that not only does this Labor government not manage major projects but also it cannot manage major events either. This article went on to say in relation to the grand prix:

The race is part of a calendar that had its genesis in a declaration by the Premier, Mr Kennett, early in his term that Victoria should aim to host a big event every month. The statement has become a rallying call for the state's tourism industry, with considerable benefits to the rest of the economy.

At that stage 'hallmark' events were defined as those generating more than \$10 million in economic benefit. The article said Mr Kennett had commenced negotiations for this event when he made his first trip to Britain in 1993. It went on to say:

... he fitted in a discussion about flower shows between his talks with bankers and financial houses about the Victorian economy.

...

He has since become involved in developing the staging of garden shows in Melbourne. Mr Kennett has helped bring together the organisers of Garden Week and the Australian National Flower Show to create the first International Flower and Garden Show, an indoor-outdoor exhibition that will be held next April at the Exhibition Building and the Carlton Gardens. The event ranks as a 'hallmark' event in the tourism calendar.

By way of an aside, according to a press release issued by the then Premier on 9 June 1997, the show was visited by 114 000 people in that year. In 2005 this

government said there were 125 000 visitors, but there are fewer visitors now, according to the second-reading speech.

Again, I make the observation that in 1997 the show attracted 10 000 interstate and overseas visitors, and according to a Melbourne City Council document called *Business and Marketing Committee Report — Melbourne International Flower and Garden Show Update*, 124 622 visitors attended the show in 2005, and 15 per cent of those travelled to Melbourne from interstate and overseas.

I make the observation that the capacity of these events to generate economic benefit comes from interstate and overseas visitors. It is fine to have events for people who live here, but the reason for state government expenditure on these events is the interstate and overseas visitors, because they trigger the hotel stays and the restaurant business. In fact the no. 1 beneficiary of tourism for some substantial time has been the retail sector. It is these visitors who generate the benefit to Victoria, and I again urge this government to ensure that the pitch and marketing of the show is directed to interstate and international visitors. Visitors do not keep coming back year after year for the same thing: they need to come back to something that is constantly refreshed.

The background to this whole issue is that Melbourne City Council has failed to give the event the security it requires. I refer to a gardening special article in the *Age* of 16 February in which Denise Gadd, who has had a lot to say about this government in terms of water restrictions, wrote that there had been:

... an impasse last year between the show's operators and the council, which refused to extend MIFGS's —

that is, the Melbourne International Flower and Garden Show's —

contract beyond this year, citing turf damage and alienation of public land.

I am aware of the objections of residents groups to this event. In the *Age* of 15 September 2005, Liz Minchin reported at page 3:

Several councillors —

that is, Melbourne city councillors —

have expressed concern about the lawns south of the Royal Exhibition Building, which have been repaired in areas damaged by exhibits, vehicles, and crowds during the five-day show in April.

That is what councillors, according to this article, had claimed. However, a number of council reports showed that that is not the case. In fact the council's own reports show that this venue is perfectly capable of hosting this event.

I want to refer to three of those reports. Firstly I refer to a report dated 27 April 2007 and written by R. W. Small, a heritage tree inspector. The document is entitled *Report on Heritage Tree Protection — Carlton Gardens during Melbourne International Flower and Garden Show 2007* and says:

During this period I was employed by MIFGS to monitor activities with a view to determining if any of these elements involved in putting the exhibition together, hosting it over five days, and dismantling it, had any detrimental effect on the trees in Carlton Gardens, in particular.

Mr Small went on to conclude:

An inspection of the site following the show was carried out with no discernible impact on any trees or shrubs. Grass that had been covered showed some signs of etiolation, was rapidly getting its chlorophyll back and recovering. Bare areas on the site were limited to those that were bare prior to garden installations.

It is my opinion that the conduct of the Melbourne International and Garden Show in 2007 ... had no discernible impact on the health or vegetation (trees, shrubs or grass) in Carlton Gardens.

The second report I want to refer to is headed a City of Melbourne document headed *Melbourne International Flower and Garden Show — March 2007*. Under a subheading 'Tree condition and soil water monitoring — Carlton Gardens south', it concludes:

Visual and photographic monitoring of trees within Carlton Gardens South suggests that the cessation of turf irrigation during MIFGS 2007 has not affected the health of the trees within the gardens.

The report though goes on to say:

Three significant rain events occurred during the unirrigated period that appear to have maintained soil moisture and prevented any increase in drought stress within the tree population.

So another report placed before the council clearly indicates that the use of the gardens is compatible with having this very important show, this hallmark event that generates significant economic benefit for Melbourne.

The third report is also by R. W. Small. It is dated 13 April 2006 and is entitled *Melbourne International Flower and Garden Show (MIFGS) Report — Part 2 Heritage Victoria Report*. I want to place Mr Small's conclusion on the record. The report states:

I believe that the show has had a negligible impact, if any at all, on tree health in Carlton Gardens. The show organisers are exercising strong control and discipline over garden installers and public visiting the site, and the compliance with conditions appears to be exemplary. The show organisers appear open to viable alternatives that will ensure the protection of the heritage features of the Carlton Gardens site and its trees.

I also note that the council had alternative sites investigated. In its April 2006 report Quest Consulting provided an analysis of five sites. At page 16 of that document the observation was made that 'while no venue may be perfect in every respect, three of the five venues are suitable for the event'. These venues included Carlton Gardens south and the Royal Exhibition Building, the Royal Melbourne Showgrounds and Flemington Racecourse. The report went on to exclude Birrarung Marr and Federation Square as unsuitable for the flower and garden show.

I also want to make reference to the fact that the organisers of the international flower and garden show have done, in my opinion, their bit to look after the site. Indeed on 19 January 2007 a press release was issued by the Melbourne International Flower and Garden Show entitled 'Garden show announces new initiatives to further protect its home'. The organiser, Greg Hooton, was in fact desirous of correcting what he referred to as 'erroneous reports that the garden show damages the Carlton Gardens', and I quote from the press release:

Mr Hooton pointed to the 2004, 2005 and 2006 soil compaction assessments, independent reports commissioned by the City of Melbourne over the last three years.

The 2006 report stated:

The gardens exhibit a healthy growth and do not display any visible signs of stress, such as those that would result from high levels of compaction. It can therefore be confidently stated that the compaction levels are within the tolerance level of this park landscape.

The press release then went on to outline a range of valuable initiatives that had been adopted by the flower and garden show, such as class A recycled water being used for all water features at the show; emergency drip systems; class A recycled water being used to water display gardens during the event; and so on and so forth. I think the organisers of the event have been responsible in their approach to the use of this site.

I want now to return to a comment that I find extraordinary for the minister to have included in the second-reading speech. In setting out what an important event this is to Victoria and why the minister needed the wide-ranging powers to have access to the gardens, the second-reading speech made the following point:

In the drought conditions we are currently faced with, it is even more important that we showcase the valuable contributions of our horticultural, floristry and landscape industries. Losing this event would have a serious impact on these vital industries which are already suffering from the ongoing dry conditions.

The reason I find that comment extraordinary is that four industries have been singled out by this government in its Melbourne drought restrictions. One is the turf industry and one is the horticultural industry. We see this incredible reference to the fact that this is going to help these industries during a time of drought, yet these are the very industries that have been targeted by this government to bear a greater brunt of water restrictions than other industries.

For example, in the turf industry, 90 per cent of those small business people have been laid off. That industry has been crippled because this government has chosen to use a formula of water restrictions that has meant people cannot water lawns.

In terms of the nursery and garden industry — I am referring to a document given to me by the Nursery and Garden Industry Victoria — it is important to place on record the enormous economic value of the flower and garden industry to Victoria. It has an economic value, according to that peak association, of \$1.4 billion to the Victorian economy. There are over 5500 businesses throughout Victoria and over 11 000 people, at the time this note was provided to me, employed throughout Victoria in that industry.

However, in response to the government's water restrictions, which are called the drought response plan, the industry made the following comment, and I quote:

Nursery and garden industry is the only agricultural industry targeted by the drought response plan. Less than 2 per cent of the state's water is used for gardening.

And this figure relates to periods not covered by water restrictions.

Obviously the nursery and garden industry was seeking an equitable handling by this government in terms of water restrictions. I find it absolutely amazing that the government would seek to say that we have to help the industry during drought conditions when it is the government's own water restrictions that have singled out four industries. The nursery industry is one and the turf industry is the second.

Notwithstanding that, there are a couple of shortcomings in the bill. In particular I refer to the fact that the bill, notwithstanding what was said in the second-reading speech, actually does not guarantee the show. It means that the minister has to go through a

process of gazettal in order to declare this event a special event.

Surprisingly, given that the seat we are talking about is a Labor seat, under this bill the Carlton Gardens will be open to other events. So the government is not seeking to confine this bill to simply providing for the Melbourne International Flower and Garden Show; the government is allowing the gardens to be used for other events of state significance, if the minister chooses. I have to say that I think this is very, very wide ministerial power. As I said, we are very strong supporters of the international flower and garden show — that would be clear to anyone at this stage of my speech — but I think this power given to the minister is incredibly broad. It is a government seat, and the government can choose to manage its own seat as it wishes, but I think for the prospect of multiple events — —

Mr Walsh interjected.

Ms ASHER — Indeed, it could be a Greens seat one day. I am amazed that there is such a wide discretionary power for one minister to declare other events special events should the minister so choose according to the parameters set out in the bill. However, this does not stop the Minister for Tourism and Major Events. The Minister for Tourism and Major Events loves to issue press releases. Forget that this bill is an environment bill and that the Minister for Environment and Climate Change in the other place, Minister Jennings, is in there somewhere, like he is in charge of it. The Minister for Tourism and Major Events issued not one press release, but three press releases, saying that he has saved the show — he has saved it! On Sunday 23 September 2007 we had a press release entitled ‘State government saves flower and garden show’, which states:

The Brumby government has stepped in to save the Melbourne International Flower and Garden Show, Minister for Tourism and Major Events Tim Holding said today.

Again, on 11 October 2007 we had another press release from the Minister for Tourism and Major Events entitled ‘New sponsor blossoms for flower and garden show’. It states:

With the Melbourne International Flower and Garden Show’s future now secure, the event has a new ... sponsor, Minister for Tourism and Major Events Tim Holding announced today.

So he has secured it, and now we have got financial support for the show. This minister is really something.

Then, just to make his point, on 4 February 2008 the Minister for Tourism and Major Events issued another

press release. Lo and behold he saved the event again — for the third time. The press release entitled ‘New law to save flower and garden show’ states:

The Brumby government will move to amend the Crown Land (Reserves) Act in Parliament this week to ensure the Melbourne’s International Flower and Garden Show remains a feature of Melbourne’s major events calendar.

Do you not love it? This was the major events calendar that, when in opposition, the now Premier criticised. This is the major events program that, when in opposition, the now Deputy Premier pilloried beyond belief. It was bread and circuses. It was an inadequate tourism policy. It was an events strategy that was absolutely pilloried by Labor when it was in opposition, so it is with some incredulity that we on this side of the chamber now hear that this event has been saved — albeit three times — by a man who was not even in Parliament at the time, particularly as the now Premier and Deputy Premier were absolutely scathing of the events strategy as a tourism strategy for Victoria.

I want to conclude very briefly by saying that the Liberal Party and The Nationals support the Melbourne International Flower and Garden Show. It is a very valuable tourism and business event for Victoria. It is part of a tourism and events strategy that has proved to be incredibly successful for Victoria — so successful that the now government adopted it prior to the 1999 election. We support the business associated with the show. We query why the minister needs such wide and discretionary powers. Nevertheless we wish the show every success in future years.

Mrs MADDIGAN (Essendon) — I rise to support the Crown Land (Reserves) Amendment (Carlton Gardens) Bill 2008. The government is very pleased that this bill is supported by both the Liberal part of the coalition as well as The Nationals part of the coalition.

Mr Walsh interjected.

Mrs MADDIGAN — The member for Swan Hill does not have to convince me; he just has to convince the Liberal Party. However, I must say that in its response the Liberal Party had its normal 50 cents each way in relation to this bill, and I will come to some of the comments made by its shadow minister later on.

The intent of this bill is to ensure that the Melbourne International Flower and Garden Show continues in the Carlton Gardens. It is a significant event. I am sure we enjoyed the historical perspective given to us by the Deputy Leader of the Opposition, and can I say that we do not disagree with everything former Premier, Jeff Kennett, did. In fact I think his abolition of the right of

way for drivers who were turning right was an excellent initiative, and I am more than happy to acknowledge that on any occasion. But in relation to this event — —

An honourable member interjected.

Mrs MADDIGAN — No, I cannot think of anything else; that is all for the moment. However, the Melbourne International Flower and Garden Show is a very important event. As the Deputy Leader of the Opposition has said, it is being held in the World Heritage listed Carlton Gardens, where it has been held for the past 12 years with a huge number of people — 100 000 visitors — attending each year. It is estimated it will make an \$8 million contribution to the state economy this year. In fact there are special tours for people from England and Europe to come to this flower show in particular, because it is considered the most significant flower show in the Southern Hemisphere. Over the 12 years that it has been operating it really has built up an excellent reputation as a garden show with very high-calibre events and people involved with it. The Melbourne City Council and the state of Victoria can be proud of the show.

The Carlton Gardens are managed by Melbourne City Council under the Crown Land (Reserves) Act 1978; the council and the minister responsible for the act — that is, the Minister for Environment and Climate Change in the other place, Gavin Jennings — are joint trustees; and the council has been appointed the committee of management under this act. As the Deputy Leader of the Opposition has outlined, Melbourne City Council chose not to give a permit for 2009; the agreement that is already there between the organisers and the council covers this year. That probably came as a significant surprise to many people. Certainly the reports given by the staff at the Melbourne City Council did not support the views of the councillors. I understand the reason they refused to continue the permission was due to some concerns raised by residents who live in the area.

That brings me to a philosophical issue in relation to the Carlton Gardens. I guess it means you have to look at the gardens and ask whether they are a small neighbourhood park which is central to the people who live around it or more significant gardens of statewide significance, the running of which the whole of the state of Victoria can have a say in. Certainly the government came down on that latter side. If you look at the evidence that has been presented, it is fairly difficult to understand the objections from the residents, apart their experiencing a temporary annoyance in terms of noise and traffic. In the end it goes for probably only about three weeks: the week of setting up the show, the week

or so that it is on and also the week of taking it apart afterwards. In terms of inconvenience to the local residents I do not really see it as being that significant when compared to other events that members of the community such as those who live near racecourses or other major venues have to live with on a yearly basis.

The Deputy Leader of the Opposition referred to two reports which had been prepared which showed there was very little damage done to the park, or that if there was it was short-term damage, during the show. One was from R. W. Small, which related to heritage tree protection. Another one was about tree condition and soil watering monitoring done by the City of Melbourne. She also referred to a 2006 soil compaction assessment of the Carlton Gardens. There is actually a later report to the one she referred to; there is one from May last year. Perhaps that is more significant, considering that by May last year we were more intensely into the drought period. I will quickly quote from the executive summary of that report, done by van de Graaff and Associates. It says:

van de Graaff and Associates carried out an assessment of the Carlton Gardens in order to assess the current level of soil compaction and the resultant potential impact on trees and existing vegetation within the gardens. Field work was by taking soil examples for bulk density and total porosity analysis and also measuring the penetrometer resistance.

Finally, it says:

Therefore, we are confident that the level of soil compaction in the Carlton Gardens poses no threat to the existing trees/vegetation.

So there are myriad reports that support the fact that the gardens are not materially affected in a serious way by the Melbourne International Flower and Garden Show.

Another important point concerns what the Deputy Leader of the Opposition said about which events can be held in the Carlton Gardens. Of course any events held there have to be conducted under very stringent controls that are provided for the protection of the heritage value of the gardens. As members know, the gardens were put on the World Heritage List on July 2004, and the flower and garden show therefore requires an annual permit from Heritage Victoria, under which stringent conditions are imposed to ensure that the heritage values of the gardens are protected. A report prepared by a heritage consultant last year concluded that the 2007 show had no discernible impact on the health of vegetation in the Carlton Gardens.

Even with the state government taking over control of the flower show, heritage permit approval and licensing

will continue to be required for all future events. This will ensure the ongoing protection of the gardens before, during and after the event. I think that is particularly relevant to the concerns that the Deputy Leader of the Opposition raised in regard to the possibility of other events being held there. They would have to be events that were suitable for the gardens, and they would have to meet the very stringent heritage controls. To all intents and purposes there is very little opportunity for any other events to be held there because very few of them would satisfy the conditions included in this act. The international garden show itself has become part of the Victorian major events program for the year. Certainly any members of this house who may have attended will know what a high quality event it is.

I was surprised by some of the comments made by the Deputy Leader of the Opposition. She seemed to be criticising the government for refusing to allow people to water their lawns. I was not aware that Liberal Party policy was that people should be able to water their lawns during a drought. Certainly it came as a surprise to me, and I suspect it might have come as a surprise to some members of the Liberal Party. In fact when she was speaking about our drought response plan she seemed to be suggesting that she opposed a number of the restrictions that we have imposed on the watering of private gardens.

I am a little confused about what the opposition's policy would be on drought-resistance measures. I am sure we are all surprised to learn that she thinks we should be able to water our lawns with gay abandon, so to speak. That is not a view that I think is shared by members of the Victorian community, who, as we have seen from the figures, have accepted water restrictions perhaps in an even better spirit than the government expected them to and have very seriously and conscientiously cut their water usage over the last few years. I think they should be congratulated for that great effort.

The international flower show gives Victoria the opportunity to show not only the wonderful range of plants that are available in the state but it also gives various nurseries the opportunity to show what excellent and world-class products they have. That we have a flower show which is considered the best in the Southern Hemisphere and for which there are special tours arranged from the other side of the world shows how important to Victoria the show is. I therefore commend the bill to the house.

Of course if the Melbourne City Council changes its mind and decides it would like to go ahead with the

show, it may take over the running of the show again. It really is up to the council to decide whether it wishes to remove itself from or be part of future garden shows. The purpose of the bill is to maintain protection of the Carlton Gardens while allowing the show to go ahead. I think most Victorians will be very pleased with this legislation, and I look forward to the flower shows continuing in the future.

Mr WALSH (Swan Hill) — It is a pleasure to rise to speak on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill. As has been said, the bill provides for the management of the Carlton Gardens reserve during special events and particularly to allow the continuation of the Melbourne International Flower and Garden Show at the site beyond this current year.

I must admit that when I read the bill I was amazed that the Melbourne City Council would ever be opposed to the flower show continuing in the Carlton Gardens. It just amazes me that such a fantastic event would not be supported by the council, but it is up to the council to justify its position. This bill permits the minister to recommend to the Governor in Council that events suitable to be held at the Carlton Gardens reserve are of significance to the state and should be declared special events, permits the suspension of the powers of the trustees or committee of management for the Carlton Gardens for the period of the special events, permits the suspension of local laws to the extent that they apply to the Carlton Gardens reserve, and when an event organiser fails to ensure restoration of the gardens after one of these special events, empowers the secretary of the trust to carry out restoration works and recover the cost of those works from the event organiser.

The flower show is a great event that showcases amenity horticulture in Victoria. Quite a few people talk about the horticultural industry, and in some ways it is split between amenity horticulture and production horticulture. I will come back to that later.

The flower show was started in 1996 by former Premier Jeff Kennett. It was a great success due to the vision of the then Premier, who set about getting Victoria on the move again after the dim, dark years of the Cain and Kirner governments. It is interesting that this bit of legislation is being dealt with tonight. Members who listened at question time would have heard the Premier trying to rewrite the history of Victoria when he talked about how in the mid-1990s, 40 000 people were leaving Victoria every year to go interstate. In some ways that was a leftover of the Cain-Kirner era and not so much a product of the Kennett era. That was a very sad time for Victoria and for those of us who remember the collapse of the Pyramid Building Society and that

the State Bank of Victoria actually went broke under the guidance of the Cain and Kirner governments. The State Bank was an icon in Victoria, and it was very sad that the government was forced to sell it. We saw the collapse of the Tricontinental merchant bank at the same time. The government is trying to rewrite history at the moment when it talks about the great job it is doing. It was Jeff Kennett who actually got the state going after that very sad time in Victoria's history, where we have a — —

The ACTING SPEAKER (Ms Campbell) — Order! I remind the member for Swan Hill to return to the bill.

Mr WALSH — I am speaking on the bill, Acting Speaker. I am talking about the fact that the flower show is a fantastic event, and that it was one of the events that Jeff Kennett used to get this state kick-started after the legacy left to us by the Cain and Kirner governments and the debts that had to be paid off. The state was left with a debt of something like \$60 billion if you add in the unfunded superannuation liability at that time. The Kennett government can be very proud of the fact it was able to pay off that debt.

The flower show is on again this year and will be held in the first week of April. I urge members of the house who have never been to the flower show to make the effort to go down there. I have been several times — —

An honourable member interjected.

Mr WALSH — I still survive. Flowers Victoria is an associate of the Victorian Farmers Federation, and has been part of the VFF since 1975. The flower industry is a key part of the farming community in Victoria.

One of the things I noticed when I went to the flower show last year was the focus on water-efficient gardens. A lot of effort is now going into showing how people can have a garden, something they can go out into and enjoy which is more water efficient than the gardens we have had in the past. The days of the English-style garden are probably gone, because we just do not have the water resources in this state for that. It was great to see how different models of water-efficient gardens can work and how people can change their gardens to make them more water efficient. That is probably of particular relevance to people in the likes of my electorate where for quite a bit of this summer we were on stage 4 water restrictions. Everyone in Melbourne might have enjoyed stage 3a restrictions but a lot of people in northern Victoria were on stage 4 water restrictions all summer, and it is only in recent times

that we have moved back to stage 3 and have been able to do some watering at night.

The Melbourne flower show has something like 500 exhibitors each year. It is a great event for those people to showcase their wares to not only the rest of the Victorian community but also the interstate and international visitors who come to this state for the flower show. In the second-reading speech the minister talked about something like 100 000 visitors going to the flower show, and the flower show website talks about 125 000 visitors. Whichever figure you take, it certainly shows it is a major attraction on the social and events calendar in Victoria.

It is interesting to look at the flower industry in Victoria. It is a major industry and a major employer in this state. Something like 40 per cent of Australia's flower production actually comes out of Victoria, so it is a quite significant industry from both a state and national point of view. It is worth something like \$350 million per year to the state of Victoria, so it is quite a major contributor to the economy of this state.

As has been raised by previous speakers, one of the concerns with the legislation is that this bill does not actually guarantee the continuation of the Melbourne flower show. It gives the minister the power to gazette the use of the gardens for the flower show. It is within the minister's power to determine on an ongoing basis whether the flower show is there; it is not actually in the legislation. There was some discussion about the fact that the seat the flower show is held in is currently held by a government member but at some time in the future that seat may be held by a member of the Greens, the Greens may be in coalition with the Labor Party to form government and you might find — —

Honourable members interjecting.

Mr WALSH — People on the government benches interject, but we know what great mates they are with the Greens. You might find that at some stage in the future there is a Greens-Labor coalition and the Greens might dominate and stop the Melbourne flower show. If it is within the power of the minister to stop it and it happens to be a Greens minister who has control of this in some future Greens-Labor coalition, we might find that we do not have the flower show. I put that caution forward about the minister having the power to gazette the use of the gardens for the flower show when there could be a Greens-Labor coalition here in Victoria in the not-too-distant future. We do not want to see the flower show stopped.

The Nationals, as part of the coalition on this side of the house, do not oppose this legislation. We look forward to those of us who can attending the flower show this year. I reiterate: if anyone has not had the opportunity to go to the flower show, please make the effort. Please go along and make a real effort to look at the water efficiency things, because we all know what a precious resource water is in this state.

Ms BEATTIE (Yuroke) — I rise to support the Crown Land (Reserves) Amendment (Carlton Gardens) Bill. We on this side of the house are great supporters of the Melbourne International Flower and Garden Show. We are not shrinking violets in our support of that show. We all know that the show attracts over 100 000 visitors each year. It is my understanding that many people come from interstate and indeed overseas. There are garden clubs that go out to the tourism industry and advertise the Melbourne International Flower and Garden Show and many people from overseas come to see the show. It is a great event on our tourism calendar, and it is in a great location. Beside the majestic Royal Exhibition Building, of which we are all justifiably proud, there are the beautiful gardens. For a short time they are converted for garden exhibits, trade displays, some catering outlets and other services. There is a great variety there. Indeed some of the garden designers who first started their careers at the Melbourne International Flower and Garden Show have gone on to erect displays in shows in England and have won international awards. We can be very proud not only of the garden show itself but also the designers and the exhibitors at the flower show.

One thing that has taken place on that site is that it has led the way on water-saving devices. This government is very proud of its record in water saving. Victorians have exceeded our expectations in their ability to save water. They have really embraced the water-saving message. The previous speaker talked about the days gone by when everybody had a green lawn. Personally I have never had a really green lawn, as I much prefer indigenous plants. But you can adapt the various plants and that is what the Melbourne International Flower and Garden Show really does: it shows people that they can have any sort of garden they want, and it displays them in situ.

I have a report on heritage tree protection from Mr Small, the heritage tree inspector. He inspected the heritage-listed trees before the show, during the set-up, during the show period and during the show bump-out. He has reported that during that time there were no significant concerns. The report says the removal of exhibits was conducted with care and there was no site disturbance to trees. It talks about the show set-up and

the exhibitors being aware of tree protection zones determined by the Melbourne City Council and show organisers within their sites where root zones or aerial tree structures are not to be disturbed at all. The structures there were affixed to the ground by flat plates on pallets or by the weight of the structures themselves sitting on a bed of sand or other material used to create a level base. We see that although there is some disruption for a short time, as you would expect from a major event, there is no lasting detrimental effect on the gardens.

The flower show has been at the Carlton Gardens for some 12 years now, and it is my understanding that the show contributes a not insignificant amount — around the \$8 million mark — to the Victorian state economy. I have talked about there being no long-term detriment to the gardens or its significant trees, and even the reports commissioned by Melbourne City Council indicate that the show does not cause any significant effect or harm.

The suspension of the council's powers in relation to the Carlton Gardens is only temporary, for the purpose of holding the event. The council will continue to manage the gardens for the rest of the year, so it will have no significant long-term detriment on the gardens. The Melbourne International Flower and Garden Show is a significant event on the tourism calendar.

With those few words I wish the bill a speedy passage. I said that members on this side of the house were not shrinking violets in their support for the garden show, but if those on the other side of the house care to cut down a few tall poppies when they say they are supporting the flower show, then they may do so. I hope the Melbourne International Flower and Garden Show continues for many more years yet, and I am sure it will because there is absolutely no concern of long-term detriment to the area. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Crown Land Amendment (Carlton Gardens) Bill. The purpose of the bill is to provide for the management of land in the Carlton Gardens reserve during special events and to allow for the continuation of the Melbourne International Flower and Garden Show at the Carlton Gardens site beyond 2008. It is an important piece of legislation to a number of valuable small businesses in my electorate of Evelyn. Accordingly, I am very pleased to be standing here today and speaking on it.

First of all I would like to take the opportunity to remind members of the house that the existence of the

Melbourne International Flower and Garden Show was an initiative of former Premier Jeff Kennett and the coalition government. The flower show has become one of Melbourne's hallmark calendar events, typically attracting around 125 000 visitors. It is regarded as one of the world's best garden shows, and as such has generated significant revenue for the Victorian government since its inception 13 years ago. It is the largest flower and garden show in the Southern Hemisphere, contributing approximately \$8 million to the economy, which makes it a significant event.

I have attended every one of the garden shows. They are a tremendous social and learning event. Conversations arise between total strangers as they are admiring the beautiful exhibits, or as they are listening to descriptions of all the gadgets that can enhance the life of an amateur gardener. It cuts across all boundaries of race and language. You just smile and you are talking to people about the plants you admire and love, and people give advice to each other. It is one of the most friendly exhibitions I have ever been to, and I have been to hundreds of wine exhibitions — working, I must add. The flower and garden show has a very special appeal, and it really does appeal to people of all ages.

Despite the fact the bill claims to have as one of its main objectives a guarantee for the future of the Melbourne International Flower and Garden Show, it is framed in such a way that the survival is hinged on the decision making of the current or future minister. By virtue of this fact the bill does not really guarantee the continuance of the flower show at all, it merely gives the government control over the future of this much-loved public event. This control is embodied under clause 29M of the bill, which allows some or all of the powers held by the committee of management and trustees to be suspended during the special event or any other specified part of the declaration period.

Another point relates to the government's definition of special events. Remarkably broad in nature, the bill allows the minister to recommend to the Governor in Council that events suitable to be held in the Carlton Gardens reserve — that is, of significance to the state — be declared special events. I would like to have seen a more concrete definition of what constitutes a significant event. This is the only avenue we have to ensure that this is a transparent process.

It is particularly worrying because the Exhibition Building and surrounding gardens have been world heritage listed. They are a beautiful part of Melbourne's scenery and must be treated with great care and respect; however, this should not preclude us from enjoying

them. It is vital to balance the value of the world heritage listing of the gardens with the benefits gained by small businesses, many of whom come from the Yarra Valley. That is why I fully support the inclusion of provisions that allow for the secretary of the trust to carry out restoration works and recover the cost of these works from events organisers. In the event of any cosmetic damage being inflicted, it is only fitting that we have in place guidelines to allow for the restoration of the magnificent Carlton Gardens reserve. In most instances this should only involve repairing patches of grass which will regenerate reasonably quickly.

The Melbourne International Flower and Garden Show employs many casual, part-time and full-time staff, ranging from on-site contractors to catering and hospitality staff, retail exhibitor staff, as well as the event management team. All of these jobs would go if the flower show were cancelled in the future.

The Warratina Lavender Farm, Tesselaar's, Mount Beenak Orchids, Yarra Valley and Dandenong Ranges Tourism Marketing Board, Di's Delightful Plants and Larkman Nurseries are just a few of the Yarra Ranges businesses that have exhibited at the Melbourne International Flower and Garden Show since its inception. For these reasons it is important for the legislation to guarantee the continuance of this particular exhibition.

The horticulture industry in the Yarra Valley has taken a battering over recent years due to the drought and to water restrictions. It is always our rural communities that are hit hardest by these decisions because of our comparative isolation. A lot of businesses have folded due to the severity of water restrictions. Some people might be tempted to argue that this is evidence of the lack of a need for a flower and garden show. This could not be further from the truth. In typical Australian style our horticulturalists have already adapted the way they do business. They are now coming up with more water-saving measures and are stocking more hardy, drought-tolerant plants that can withstand our unforgiving climate.

The Nursery and Garden Industry's chief executive officer, Steven Potts, and all the people involved in guiding the industry — industry stalwarts such as Kees Tesselaar, Wes Fleming and Clive Larkman — should all be commended for the way they have continued to operate their businesses during these difficult times and their assistance in mentoring other businesses. While I am referring to the local nurseries and plant suppliers in my electorate, I would like to commend Plant Growers Australia and Humphries Nurseries, which I was

fortunate enough to visit with Steven Potts, from the Nursery and Garden Industry.

Now more than ever the Melbourne International Flower and Garden Show has an even greater reason for existence. Not only does it get Victorians outdoors, exposing them to a wonderful selection of plant life and to creating business opportunities, but it is now helping to educate gardeners about water conservation methods and drought-oriented planting. It is reminding homeowners that they can still have a beautiful garden even in times of drought. We just have to keep adapting, as we always have done and always will. Like the Deputy Leader of The Nationals, I encourage everyone to visit the Melbourne International Flower and Garden Show, and to take all their friends along and have a wonderful time, as I do every year.

Mr CRUTCHFIELD (South Barwon) — I rise to speak on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill. Like a number of other speakers here, I have also had the pleasure of attending that particular hallmark event in the Carlton Gardens. I have done so on a couple of occasions with my wife, and it is a wonderful event. It has evolved over the 12 years since its first show in 1996, as climatic changes have occurred and water conservation issues have come to the fore. That was one of the reasons we went to the show. We were building a new house down near Torquay and were concentrating quite importantly on water conservation issues. We went to the show to look at some of the gardens which the member for Swan Hill also alluded to in terms of water-efficient gardens.

We went there for that exact reason. I think you will find in April this year that there will be tens of thousands of people attending the event. Whilst they may not go there for that primary purpose, there is certainly an educative side to the Melbourne International Flower and Garden Show (MIFGS). Whether they are looking at non-native plants or, as is increasingly popular, the native and indigenous section, I certainly encourage members of the house and my electorate to attend the event. It has had well over 100 000 people attend each year for most of its 12 years of existence. It provides a significant economic benefit to the state of Victoria, and that is why it is one of our hallmark events.

It is one of the largest flower shows in the Southern Hemisphere. We have a number of overseas trade delegates — I have here a press release from the minister alluding to the Japanese delegation that is attending this year to show its bonsai exhibition — as well as interstate delegates. There are some

400 industry representatives from around Australia who present at the event.

It is a fabulous opportunity for Victoria to showcase that heritage precinct. It is also a very important opportunity for Victoria to showcase the horticultural industry. The show is clearly about economic returns to that industry. As one of the speakers here has mentioned, some 40 per cent of Australia's flowers are produced in Victoria. Not too many people would know that figure. The industry is a significant employer and a significant economic driver for regional Victoria. There are obvious benefits to be gained from the event, as there are from all major events, but this exhibition is of great benefit to regional Victoria and the horticultural industry.

Why are we here today? It is unfortunate that we are here. Melbourne City Council, in its wisdom, has decided at this stage — —

Mr Stensholt interjected.

Mr CRUTCHFIELD — Yes, I was being rather cute with the word 'wisdom'. Some members of that council have decided to refuse a permit for the Melbourne International Flower and Garden Show after the 2008 show. It is very short-sighted; I think everyone in this house would support that view.

That leads us to this bill. The city council manages the Carlton Gardens under the provisions of the Crown Land (Reserves) Act. It is joint trustee with Minister Jennings from another place, and therefore is the committee of management for that event, so the event currently cannot be held without the council's permission. That was the catalyst for this bill, which will allow the state government to suspend the council's authority in respect of its committee of management responsibilities while the flower show is being conducted.

I know the council has raised some heritage issues and also the possibility of damage to some significant trees in that area. Whilst residents have a right to advocate on issues that may be of genuine concern in terms of damage to the precinct, I think they should take a great deal of comfort not only from the council's own reports but also from reports from Heritage Victoria which discount those concerns and endorse the view that there can be coexistence between that precinct and an internationally significant flower show like the one we will experience in early April this year and will continue to enjoy in the years to come. I will quote from a report that was prepared last year by a Heritage

Victoria consultant who has horticultural experience. he concluded that:

... the conduct of the MIFGS in 2007 has had no discernible impact on the health of vegetation ... in Carlton Gardens.

That was the crux of most of the concerns the council has alluded to.

The council has its own reports; I think it is incredible that the councillors have refused to take on board the expert knowledge of the council officers. There are three reports; I want to mention one in particular by Robert Small, who is a heritage consultant. I know Robert very well; he used to be an environmental general manager at the City of Greater Geelong. He has a great deal of expertise in regard to this issue. He comes from New Zealand and has worked in — —

Mr Stensholt interjected.

Mr CRUTCHFIELD — Forgive me for that! He worked in the New Zealand horticultural industry so he has a vast degree of experience regarding this issue. He stated that:

... the conduct of the MIFGS in 2007 has had no discernible impact on the health of vegetation (trees, shrubs or grass) in Carlton Gardens.

I will not quote from all three reports, but I think the second report is significant. It states:

The impact of the MIFGS in 2007 on soil physical condition has been minimal. Therefore, we are confident that the level of soil compaction in the Carlton Gardens poses no threat to the existing trees/ vegetation.

I want to stress that these statements are from the council's own reports which, I hope, have an ability to change the current council's view. It would be pleasing to the state government if the Minister for Environment and Climate Change in another place, Mr Jennings, did not have to enforce the suspension of Melbourne City Council's management rights at this period of time or during other events which we determine are of state or national significance. I hope that continued discussions with the council end with the council having a view which is shared by the state government and, indeed, all parties within this chamber. I wish the bill a speedy passage.

Mrs POWELL (Shepparton) — I am pleased to speak on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill. The Nationals, in coalition, will not be opposing this legislation. In fact many of us support the Melbourne International Flower and Garden Show. I understand that the garden show has been held for the last 12 years. The first show was in

1996, which was the year that I came into this place as a new member of Parliament. That seems like such a long time ago.

The bill states that its main purpose is:

... to provide for the management of land in the Carlton Gardens reserve for special events.

As other speakers have said, this event was introduced under the Kennett-McNamara coalition government. The show was seen as an iconic event and great for the tourism of this state. The event was seen to be beneficial not only to Melbourne but to all of Australia. So of course we support it.

We are also told that the bill is to allow for the continuance of the Melbourne International Flower and Garden Show at the Carlton Gardens site beyond the current year. But I think the bill goes further than that. We have recently passed legislation so that the Carlton Gardens is put onto the heritage list. It makes a lot of sense to have that area on the heritage list so that there are some checks and balances when anything happens or events are proposed for the gardens or the buildings in it.

The bill permits the minister to recommend to the Governor in Council that events suitable to be held at the Carlton Gardens reserve that are of significance to the state are to be declared special events. Again, that is not just for the continuation of the flower show. It actually gives the minister the authority to put on special events in the gardens. Even though those events are listed in the *Government Gazette*, I would hope the minister takes into account the special area where the Carlton Gardens is located.

The bill also permits the suspension of local laws to the extent that they apply to the Carlton Gardens reserve. In some way this takes away the authority of the Melbourne City Council, so hopefully the state government will work with the Melbourne City Council to make sure that not only the flower show but any event at the Carlton Gardens and the Royal Exhibition Building are dealt with in an appropriate manner. Whilst it is removing the council from having jurisdiction over the local laws, hopefully there are laws that enable the state government to ensure that those gardens and that building are dealt with respectfully.

In the event that organisers fail to ensure the restoration of the gardens after each special event, the legislation empowers the secretary of the department or the trust to carry out restoration works and recover the cost of those works from the event organiser. I know that has been happening with the flower show for the last

12 years, and obviously the event coordinators and organisers are making sure that those restoration works, if there is any damage, return the gardens to the appropriate condition.

For any other event where there is not the obligation on organisers to restore the gardens to the appropriate condition, I think it is important for there to be some decision about the creation of a bond for a new event to make sure that organisers understand that this is a special icon area that needs to be brought back to its appropriate condition when that event leaves the gardens and that, if there is any environmental damage, the damage is corrected. Although the flower show has been there for 12 years and has made sure the site has been restored to its appropriate condition, we need to make sure that after any other event the minister deems to be a special event for Victoria the gardens are restored to the appropriate condition.

Previous speakers have talked about the fact that the Melbourne International Flower and Garden Show is now seen as an icon event not just on the Victorian calendar but also on the Australian calendar. This is especially true for nurseries and garden industries. It is also showcasing best practice for what happens in our horticultural industry.

I understand that the Melbourne City Council is opposed to the flower show continuing in the Carlton Gardens beyond this year. To make sure that the event continues we should have some discussion with the council to ensure that it does not feel completely at arms-length from the event happening, because I am sure it is very proud of the event in the gardens and at the Royal Exhibition Building. I also understand a number of local resident groups are opposed to this on the grounds of environmental damage to the gardens.

We need to make sure that the state government ensures that conditions are put in place so that all those people who use the gardens, whether they be tourists or locals, put it back in its appropriate condition — for example, for rubbish bins and paths to be provided so that people walk in the appropriate areas and there is minimal environmental damage to the gardens. Obviously some safeguards need to be put in to protect the gardens, because they are iconic, heritage-listed gardens which we are very proud of.

We are told that the purpose of the bill is to guarantee the future of the flower show. As I said earlier, the bill goes much further than that. It not only guarantees the future of the flower show; it is up to the discretion of the minister to allow any event that the minister deems is of state significance. Even though it has to be put in

the *Government Gazette*, the minister can say that any event can be deemed as significant to the state and an appropriate event at the Carlton Gardens. It is more than just the future of the flower show. I think we need to be aware that it goes much further than that, even though the second-reading speech says that it is to guarantee the future of the flower show.

The flower show has put Victoria on the world horticultural map. Nurseryman Wes Fleming from Fleming's Nurseries, who exhibited at the Melbourne flower show, took his designs to the Chelsea Flower Show in England for three consecutive years and has won a silver-gilt medal and two gold medals with other Australian designers Jim Fogarty, Jack Merlo and Dean Herald. There have been other garden designers who have exhibited at the Melbourne flower show who have taken their designs overseas. Carolyn and Joby Blackman from Vivid Design won gold medals last year at the Singapore Garden Festival in the fantasy garden design category. Again, it is showcasing the best of who Australia has in our gardening industry. The show is not just a showcase of gardens; it actually allows some of our horticultural people to show what they are made of, to show what they can do and to actually put those designs right across the world.

There is some concern by the Melbourne City Council that there could be damage done to the gardens. We have heard here today that there has been some dispute about the evidence that has been put forward about that, and in fact reports have said that there is no evidence of damage; but we need to make sure that there are protocols in place to ensure that the environmental damage, if any, is minimised.

The member for Swan Hill — the Deputy Leader of The Nationals — talked about the drought-tolerant plants that have been shown at the Melbourne flower show, and this is a really important issue, particularly for country Victorians. They can see on show the drought-tolerant plants they can put in their gardens, because country Victorians have minimal water at the moment, as do people in Melbourne. The water-saving techniques that are available for sale and that are available to be put into people's gardens at the moment will be on show — for example, dripper systems and the sorts of plants that can be put under mulch and so forth — and that is really important for people who may not know how to minimise water usage in their gardens. Low-maintenance gardens will be showcased, as will methods for growing your own food and at minimal cost because of the water shortages.

The show will be on from 2 to 6 April this year, and it is being held in the Royal Exhibition Building and the

Carlton Gardens. We ask people to visit the show, if they can. There will be a search for Australia's top florist. Interflora Australia has invited nine of Australia's top floral designers to compete in the section trials for one of the most prestigious florists' competitions, the Asia Pacific Cup, which is held every two years.

People from country Victoria attend the Melbourne International Flower and Garden Show — busloads of people from country Victoria travel there — to have a look at best practice. Some people cannot look after their own gardens because they do not have the water, so it gives them a lot of pleasure to go and look at beautiful gardens and see best practice on show. We hope that this venue will be used for the next decade or so, and we wish the bill a speedy passage.

Mr STENSHOLT (Burwood) — It is a pleasure to follow the member for Shepparton. She pinched half the lines I had about all of Victoria's wonderful garden designers and the fact that they use this event as a way to gain international experience and reputation. This legislation is necessary to ensure the future of the Melbourne International Flower and Garden Show, which is essentially what the bill is about.

The bill provides for the management of the land in the Carlton Gardens reserve during special events, and of course there is really only one special event which is held in the Carlton Gardens — namely, the Melbourne International Flower and Garden Show.

Other members have spoken quite eloquently about the importance of the show to the state, with over 100 000 visitors to this magnificent show every year. It is the largest garden show in the Southern Hemisphere, and of course people come from all over. They come not only from Melbourne and Victoria, and from around the rest of Australia, but also from overseas. Special tours are organised; it is a terrific event. Instead of going to Kew, they are coming to Melbourne! It is marvellous, and of course it contributes quite a few million dollars — I think the estimate is \$8 million — to the state's economy.

As has been said by other speakers, the show has been going now for 12 years, and it has been very successful — although not without a few hiccups, of course. There have been discussions within the Melbourne City Council about whether it should go ahead, and as a result of the last discussion it said, 'We'll let it go for the next couple of years, but we can't guarantee it', so a big question mark was put over this show. I have to wonder sometimes whether some of the councillors are a little bit potty and whether there

is a Bill and Ben show or something or other in the Melbourne City Council.

You have to wonder sometimes about local councils and their ability to effectively represent their constituents and local residents, and this is a really good example of that. It is very important in this regard that councils actually stay in the game and do not abrogate their responsibilities. This is a case where I think the council has pushed the envelope a little bit too far and started to abrogate its responsibilities — in this case, the ability to be the controlling authority in regard to the gardens.

It is a minority of councillors not recognising what is going on here. They claim to represent their residents, their people, but in fact they force the state government to become involved. They actually do not represent or protect local residents in this case. In fact they are abrogating their responsibility. It is a poor action by, in this case, a minority of councillors who have failed to take measured decisions based on the facts put before them. I understand that the council was offered a significant compromise which left it in charge of the park and the show as the responsible authority, but councillors elected to obfuscate and not give a long-term commitment. They failed the Melbourne International Flower and Garden Show, they failed their local residents and they failed the people of Victoria. The member for South Barwon has already mentioned some of the material which has come before the Melbourne City Council in this regard. There is the council's environment committee report of 5 June 2007, which states that the purpose of the committee was:

To provide the environment committee with a review of the 2007 Melbourne International Flower and Garden Show ... at the end of the first year ...

Attachment 2 to that is a report by Robert Small on heritage tree protection in the Carlton Gardens during the Melbourne International Flower and Garden Show 2007. Among other things, Mr Small wrote:

It is my opinion that the conduct of the Melbourne International Flower and Garden Show in 2007 has had no discernible impact on the health or vegetation (trees, shrubs or grass) in Carlton Gardens.

He talks about a whole range of activities that took place there.

Other reports were presented at the same meeting of the Melbourne City Council. One is entitled *Soil Compaction Assessment of the Carlton Gardens* and was commissioned for the City of Melbourne by Jacqui O'Toole, project coordinator of Events Melbourne. The

assessment was conducted by Robert van de Graaff and Jonathan Holland, both PhDs in soil science. As has already been mentioned, they carried out the assessment in order to assess the current level of soil compaction. They took field samples, of course — as you would in this regard — and they state in the executive summary:

This work found that there was minimal impact on the soil physical condition as a result of this event. Therefore, we are confident that the level of soil compaction in the Carlton Gardens poses no threat to the existing trees/vegetation.

This is the material that was presented to council regarding what happened in 2007. However, there really was no definite long-term approach or view by the council, hence the minister had to step in to secure the flower and garden show, because it is such a fantastic event. As I have already mentioned, last year an internationally awarded Japanese designer created a stunning feature garden. There was also a trade component, which had a whole lot of delegates from all around Australia — over 500, as I understand — and participation of landscape designers from Malaysia, Singapore, New Zealand. As has already been mentioned by other speakers, the focus of the show was on water usage.

Probably like most people, I am a bit of an amateur gardener. We did pretty well this year in our vegetable garden. I will not go into the detail of what we produced, but we did produce quite a lot. We have been careful in the way we have used water, including tank water. Like other people in the street, we have been quite smart about it and maximised our water usage. We have learnt from a few of the lessons that have been available at the Melbourne International Flower and Garden Show to get people to save water, find additional supplies and use recycled water. Obviously we used the bucket out of the shower and other simple techniques. We have done a great job here in Melbourne in saving water. I think we are using well over 22 or 23 per cent less water per head compared to the 1990s, and last year's flower and garden show showed the way.

This particular legislation ensures that we will be able to have the show in the future. I hope the Melbourne City Council comes to its senses and enables arrangements to be put in place so that the Minister for Environment and Climate Change does not have to exercise the powers provided in the bill. The legislation provides that any powers will be temporary and only for the purposes of holding the event — and as the legislation says, it has to be a special event. The bill defines what is meant by the words 'a special event'. It has to be an event that is of significance to the state. In

this case we have a marvellous event that is of significance to the state.

I think this is very sensible and commendable legislation because the show is far too important for Victoria for it not to take place. We do not want to lose it; we want to enhance it. We understand from the reports of last year that it is a very well-managed event that has minimal impact on the environment. I have quoted from the reports prepared by experts which were put before the Melbourne City Council and which show that to be the case. The bill provides for the same checks and balances to be in place in the future. I am sure if he has to, the minister will ensure those checks and balances are put in place to make sure not only that the show is successful for the people of Melbourne and Victoria but that in terms of the Carlton Gardens it is environmentally sound.

It is a pity the legislation has had to be introduced to make sure these things go ahead. It would have been much better if people had worked together. As I have said, there has been a failure of decision making by the Melbourne City Council. The councillors have basically got ahead of themselves and have abdicated their responsibilities as the responsible authority. I think that is a shame, and I hope they reflect on this and improve their performance in the future.

Mr MORRIS (Mornington) — I am pleased to have the opportunity to make some brief comments on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill 2008. My comments will probably not be as brief as the second-reading speech, which set a new standard in brevity for this Parliament. However, I do not intend to take too much of the time of the house.

I had a sense of *deja vu* when I heard the member for Burwood beating up on the Melbourne City Council. It was a bit like reading *Hansard* a few years ago. That aside, the purpose of the bill is to provide for the management of the Carlton Gardens reserve during special events. As a result it provides for the continuation of the Melbourne International Flower and Garden Show. It seeks to achieve those ends by inserting a series of new definitions in the principal act.

New section 29J sets up the structure for the special event management declarations, and new section 29K provides what they can contain. New section 29M provides for the management of the reserve during the duration of the special event, but most importantly it provides for the suspension of the functions, powers and duties of the committee of management of the Carlton Gardens, which is of course the Melbourne City Council.

New section 29M(3) provides that the committee of management of the Carlton Gardens reserve must not exercise or perform any function, power or duty that is suspended; or perform any other function, power or duty that is inconsistent with the special event management. New section 29O provides that any regulations and local laws in force are suspended. There are also other machinery provisions, including those covering the restoration of the area prior to it being handed back to the committee of management.

The indication is that these measures — some may say they are firm and some may say they are draconian — are being taken to allow the continuation of the Melbourne International Flower and Garden Show. The show, which was an initiative of the Kennett coalition government and which has proved to be an enormous success, has become the flagship event for the nursery and garden industries. It has also become a major tourism event.

However, the problem is that the council has rightly become concerned about the impact, in particular, of the drought. Places such as the Carlton Gardens are irreplaceable and are suffering stress, and the council would be negligent in its role as the committee of management if it did not seek to protect this public asset.

Despite the draconian nature of this bill there is not even a guarantee that the Melbourne International Flower and Garden Show will continue at this venue or even continue at all. But aside from that technicality, to me this open-ended legislation — open-ended in that it effectively gives the minister the opportunity to allow any number of events to be held in a year in the Carlton Gardens — is most of all about the government's growing arrogance. It is about the government's inability to work with the community, with other elected bodies like the Melbourne City Council and with the stakeholders.

I contrast the government's action in introducing this legislation with the ALP local government policy at the 2006 election, which says Labor considers local government is vital to form 'the focus of strong communities across Victoria'. It also states that it is important to ensure that local government is protected from attacks on democracy. The policy highlights the fact that the government has returned Docklands to Melbourne in time for the council elections in 2008, but now it is stealing the Carlton Gardens back again.

According to this policy document:

Healthy debate is the cornerstone of democracy.

But you could add, 'If you don't happen to agree with our point of view, we don't need to have the debate. We'll just legislate'. It is important, according to this policy, to:

... nurture a new generation of dynamic and visionary local government leaders.

And a further addition could be, 'But of course don't make any decisions that we don't like because we will legislate you out of existence'.

In the conclusion on page 8 it says:

This ... policy will significantly raise the quality of council ... decision making.

It will promote increased skills and professionalism ...

It will make local governments more accountable ...

A further addition could be, 'Once again, if we do not like it, we will simply legislate you out of business'.

Mr Seitz — It's a bit like the upper house.

Mr MORRIS — I will ignore the interjection.

Honourable members interjecting.

Mr MORRIS — We have handled it so well we have now got to have its members come down! I will not be diverted to talk about the Treasurer's job, because in spite of saying I was not going to speak for very long, I am getting close to 7 minutes now.

In conclusion, I think the bill exposes the government's real attitude to local government bodies. As long as they go along with the government and as long as they are pliable and agree with the position that is being put by the government, then everyone will be mates, everyone will get along well. But as soon as they stand up and say, 'We've got an asset to protect, we've got an interest to protect we've got a community to protect', they get their heads chopped off.

I do not have any argument with the intent of this legislation in protecting the Melbourne flower show. The way it is being done and the fact that we need to legislate at all instead of sitting down and negotiating and agreeing on an outcome is the glaring flaw in the process.

Mr SEITZ (Keilor) — I will be very brief because I am conscious that a number of other members still want to speak tonight, but there are some points to be made. The bill is titled the Crown Land (Reserves) Amendment (Carlton Gardens) Bill, and 'Crown land' means it belongs to all of us.

Melbourne City Council is only the management committee to look after our city on behalf of everyone, not just one select group of people. If a certain number of councillors do not want to make responsible decisions for the broader good of the whole community, then it is up to government to do that, to let them know and to set the legislation in place so that it can be carried out responsibly by the minister. I have been waiting to hear the opposition say the government is engaging in environmental vandalism through this legislation. That was all it needed to add!

What I just heard the opposition say on this matter is nonsense. What the government is doing has been the normal procedure of every government of the past when there has been an impasse with a community organisation, trustees or a management committee dealing with Crown land. It is incumbent on the minister of the day to enact the necessary powers, if the government does not have them, so that the benefit for the greater community and society can continue.

We have heard a number of speakers talking about what a wonderful thing the flower show is and about the big income it brings in: some \$8 million for that short period of time. It provides funding for the city of Melbourne. It highlights Melbourne and puts it on the map. It gives it worldwide exposure, which we need for tourism and everything else that we compete with the other states for.

On top of that, over the years the gardens have been used for many functions and other things that have taken place — and the gardens still exist. If we are talking about environmental damage, the modern-day commitment contained in the legislation has ensured that over the last 12 years the trees have not suffered. There is management in place to take care of them over that short period of time. Therefore I do not understand where the last speaker was coming from or what his point was on those issues. You do not give Crown land away, whether it is in a local municipality or wherever it is; if it is Crown land, it is good for the whole community. We have had to make decisions on matters in the past for the benefit of the greater community and not just a small minority.

I know how local government operates — as soon as one person screams in their ward the arms go up and they do not want to make a hard decision. When you are elected to public office you have to make hard decisions at times, and you have to wear them. Some of those Melbourne city councillors should be making those hard decisions instead of playing politics in their council group, which is what they are doing. That is the unfortunate part. We see this in other areas as well. At

the moment Melbourne city councillors are playing one group off against another and saying they are the goody-goodies. I dare say they will probably call me an environmental vandal because I have said those words, but I will stick by them.

This bill is the best resolution for the community and the development of the Melbourne International Flower and Garden Show. People will now be able to plan and know that the situation will continue while this government is in power. We can now proceed without people saying, 'It is not guaranteed; it is at the whim of the minister'. The minister would not have brought in this legislation if he did not intend the Melbourne International Flower and Garden Show to go ahead. I wish the bill a speedy passage through the house.

Mr THOMPSON (Sandringham) — The Carlton Gardens is one of the iconic precincts of Melbourne. Key features include the landscaped gardens, which are understood to have been designed by Mr Bateman; the Melbourne Museum, which is a modern museum with both a fixed range and a changing range of exhibits, including some with indigenous qualities; and the Melbourne Convention and Exhibition Centre, which is the scene of a number of major international exhibitions in Australia.

In addition there are some other features of the gardens, including the avenues of large mature trees and the Westgarth drinking fountain. Mr Westgarth was one of the early contributors to the Victorian colony of the Port Phillip district. He was held in high esteem for his contributions as an author, statistician and keen contributor to early commerce and also for his methodical engagement in almost every political cause and issue of the day. It is understood that he donated the fountain which now stands within the gardens.

The role of the gardens in international exhibitions is a significant one, and certainly in the 19th century marvellous Melbourne was a strong centre of commerce as one of the most developed cities in the world, underpinned initially by the prosperity generated by wool production and later on by the gold rush.

Melbourne has other fine garden displays. Recently the Melbourne garden of a Hampton resident, Mr Mark Dymiotis, was featured as part of Australia's Open Garden Scheme. He had on display a range of his own produce, including tomatoes, olives, cucumbers, three varieties of beans, eggplants, corn, peppers and grapes, together with breadmaking and winemaking processing equipment by way of illustration. Remarkably, 2500 people visited his garden in a suburban block,

perhaps 50 or 60 feet by 140 or 150 feet, to have a look at his production of home-grown produce.

In 2004 Mark Dymiotis was a coordinator, together with me, of a project to find the best Mediterranean-style garden in Melbourne. In that year it was reflective of the interest in gardens and garden shows that there was intense interest in Melbourne shown by a number of applicants. There were 100 applicants in that competition. Originally there was going to be just 1 first prize, but ultimately there were 3 first prizes and 25 second prizes, such is the avid interest in garden shows, garden displays and home-grown produce. Likewise the garden show, which will be underpinned by the contribution of the Carlton Gardens precinct, will also attract immense interest from Victorians and international visitors as well.

One should not underestimate the importance of backyard cultivation and sustainable practices in both conservation of water and productivity using organic methods that provide a quality of food, a freshness and health-producing qualities generated through the backyard production of both fruit trees and vegetables. It is a practice which was encouraged by the government following the Second World War when there was a proliferation of the planting of fruit trees across the backyards of Melbourne. It is regrettable that modern planning practices are perhaps seeing an erosion of the traditional backyard with the range of produce that is able to be cultivated. Mr Dymiotis also featured good practice in water conservation through run-off captured from the roof which would make his own garden more productive.

The bill before the house is not opposed by the opposition. It understands the importance of gardening for its health-giving qualities through the produce grown and also for its recreational and social elements. I know that in relation to people with psychiatric disability the opportunity to be associated with the cultivation of plants has a range of important aspects to it that is part of the cycle of life and is certainly commended. The Melbourne International Flower and Garden Show should be a great success not only for Victoria but also for Australia, and it contributes to the welfare of many people.

Mr SCOTT (Preston) — It is a pleasure to rise and make a contribution to debate on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill. I will keep my comments brief as I understand that there are a number of other members who would like to comment tonight. The purpose of the bill is to secure the future of the Melbourne International Flower and Garden Show.

It is required because of the actions of the Melbourne City Council which has decided that it will no longer allow the show to be held at the gardens because of its belief about the environmental impact of the show.

I would like to thank the members for Keilor, South Barwon, Essendon and Burwood who ably pointed out in their contributions that the flower show has a strong record on not damaging the gardens and that there has been much expert advice to this effect. It is always a pleasure to follow the member for Keilor in debate and I note the member's unique interest in local government and particularly good governance in local government. As previously outlined by other speakers, the current drought increases the need for the flower show to take place as it has a significant benefit to industries that are feeling the pressure of the drought. It has been valued at about \$8 million to the Victorian economy, attracting over 100 000 visitors. My fiancée was one of those visitors, and she who enjoyed her visit greatly. I, I must admit that I am an appalling gardener whose sole ability seems to be to kill plants when I come into contact with them. I make no pretence to having expertise in that particular area.

This is a sensible bill which seeks to intervene in an issue where there is a greater good beyond that of the Melbourne City Council. The government has a responsibility to ensure the future of the flower show and the economic and cultural benefit that it brings to Victoria. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to debate on the Crown Land (Reserves) Amendment (Carlton Gardens) Bill 2008. Reference has been made tonight to the Melbourne International Flower and Garden Show, which of course is a huge component of this bill. The show is a joint venture of Flowers Victoria and the Nursery and Garden Industry Victoria. As mentioned by previous speakers, the show was an initiative of the Kennett government, the inaugural event having taken place some 12 years ago. It is the largest garden show in the Southern Hemisphere, which makes it a great attribute for Victoria. It contributes approximately \$8 million to the Victorian economy.

I want to quickly touch on a number of clauses. Clause 3 inserts new definitions into the Crown Land (Reserves) Act 1978. 'Event organiser' is defined as:

... a person who organises or conducts events ...

'Special event management area' is defined as:

... the area specified in a special event management declaration as the area to which the declaration is to apply ...

This area can include only all or part of the Carlton Gardens reserve, which is also defined in clause 3.

The bill also refers to a 'special event management declaration', which is defined as:

... a declaration under section 29J(1) ...

That is dealt with in clause 4. 'Special event period' is defined in clause 3 as:

... a period specified in a special event management declaration as a period during which the special event is to take place ...

Much has been said by opposition members in their contributions to this debate about the security of this event in the future. New section 29K, which is inserted by clause 4, prescribes the content of special event management declarations. It says they must specify details that include the name and a description of the event; the period for which the declaration is to apply, which must not exceed three years — and I think that is an important point in the debate; the date that it takes effect; the period during which the special event will take place; and the areas of the Carlton Gardens reserve to which it applies.

New section 29L(1) provides that a special event management declaration may provide that the Secretary of the Department of Sustainability and Environment or the Melbourne Convention and Exhibition Trust have the functions, powers and duties necessary to manage the Carlton Gardens reserve during all or part of the declaration period. These include any powers currently used by the committee of management or trustees to undertake such events on the land, and the declaration cannot confer powers inconsistent with the purpose of lands reservations under the Crown Lands (Reserves) Act 1978.

I will not go into the detail of new section 29M, which refers to the full powers of the minister in that regard, but I want to make the point that the really contentious debate about this bill relates to it being really up to the discretion of the minister as to how long the international flower show will be held, particularly in the Carlton Gardens reserve.

Much has been conjectured about the Melbourne City Council and its role in the Melbourne International Flower and Garden Show, and the debates it has had with the state government over this Victorian major event. Of course the council feels aggrieved about the process that has occurred in this regard. Whilst we agree that the Melbourne International Flower and Garden Show should continue in its current form — and we support that — it is the process with the council

that has upset many. I refer to an article in the *Herald Sun* of 25 September 2007. The first paragraph says:

The state government's takeover of the Carlton Gardens to guarantee the annual flower and garden show has angered city councillors, who were not consulted.

I emphasise those words 'who were not consulted'.

This is a very similar scenario to that regarding the Melbourne and Olympic Parks Amendment Bill that was before the house last year, where again Melbourne City Council felt very aggrieved about the fact that it was not consulted about the process of the government taking over land within Melbourne Park and in particular in the Gosh's Paddock area, as the member for Bulleen would know very well.

Thus, twice in the space of a very short period the Melbourne City Council had to contend with the Brumby government coming in and using its powers to take over land that was managed by the council.

Mr Kotsiras interjected.

Mr NORTHE — They were. On 11 October the then Minister for Tourism and Major Events — who is in the house this evening, which is great to see — made mention of the fact that Mitre 10 had been secured as the major sponsor of the show for the next three years. Again we come to this three-year scenario. There is nothing in this piece of legislation that dictates that the show will continue for many years to come, but all in this house would like to see it continue, and I again make the point that that is within the minister's discretion.

The member for Brighton made reference to Greg Hooton, the flower show event director, who pointed to reports of soil compaction assessments made in 2004, 2005 and 2006 which went against the grain of the City of Melbourne's recommendations on the state of the Carlton Gardens. The 2006 report stated:

The gardens exhibit a healthy growth and do not display any visible signs of stress, such as those that would result from high levels of compaction. It can therefore be confidently stated that the compaction levels are within the tolerance level of this park landscape.

The member for Swan Hill and the member for Shepparton alluded to the drought in their contributions. We would all love to have great gardens, particularly in regional areas where water restrictions are widespread, but it is important that the Melbourne International Flower and Garden Show continues. The council and the event organiser have taken great measures to ensure that it will continue using up-to-date water-saving measures.

I want to quickly make reference to some correspondence I received from Gilvas Garden Sculptors, a local Gippsland business which was concerned back in June last year when the future of the show was in jeopardy. As members of the Landscape Industries Association of Victoria, Gilvas made some really relevant points at that time. It said that many people from the Latrobe Valley and regional areas who travel down to the show not only as tourists but as exhibitors are learning their trade, and it is important that they have access to advancements in the industry. This is one way for them to do that. The event not only sits well with interstate and international tourists but it is important from the point of view of those in the regional areas of Victoria as well.

The member for Evelyn made reference to the fact that the flowers at the show have a calming effect upon the people in attendance. Maybe that is something we could use in Parliament. It is important to mention that this is a major event for Victoria. I am a member of the Rural and Regional Committee, which is undertaking an inquiry into tourism and the impact of having major events in regional areas of Victoria, which is really significant. The garden show is an important event that we should continue to support. I know it is being held in Melbourne, but as I said, it has a regional aspect as well. We have seen many times at the public hearings for this inquiry the importance of major events in Victoria, not only from an economic point of view but also to the local community, with the social aspects that come with it.

Over the long weekend just gone we had many major events to which I made reference in the house this morning in my members statement. Coming up this week is the International Celebration of Roses in Morwell, which is important for the garden industry and an important social outing for many in the community. Many people have put in a lot of time and effort behind the scenes to ensure that the event will be successful. In times of drought and the climate we have at the moment a hell of a lot of work and effort have to be put in to ensure that the roses are up to a standard that people will want to come and see, and I commend those people for doing that.

The amount of work that goes on behind the scenes to organise an event such as the Melbourne International Flower and Garden Show is really significant, and I think all in this house would agree that we should support such an event into the future. The only criticism we have of the government process in this regard is that it should ensure that everybody is consulted and made well aware of what the intentions are.

Mr LIM (Clayton) — I strongly support this bill, which will ensure the future of an event of not only national but in fact international importance. The event is the Melbourne International Flower and Garden Show, which is held at the Carlton Gardens. This legislation is necessary because last year the Melbourne City Council — and I am still trying to understand why it has come to this — indicated that it would not allow the Melbourne International Flower and Garden Show to be held at its current location in the Carlton Gardens.

This event is, as I have said, of national and international significance, and as the minister said in his second-reading speech, it is the largest flower and garden show in the Southern Hemisphere, attracting over 100 000 visitors to Victoria and contributing more than \$8 million to our economy. As someone who has attended regularly, I am surprised that the number is only 100 000. I would have thought it was a lot more than that, because the crowd is there constantly and throughout the whole time the show is open.

This is an occasion when the final decision needs to be made by the state government rather than a local body such as a municipal council like the City of Melbourne. I have enormous respect for our Lord Mayor, John So, and this subject is one I have discussed with him from time to time. I just do not know how the situation has come to this. No doubt there has been a small misunderstanding.

Not only are we satisfied that the show can be held in the Carlton Gardens without any significant environmental impact on the gardens, but there are overriding recreational, tourism and economic imperatives that make it critical for the state to intervene. While some members may be preoccupied with Melbourne as the sporting capital of Australia, especially at this time of the year, others know there is more to life. The aesthetes among us appreciate Melbourne for its cultural and recreational events. This exhibition at the Carlton Gardens is one of those. The Melbourne International Flower and Garden Show is one such event — —

The DEPUTY SPEAKER — Order! It is time under standing orders to interrupt the business of the house. The member for Clayton will have the call when this matter is next before the chamber.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Racing Victoria: integrity inquiry

Dr NAPTHINE (South-West Coast) — The issue I wish to raise is for the Minister for Racing, and the action I seek relates to the appointment of Judge Gordon Lewis to investigate integrity services for Victoria's three racing codes. In particular, the people of Victoria and I want the minister's assurance that this will be an open, independent and forthright investigation. I call on the minister to immediately release the terms of reference for this inquiry; to guarantee that the inquiry will provide a genuine opportunity for all Victorians, and particularly stakeholders in our three racing codes, to make submissions and presentations and if necessary give oral evidence to this inquiry; to guarantee that where possible the inquiry will hold public hearings; and to ensure that the inquiry will thoroughly examine the Allanson betting scandal, the failure of Racing Victoria Ltd (RVL) to adequately respond to the betting scandal and the orchestrated cover-up of the scandal by Racing Victoria and its chair, Labor mate Michael Duffy.

Tragically it is clear from reading the reports that were released last Friday that there are still too many unanswered questions and too much missing information, and there is even clearer evidence of an ongoing pattern of secrecy, cover-up and incompetence involving Racing Victoria Ltd, its chair, Michael Duffy, and the Minister for Racing in relation to the Allanson betting scandal. For example, although RVL employed Calibre International as a supposedly independent investigator, its report has not been released. Indeed what was released on Friday, which was purported to be the Calibre International report, was RVL's edited version, its doctored version of the Calibre report.

Further, the report highlights a conspiracy concocted on 21 January between Michael Duffy, Allanson and Des Gleeson not to tell the media about the betting scandal and how they would respond to media inquiries to minimise the damage if the story got out. Also, the report would have readers believe that, after Allanson admitted five bets under a false name at this meeting with Michael Duffy on 21 January, no further bets were uncovered for three weeks. But within 24 hours of the media exposing the scandal a further 37 bets were discovered, and Allanson resigned. It beggars belief. They are the sort of questions that need to be answered.

The report highlights that as early as October and November 2007 a number of people in RVL were aware of Allanson's betting activities and failed to act. The scandal was exposed only after two punters raised issues continually with Racing Victoria and through good work by the media. The RVL and its chair are involved in a cover-up and the cover-up is continuing. We need a genuine, open and accountable inquiry — —

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

Seymour electorate: youth sports facilities

Mr HARDMAN (Seymour) — I wish to raise a matter for the Minister for Sport, Recreation and Youth Affairs. The action I request is that the minister provide funding for projects to address the disadvantages faced by youth in our rural communities. Many young people in rural towns and communities lack places where they can hang out with their mates and do constructive things at the same time. While there are many things one can do in rural communities, like fishing, yabbing, horseriding and bike riding, there is a lack of facilities for structured activities like football, netball and other sporting clubs that young people need. Places where they can participate in non-structured physical activity are not always available, as can be seen in rural communities around the Seymour electorate.

In Kinglake, which is in the Murrindindi shire, there is an identified project of a skate park facility. This skate park facility would be part of the Bollygum Park, which is a theme park based on a book called *Bollygum*. The project has been the dream of many in the community for a number of years and has gained support through a lot of hard work by community members at the local and state level, and a little at the federal level as well. A multi-use skate park component to this adventure park would boost the activity of youth in the area by allowing them to have something to participate in. Currently they have to travel away off the mountain from Kinglake to hang out with people of their own age or wait for a mobile trailer that comes around every now and again. This project would assist young people, and it would be great for the area.

In Pyalong in the Mitchell shire there is a proposal for a BMX facility. That would also be fantastic for young people in that town and the rural areas that surround it. It would be a place for them to participate in structured physical activity. Participating in healthy activities would be great for the health and social wellbeing of all young people in Pyalong and the surrounding areas.

In conclusion I call on the minister to take the opportunity to meet a great need for youth in the rural electorate of Seymour. Some great things have already been done — we have had skate parks in places like Seymour, Kilmore and Alexandra — but smaller places like Kinglake and Pyalong also have a great need for similar facilities. If the minister could find the funding for worthy projects such as I have outlined, it would be a wonderful thing for the area.

Water: north–south pipeline

Mr WELLER (Rodney) — I wish to raise a matter for the attention of the Minister for Water concerning questions in my electorate about the north–south pipeline. The action I request is that the minister visit the town of Rochester in my electorate and meet directly with irrigators, who are anxious about the government’s plans to steal their water. Such a visit would be beneficial to both parties: my constituents might feel as though their voices are actually being heard, and the minister might be enlightened as to the strength of the feeling about the pipeline in northern Victoria.

Clearly the government is running scared. Any ministerial visit to the region is kept quiet. Times and places are changed, and the ministers do everything within their power to avoid the protest they know they will inevitably face if they announce a visit. This calculated avoidance equates to governmental arrogance, and it is wearing thin. It is time the government stood up and answered the community’s question: where will the savings for the north–south pipeline come from? As I have pointed out to the house on a number of occasions, this could well prove difficult, since the government’s figures have been fabricated to support its case for the pipeline.

The project is an exercise in urban greed at the expense of the country’s livelihood, and it has been planned in absolute ignorance of the needs and inquiries of my constituents. The minister seems to have an inflated sense of entitlement, expecting to take the region’s water and its livelihood while refusing to visit Rochester or any other town in my electorate to talk with the people themselves. Perhaps he feels consultation is above him!

My constituents deserve much more than this dismissive attitude. They deserve explanations, they deserve to be heard and acknowledged and, most importantly, they deserve guarantees. If the minister were aware of the strength of feeling within my electorate on this issue, he might gain some perspective in order to make some more informed choices. Any

further attempts to ignore the requests of the country will solidify its stance against the north–south pipeline and lead to inflamed reactions. The minister cannot expect those being directly affected by the pipeline to just go away. There are questions to be raised, facts to be dissected, serious discussions to be had. If the minister has a preconception that those opposed to the pipeline are tired, half-interested farmers who will eventually give up and go away, he is in for a rude awakening. Resistance is strong, sentiment is united and an invitation to the minister is openly extended.

Local government: Community Chef project

Mr NOONAN (Williamstown) — I wish to raise a matter for the Minister for Senior Victorians. The action I seek from the minister is that she give consideration to an initiative, which has the in-principle support of 14 local councils, to build a new food production facility that will be owned and operated by councils and will produce up to 2 million meals annually for their delivered meals program. Community Chef, as the project is known, is a joint initiative of 14 Victorian local governments working together to improve the supply, quality, variety, nutritional value and price of meals for the home and community care (HACC) program. This service is more commonly known as Meals on Wheels.

This service is expected to experience increased demand in the future, as it caters mainly for our elderly and disabled residents who choose to live at home. At present there is little or no coordination between the interested municipalities in their approach to the provision of meals to the elderly and housebound, and this means that there is much duplication in administration, infrastructure and effort. In response to this the Community Chef project seeks to establish a single, modern kitchen which takes responsibility for the preparation of all meals, leaving only final distribution to the municipalities.

Clearly, the establishment of a large-scale kitchen capable of supplying such a large area will benefit all in terms of cost, energy use and waste reduction. The plans for the kitchen would also ensure that the facility could be more environmentally sustainable, maximising energy-efficient production methods whilst minimising packaging and waste. This is important when you are talking about producing 2 million meals a year. The provision of meals through such a facility represents an opportunity to invest in a long-term solution for the delivery of quality, nutritional and diverse meals that will be a key factor in enabling aged and disabled residents to continue living in their homes and communities.

On the subject of investment, if such a project were to get the green light, I would also be keen to look at the possibility of basing the kitchen in the Hobsons Bay area. Our area is well placed near many major arterial roads, such as the West Gate Freeway and the Western Ring Road, and has a range of sites which could be suitable for such a kitchen. The creation of ongoing jobs through this project would also be a boost for the hardworking people of the west and the people of the Hobsons Bay area. I ask the Minister for Senior Victorians to give consideration to this initiative.

Box Hill Institute of TAFE: arson

Mr CLARK (Box Hill) — I raise with the Minister for Skills and Workforce Participation the issue of the arson attack that took place at the Box Hill Institute of TAFE shortly before midnight on the evening of Saturday, 8 March. I ask the minister to do whatever she and her department can to assist Box Hill TAFE to recover from the fire. It appears that someone deliberately ignited a number of wheelie bins next to a window on the ground floor of one of the buildings of the TAFE Whitehorse campus.

This appalling action has caused quite extensive damage, albeit fortunately confined largely to a stairwell area. But the stairwell is in a central part of the main building known as building no. 1 of the Whitehorse campus. When one looks at the damage one sees that the fire has spread through a window or a broken door, up through the stairwell and over multiple levels. According to the police report, it damaged four levels of the stairwell and adjoining rooms. It has also damaged cabling and windows, many of which shattered as a result of the heat, and a lift. The police estimate put the damage in excess of \$250 000 but the preliminary feedback I have received is that that estimate is likely to be on the modest side.

As I mentioned, the damage has occurred at a central point of the main building of the TAFE Whitehorse campus and is therefore causing considerable disruption to student and staff movement. The college has been engaged in a speedy effort to get the building functional again. I do not need say that Box Hill Institute of TAFE has had a remarkable record of success under governments of both persuasions, and it has traditionally enjoyed strong bipartisan support for its outstanding achievements. The Whitehorse campus hosts centres including industry, education and training; media, design and arts; performing arts; and vocational access and education.

One of the dilemmas facing the college in trying to deal with the damage is that it has plans before government

for the redevelopment of this campus. The question is to what extent they spend money to repair the damage and to what extent that money would be wasted or have a very short lifetime if more extensive redevelopment is likely to be undertaken.

I therefore ask the minister to do her best — and I am sure she will — to ensure that speedy decisions are made on any issues that are referred to her or her department by Box Hill TAFE, because clearly it is in everybody's interest to ensure that limited resources are spent in the most effective manner on behalf of the community and that resources are not wasted if they are going to be superseded by other projects that are to commence shortly.

Buses: Gembrook electorate

Ms LOBATO (Gembrook) — I raise a matter for the Minister for Public Transport. The action I seek is to have improvements made to existing bus services throughout the electorate of Gembrook. During the past five years the three very distinct regions in my electorate have seen many upgrades to both bus and train services. In the south-east region train services have been improved and major upgrades have been made to our railway station car parks. Our rapidly growing housing developments, like Pakenham Lakeside, have also been accommodated by ensuring that bus services are frequent and bus stops are located 400 metres from people's homes.

I have spoken in this house many times about the research that I have undertaken to ascertain the needs of our youth in terms of public transport requirements throughout the entire electorate. The major issues for youth are more frequent bus services as well as late-night options. That is why I participated in the Nightrider bus review process, advocating that the three regions in my electorate receive expanded Nightrider services. Young people in the electorate have been delighted with the now hourly bus services throughout the hills and the Upper Yarra region, but tell me that in order to access education and employment opportunities they require more frequency. Residents throughout the hills have never before had the opportunity to access bus services on Sundays, and they now relish the opportunities to access work or social events that a Sunday service provides for. Particularly for young and elderly residents, especially in my electorate's most geographically isolated areas, more frequent services and Sunday services are very important.

The Upper Yarra has experienced great improvements in the frequency and number of bus services along the

Warburton Highway. This is vital for many who do not have access to cars and for the young people who need to go down the line for further education or employment. I was very proud some time ago to announce the much-needed extension of the bus service from Warburton to Warburton East, which eliminates the social isolation experienced by many.

Many great improvements have been made but much more needs to be done. I call on the minister to ensure services are provided more frequently in all regions throughout the electorate so that all residents can participate in reducing harmful emissions by avoiding motor vehicle use and that those without transport can become more mobile.

Rail: Kilsyth electorate car parking

Mr HODGETT (Kilsyth) — I wish to raise a matter of importance with the Minister for Public Transport. The action I seek from the minister is to provide a funding commitment for the immediate upgrade to the car parking facilities at the railway stations in my electorate of Kilsyth. I call on the minister to make some changes to the abysmal state of affairs that my constituents face while trying to park in all-day parking bays at any one of the three railway stations in my electorate.

Since the abolition of zone 3 fares and with the ever-increasing price of petrol, commuters have taken the sensible and environmentally friendly alternative of catching public transport to work. This positive choice by commuters has not been supported by the minister who should ensure additional all-day parking spaces are available at railway stations.

Commuters are being forced to park long term in short-term parking areas in a last-ditch effort to get to work on time. This in turn puts an additional financial burden on those who are receiving parking fines on a regular basis just for trying to utilise public transport. Croydon's residential streets have been overrun with additional cars as drivers try to avoid parking fines and utilise every last known possible parking space, while causing serious danger to local residents trying to enter and exit their properties safely amidst the tangle of additional cars.

Nearly 12 months ago a meeting was convened with local community stakeholders to address the parking issues at the Mooroolbark railway station. At the time the Department of Infrastructure said that there was money available from the government to undertake improvements to car parking at Mooroolbark station.

To date we have heard nothing from the government and the situation there has continued to worsen.

Ringwood East railway station continues to be used as a dumping ground for worksite rubbish that is parked for free for an excessively extended period of time on land that could comfortably be used to reduce the burden of parking on other stations. Why has something not been done about it? How long does the public have to wait before it is supported by the government allowing it sufficient parking to utilise the public transport system? I urge the minister to commit to supporting those commuters who are making a conscious decision to support the public transport system. The government should support them with the infrastructure required to make the use of public transport seamless, and not continue to allow this dire situation to go on unaddressed.

A letter from the Mooroolbark traders group dated 7 March sums up the concerns of business. I quote:

I write on behalf of all Mooroolbark business owners. I need to bring you up to date regarding the car parking situation. It has now got to the point where this matter needs urgent action.

I am constantly getting phone calls and complaints from the businesses on a daily basis.

It goes on to say traders are:

... losing car parking to train travellers, they park in front of the post office and along Brice Avenue all day.

Winyard Drive has train travellers parking in the street. It's the same all over Mooroolbark ...

The no. 1 problem is the train travellers who park in and around Mooroolbark taking up valuable car parking. This means the business owners have nowhere to park. Then this filters down through to the customers, who have no choice but shop elsewhere because they have nowhere to park while shopping.

State government wants more and more people using the public transport system; all good and well if the infrastructure is in place to accommodate for the parking. Mr Brumby and the transport minister need to get out of their ivory tower and have a good look and stop turning a blind eye to everything that's too hard.

Mooroolbark traders have had a gutful. They do not want to go through a long, drawn-out consultation process. They want action now.

Gas: Albert Park electorate supply

Mr FOLEY (Albert Park) — I wish to raise a matter for the Minister for Energy and Resources. I call upon the minister to take action by working with Victoria's gas distribution businesses to determine

necessary improvements to our gas supply network in order to minimise the risk of supply interruptions of the kind experienced in parts of the state last winter. I know that some parts of my electorate were affected by the supply interruptions on 17 July of last year.

I understand that the day in question was perhaps one of the coldest days in Victoria since 1998 and that Victoria experienced record gas demand that day, so it is probably no surprise that there were some minor interruptions. I also understand that the network held up pretty well across the state with no reported problems in the bulk supply system. The problem, as I understand it, related more to the retail end of the market, which of course is where the customers are. This abnormal occurrence has raised some legitimate concerns about a possible repeat performance. Whilst the network has as a general rule shown itself to be reliable and effective, there is always room for improvement and the government should be working with gas distributors to determine what new investment in the distribution system is required to ensure the future reliability of gas supplies for all Victorian consumers.

The people of my electorate take a particular interest in these issues, being concerned to meet the ever-increasing demand from the population and business for this important natural resource. Population growth in areas such as Southbank, Port Melbourne and St Kilda is amongst the highest in the state. Residential demand for gas as a relatively efficient form of heating and cooking power is particularly important. This issue is also important given the growth industries in my electorate, particularly around the knowledge-based economy areas of Port Melbourne, South Melbourne, St Kilda Road, Queens Road and St Kilda. However, it is important beyond that in dealing with our important manufacturing sectors. We have many high-class, high-tech manufacturers who rely on this resource, particularly in the Port Melbourne area. Reliable and efficient gas provision is vital to their futures. I ask the minister to ensure that this action is undertaken and that there is no repeat of the supply interruptions.

Schools: Warrandyte electorate

Mr R. SMITH (Warrandyte) — I rise to ask the Minister for Education to inform the schools in my electorate of Warrandyte of a timetable detailing when they should expect to have their maintenance issues dealt with. I have 16 state schools in my electorate. According to the latest figures that this government will release — and figures have not been released since June 2006 — the value of the combined maintenance backlog of these schools is nearly \$2.5 million. Given that these figures have not been updated since June

2006, who knows how much facilities have deteriorated since then. Notwithstanding the fact that virtually every school I have visited has said that the official maintenance backlog figure attributed to that school is woefully inadequate, the figure of \$2.5 million is way too high.

I have spoken in this house before about the government's method of arbitrarily picking the schools that will be permitted to partake in maintenance funding, leaving principals in a very awkward situation. They wonder whether they should use the meagre resources they have to address their maintenance issues or wait for the government to favour them with the funds that so many of them desperately need.

The issues in these schools are very wide ranging. In one school parents had to raise money to provide the furniture for a new portable classroom. Another school had to paint over rotten weatherboards just to make the school look halfway decent. Yet another school had to accept funding from the local Lions Club in order to get broken play equipment fixed. As I go through schools, rusted through guttering and drainpipes are a common sight. There are issues with toilets and plumbing. These sorts of things need to be upgraded as soon as possible. Air conditioning is another issue. Many classrooms get extremely hot during summer. I am sure the minister switches on the air conditioning in her office or car every day during summer. She has stated that the temperature-controlled environments she enjoys are something schools do not really need. She should get into one of these classrooms and see how hot they can be.

The list of issues goes on and on. Many areas of maintenance that are clearly state government responsibilities were left to the generosity of the Howard government's Investing in Our Schools program. Almost \$2 million was allocated to schools in my electorate under this program. It has now been cut by the Rudd government, leaving the principals in my electorate wondering how future projects will be paid for.

The government talks often of its 10-year Victorian schools plan to rebuild, renovate or extend every school by 2017. But it is not a plan. A plan has steps and a plan is clear about its progression — a plan has a time line. I was pleased to see on the education department's website the heading 'Timeline', but all it says under that heading is:

Delivery of the Victorian schools plan has already begun with all projects to be completed by 2016–17.

It does not detail anything before that time. All it says is that there are some projects being undertaken in 2007–08. It is not a plan; it is just a wish. The minister needs to show some respect to the principals, teachers, parents and students of my electorate and inform them immediately of their place in this so-called plan.

Frankston District Basketball Association: funding

Dr HARKNESS (Frankston) — I raise a matter tonight for the attention of the Minister for Sport, Recreation and Youth Affairs regarding the Frankston District Basketball Association. The FDBA has twice applied for funding from the minor facilities funding grants program, and the action I seek is for the minister to approve a grant to this organisation so that it can even better serve residents of my electorate and that of the Speaker, who is the member for Carrum.

The FDBA and its activities are well known both to me and the Speaker, and I am often made aware of the strong and positive impact that the FDBA has on many Frankston people. In particular the benefits for students are notable. It offers physical activity and social engagement to many young residents of our electorates. Indeed the FDBA boasts over 400 junior teams, each with volunteer coaches and assistants. The positive aspects of a team sport such as basketball for participants and volunteers alike cannot be overstated. The trenchment of life skills such as perseverance, teamwork and respect are coupled with a sense of belonging for everyone at the FDBA. In essence this organisation is much like a family for all those involved.

The FDBA is a not-for-profit organisation that caters for over 5000 players on an annual basis. The association is represented throughout Victoria and Australia by the Frankston Blues, which fields 4 senior teams and 33 junior teams, both male and female. Whilst its everyday domestic competition caters for every player's need to enjoy the game of basketball and develop fully, it is the representative teams that supply much of the passion required for the recruitment of volunteers involved in our club. The number of volunteers required to field these representative teams is considerable. I would like to specifically mention the general manager and head coach, Mr Bill Runchey, whose tireless and quite extraordinary efforts have seen this association grow and grow. I know that Bill has put an enormous amount of himself into the FDBA and has been pursuing additional funding for a while now.

The FDBA is planning an upgrade of current facilities and wishes to extend the social room area to create a

larger administration area, change the current social room into a new foyer with a new entrance, and upgrade the current canteen facilities. These works, if funded, will prove extremely beneficial to both the club with its huge membership and to the wider community. With the growth of the club in recent years, now is the time to expand some of the key parts of its home.

As we grapple with the challenges of childhood obesity, diabetes, and social dislocation in some parts of the community, basketball offers an excellent and cost-effective team sport environment for so many people.

I have absolutely no hesitation whatsoever in supporting as strongly as possible the application which has been made, and I certainly recommend to the minister that a successful grant will assist tremendously in the FDBA continuing its fine work for many residents and their families in both my electorate and that of the member for Carrum.

Responses

Mr BATCHELOR (Minister for Energy and Resources) — The member for Albert Park raised with me the need for the government to work with gas distribution businesses to determine whether any further investment is necessary to ensure future security of our gas supplies to Victorian customers. As the member for Albert Park knows, this is an important issue, not only in his electorate of Albert Park but also along and around a large area of Victoria. I suppose it reflects the forward-looking nature of the member for Albert Park, that he is able to raise the issue of the winter gas supply at a time when the temperatures here are at their highest in summer.

The member for Albert Park spoke about the supply interruptions that some Victorians suffered last July, and he correctly pointed out that these interruptions were caused by a record gas demand on the coldest day that Victoria had experienced since 1998. These were pretty exceptional circumstances, but he was correct to say that there was room for improvement and that is what the Victorian government is working to achieve.

This is why I take great pleasure in announcing to the house that in the final decision released by the Essential Services Commission, on gas network charges for Victorian gas companies, the ESC has approved total capital expenditure of some \$933 million by the three gas distributors over the period 2008 to 2012. That is a 22 per cent increase in the actual capital expenditure in the current period, which went from 2003 to 2007. Of course this was the period of the problems which the

member for Albert Park revealed to the house. It is the extra spending on these supply lines that, once this area has been upgraded, should keep gas flowing, particularly when it gets very cold. That is what the member for Albert Park wants in his area, and that is what this expenditure increase of some 22 per cent will deliver, not only in Albert Park but to other parts of the state from 2008 to 2012.

This is really great news for Victorian gas customers who can look forward to the benefits of this greater investment in our gas supply network, and I am sure the member for Albert Park and his predecessor will be pleased to hear this. I understand that on the day of the gas shortages in Albert Park the previous member's own gas supply ran a bit short, so he will be very keen to understand that this problem has been addressed.

The member for Albert Park was talking with a much broader concern for all of his electorate, and he will be pleased to be able to report back to his electorate that during the period 2008 to 2012 expenditure will take place not only in his area but in other parts of the state also.

The ESC has also proposed revisions to the guaranteed service level payments scheme. The eligibility criteria for payments has been tightened for customers who experience repeated or lengthy interruptions to gas supplies. That means more money for the gas distributors to provide better service to customers, more payments for customers and more payments to customers if they do not get proper service.

Furthermore, under the Essential Services Commission's final decision, gas network charges will be reduced — I repeat, they will be reduced — by up to 6.2 per cent for two of the three gas distributors that were under review. This will take effect from 1 July. Gas retailers bear these network charges, but they are ultimately reflected in consumers' gas bills. Network charges account for 40 per cent of a typical household gas bill here in Victoria. Again, this is good news; it is great news for most Victorian gas consumers. Over the next few years this decision by the Essential Services Commission will help put downward pressure on gas bills and help improve the reliability of the gas supply.

The Brumby government is committed to ensuring Victorians enjoy a safe and secure gas and electricity system, and the Essential Services Commission's recent decision is one more piece of evidence that we are doing just that here in Victoria.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Seymour raised the

matter of funding applications from the Mitchell and Murrindindi shires in his electorate that are currently before the community facility funding program.

The first application is in regard to the funding of a skate park in Kinglake, while the second application is in regard to the development of a BMX track in Pyalong. I understand and appreciate the value that skate parks hold for our communities, and particularly for young people, and in the last sitting week I mentioned in the house two skate parks in my community in the city of Knox and the importance and popularity of those two facilities. I can certainly see that firsthand.

Just last week I joined the member for Macedon and about 100 schoolkids to announce funding for the development of a skate park in Riddells Creek, which had been championed by several local teenagers who had worked for three years to develop the proposal. Given their rural locality the nearest skate park was more than a half-hour drive away, hence the demand for a local facility. Having listened to the member for Seymour I believe such a project would be of similar importance to the community of Kinglake, and I will certainly take into account the member's very strong support for both those projects.

The member for Frankston raised the matter of a funding application by the Frankston City Council for the redevelopment at the Frankston Basketball Centre. The member is correct when he talks about the benefits to young people and also the booming level of participation in this particular region of the state. It is an area that the Labor government has been a strong supporter of since it came to office. Since 2000 over \$4.1 million has been delivered to the Frankston community for sporting infrastructure on projects such as pools and lights and on combating the drought.

This morning it gave me pleasure to be able to join the member for Frankston to announce a further major boost to the Frankston community, with a grant of \$3.45 million for the St Kilda Football Club's relocation to the area. This \$3.45 million will directly target and benefit members of the Frankston community, and that was the key criterion in terms of the state government's component of these Australian Football League redevelopments. Construction will involve a gymnasium, rehabilitation pool, indoor sports hall, meeting rooms and a lecture theatre.

As part of our funding agreement these facilities will be open for use by local sporting clubs and associations, community groups, the Victorian Institute of Sport, and local health-care providers. For example, the new

development will feature an indoor hall suitable for use by local basketball, netball, handball and indoor soccer teams, while the pool will be available to local health providers such as Peninsula Health for its patient treatment programs.

This means direct benefit to the Frankston District Basketball Association, the Frankston and District Netball Association, Football Federation Victoria, Monash University's Peninsula campus and local schools. This is a fantastic result for the Frankston community. I would like to acknowledge the hard work that the member for Frankston put into making this a reality. He continues to work hard and is requesting further improvements for the Frankston community. With regard to his requests for further assistance at the Frankston Basketball Centre, I can assure the member I will take his very strong support for the project into consideration.

Mr ROBINSON (Minister for Gaming) — The member for Warrandyte raised an issue for the attention of the Minister for Education relating to maintenance timetables for schools in the electorate. I will pass that on.

The member for Kilsyth raised an issue for the attention of the Minister for Public Transport in relation to car parks at stations in his electorate. Of course those car parks are even more popular since the government abolished zone 3 fares, which was an outstanding Labor government initiative. I will pass that matter on.

The member for Gembrook also raised a matter for the attention of the Minister for Public Transport in relation to bus service improvements in the Gembrook electorate. That matter will be passed on.

The member for Box Hill raised an issue for the Minister for Skills and Workforce Participation relating to Box Hill Institute and a very unfortunate recent arson attack on the Whitehorse campus of the institute. Box Hill Institute is an organisation I am very familiar with, and the member was quite right to indicate that the organisation has received very strong bipartisan support over many years. Indeed I can recall in the early 1980s it was an organisation that worked out of the old Dunloe Avenue campus, which was an old 1950s tech school or high school in Box Hill North.

Today you would not recognise the organisation. It has spread to a number of campuses through Box Hill and has developed an outstanding reputation, not just across Victoria but nationally and internationally. It is an outstanding organisation which has received support from both sides of Parliament over many years and

which has been very well supported by the Labor government in recent years. John Maddock and his crew down there do an outstanding job. I will certainly pass on the member's request that the minister look at ways of ensuring the rebuilding of that facility and assisting the institute with the long-term redevelopment of that site, because it is an important provider of educational services in eastern Melbourne and indeed across Melbourne.

The member for Williamstown raised an issue for the Minister for Senior Victorians in relation to a very sound idea, from what I can gather. It concerns the establishment of a new food production facility for 14 local councils, which would have the advantage of cutting costs and boosting productivity and efficiency. That is an excellent suggestion, and I will pass that matter on.

The member for Rodney raised an issue for the Minister for Water in relation to the north-south pipeline. He extended an invitation to the minister. Alas, it was not an invitation offered with a charitable heart, I fear. We thought the member for Rodney was a bit bigger than that, but nevertheless I will pass that on.

Finally, the member for South-West Coast raised an issue for the attention of the Minister for Racing in relation to the very recent appointment of Judge Gordon Lewis to inquire into the internal integrity and probity processes of Racing Victoria Ltd following the unfortunate recent incidents involving the former chief executive officer. I will pass that matter on.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.42 p.m.