2015 Briefing Book

Key issues from the 57th Parliament

February 2015
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This Briefing Book was compiled by staff in the Parliamentary Library’s Research & Inquiries service. It is designed as an overview of issues that were prominent during the 57th Parliament, as shown through developments in legislative action, parliamentary debate, media coverage and public research. The following briefings should not be considered comprehensive guides to each subject area, but rather, they are intended to be a reference guide to key issues, publications and resources to inform future debate. The PDF version of this Briefing Book provides links to sources, some of which can only be accessed on the Parliamentary network. For further information, readers are directed to contact the Research & Inquiries team of the Parliamentary Library & Information Service.

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Foreword

Welcome to the Library

The Parliamentary Library & Information Service welcomes you to the 58th Parliament.

The beginning of a new Parliament is always an eventful time and we understand how busy Members can be. We’re here to support your work in legislating for our vibrant democracy and representing a diverse constituency.

The Library has a range of services and resources to help you operate effectively at Parliament and in your electorate. Most of our resources are provided online, so you can find what you need at a time and place which suits you: in your office or via your mobile device on the parliamentary network.

To keep you up-to-date with breaking news and current issues, the Library offers a range of news and media resources. News monitoring includes print media, TV and radio news, and media releases, with alerts which can be customised to your needs. We also provide access to a range of online resources, including journal articles, government agencies information, Members’ biographical data, a policies archive and legal resources.

Through the Library Enquiry Desk you can lodge requests on virtually any subject. The information we provide is timely, confidential and impartial.

With your information needs in mind, the Research & Inquiries team prepares research publications on upcoming Bills before Parliament, publishes statistical surveys and provides individual briefings for Members. Publications produced include Research Papers, Research Notes, Bills Backgrounders and New Bills InfoLinks.

As you transition to the new Parliament, this Briefing Book is here to help. In this book, the Research & Inquiries team have produced snapshots of key issues from our previous Parliament. This is designed to give you an overview of the issues Victoria has faced, providing you with useful background upon commencing in the new Parliament.

I warmly invite you all to visit the Library where professional staff are ready to assist.

Call the Library Enquiry Desk on 9651 8640, or email research@parliament.vic.gov.au

Carolyn Macvean
Manager, Parliamentary Library & Information Service
February 2015

Parliamentary Library Services

Enquiry Desk

The Library’s Enquiry Desk can answer Members’ requests for information on a wide range of topics. We provide access to:

- newspaper and broadcast media
- books, journal articles and reports
- facts or statistics
- background for speeches
- biographical or historical information
- literature searches
- company searches
- legislative and government information
- in-depth client briefings from the research service.

This service is confidential, impartial and provided in a timely manner. It is important to let us know how much information you require and your timeframe, so we can deliver material that best suits your needs.

Hours:

<table>
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<th>Non-Sitting Days</th>
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<tr>
<td>Sitting Days</td>
<td>9am - House Rise (open from 8am on Wed &amp; Thurs)</td>
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Contact: Enquiry Desk in person or phone: 9651 8640
email: research@parliament.vic.gov.au
Research Service

The Research service undertakes in-depth research on areas of interest to Members in relation to legislation, electorate issues or wider policy matters. The Research team provides:

- **Client Briefings**, information and analysis on particular issues upon request
- **Research Papers**, in-depth analysis of selected new Bills and topical issues
- **Research Notes**, analysis on selected components of new Bills and topical issues
- **New Bills InfoLinks**, links to key information on all new Bills
- **Bills Backgrounders**, annotated links and information on selected new Bills

Additional services include:

- **Statistics**, electoral and regional data
- **Hot Topics**, key links on topical issues
- **Opinion Polls**, graphs and trend data from the major polls
- **Library Fellowship**, academics conducting research on key issues

Contact: Enquiry Desk in person or phone: 9651 8640
e-mail: research@parliament.vic.gov.au

Parliamentary Interns

The Parliamentary Internship Program provides Members with a third year political science undergraduate who completes a high quality research report on a selected topic of interest. This program has proven to be most successful and enters its 25th year of operation in 2015. We have seen over 1,000 interns undertake the program. Intern reports are available in PDF format on the Library catalogue, and in hardcopy from the Library's Deakin Gallery.

News & Media

The Library provides access to a range of news and media resources to keep you up-to-date with breaking news and current issues. Assistance with news and media resources can be obtained through the Enquiry Desk.

- **Mediaportal**, private email alerts for newspaper articles
- **NewsArchive**, archive of newspaper articles (Nov 2002 – present)
- **Broadcast News**, radio and TV clips available daily on your desktop
- **Media Releases**, archive of all party and independent media releases (1992 – present)

Databases

The Library provides additional databases to assist in your information needs:

- **Academic Search Complete** (multidisciplinary academic journals)
- **Australian Public Affairs**
- **Legal information** (WestlawAU & Lawlex)
- **Victorian election policies** (1930s – present)
- **Government Agencies and Departments** (1800s – present)
- **Ministers & Shadow Ministers**
- **By-elections**
- **Inaugural Speeches**
- **Biographies of Victorian MPs** (Re-Member, 1851 – present)

These can all be accessed from the Library's Intranet page.

Loans Desk

A comprehensive collection of non-fiction material, including government reports, is available for loan. Items may be reserved or renewed though the online catalogue and can be collected from the Loans Desk or posted to your electorate office if required. If the Library doesn’t have an item you need we may be able to purchase a copy or borrow it from another library.

Many publications are now available as downloadable PDF attachments via the Library catalogue on the Intranet. The catalogue provides basic or advanced searching under keyword, author, title, subject or series.
Portfolio briefs
Arts, Sports and Recreation
Arts, Sports and Recreation

An overview of developments within the Arts, Sports and Recreation portfolios during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

Arts

In October 2012, Premier Ted Baillieu launched a new funding program for the Arts called the Organisations Investment Program. The program established categories for new and established arts organisations that would determine levels of state and federal funding and support while being subject to review and assessment.

The White Night Festival — a free all-night arts and culture concept event originating in cities in Europe during the summer solstice — had its inaugural Melbourne event in February 2013 and is now being held annually.

Film industry

Victoria’s film production industry saw the introduction of Film Friendly Guidelines which clarified the approval process for obtaining permits for commercial filming on public land. These guidelines followed the enactment of the Filming Approval Act 2014 in August 2014 which established a clear framework for Victorian agencies to comply with when considering applications for filming.

Music industry

Live music venues came under pressure with the enforcement of strict licensing conditions enacted under the previous government. These had included imposing high risk conditions on live music venues based on a link between alcohol-related violence and large venues. See, for example, the Library’s Research Brief on the 2009 liquor licensing reforms.

Licensing regulations have gradually been amended, guided by recommendations from the Live Music Roundtable which was formed in July 2012 for the purpose of negotiations between the Government and music industry representatives. The most recent change under the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 was the introduction of a new category of applications and conditions to allow licensed premises to hold alcohol-free all-ages live music events. See the Library’s Bills Backgrounder for more information.

The live music industry for Melbourne and Victoria has significant economic and social value. There have been campaigns for support for programs like Freeza, which offers mentoring opportunities for youth in regional Victoria to connect with the music industry. Saving the Palais theatre in St Kilda was also an issue towards the end of the 57th Parliament, with the City of Port Phillip calling on the State Government to assist with the estimated required investment of between $24.5 million and $40 million to address maintenance and compliance issues.

The Live Music Roundtable continues to consult on issues including conflict between maintaining vibrant venues and ensuring noise control compliance. There were calls to strengthen the ‘agent of change’ principle under the Best Practice Guidelines for Live Music Venues introduced by the Coalition government in 2013, where the ‘agent of change’ is responsible for noise attenuation. See the ‘Planning’ section of this Briefing Book for further information.

Sport and recreation

Combat sports

The mixed martial arts sport of cage fighting was banned by the Brumby Government in 2008. While it is still legal to conduct mixed martial arts outside of a caged area, proponents say it is safer for competitors and spectators for it to take place in cages rather than open rings. International competitions like the Ultimate Fighting Championship (UFC) cannot be held in Victoria because of the ban, and in 2014 supporters campaigned for the ban to be lifted.

In addition, amendments in 2013 to the Professional Boxing and Combat Sports Act 1985 required the Professional Boxing and Combat Sport Board to consider if a person is ‘fit and proper’ to hold a boxing promoter’s licence. These amendments were aimed at removing certain criminal identities from the sport and protecting the integrity of boxing.

Duck shooting and game hunting

In 2012, new regulations commenced that lowered the age limit for duck hunters and removed restrictions on Australian residency requirements. Amendments to wildlife legislation in 2014 also limited the activities of protestors, placing restrictions on hours and areas of access to hunting areas designated as ‘exclusion zones’.

According to an economic impact assessment prepared for the Department of Primary Industries, game hunting earned $439 million for the Victorian economy in 2013,
with an estimated 43,000 licensed hunters in the state. A new Game Management Authority was established in July 2014 to regulate and promote the growing industry, with the potential for attracting overseas hunters and development of hunting tourism.

Jumps racing
Victoria and South Australia are the only two states where jumps racing is legal. In 2012, the Coalition Government provided funding through the Victorian Racing Industry Fund to improve participant skills and safety. However, there were renewed calls to ban the sport in Victoria following four horse fatalities in 2014.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation
The following selection of legislation relating to arts, sport and recreation was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2014
- Filming Approval Act 2014
- Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014
- Sustainable Forests (Timber) and Wildlife Amendment Act 2014

2013
- Crimes Amendment (Integrity in Sports) Act 2013
- Game Management Authority Act 2013
- Major Sporting Events Amendment Act 2013
- Professional Boxing and Combat Sports Amendment Act 2013

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to arts, sports and recreation during the 57th Parliament.

2014

2013

For further Library research publications, see the Research & Inquiries Publications page.

Reports
The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.


Enquiries
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Education

An overview of developments within the Education portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

TAFE funding

The Coalition Government announced a new funding model for vocational education and training (VET) and technical and further education institutes (TAFEs) in 2012, titled Refocusing Vocational Training in Victoria. This resulted in a reduction in TAFE funding in the 2012–13 Budget of approximately $300 million. With a focus on industry demand, the Government stated that extra funding would be invested in areas of skill shortages. The Labor Opposition stated the funding cuts would lead to the scrapping of TAFE courses, higher student fees and staff job losses.

The new funding model was introduced alongside the TAFE Reform Panel. The panel reported in January 2013 and recommended transitional financial support to assist TAFEs move to the new model. In May 2013, the Coalition Government announced the TAFE Structural Adjustment Fund, to provide $200 million over four years for proposals that support TAFE financial sustainability and competition with the private sector.

In August 2014, the Victorian Auditor-General completed an investigation into the 2013 audits of Victoria’s 14 TAFEs and found a net deficit of $16.2 million. The Auditor-General stated that this deficit suggests ‘that many TAFEs have yet to respond effectively to changes to the funding model and contestability arrangements’.

Gonski

In 2010, the Federal Government commissioned a review of school funding, with the review panel chaired by businessman David Gonski. The final report - the ‘Gonski report’ as it became known – was released in December 2011, and found a significant gap between the lowest and highest performing students. The report stated that additional school funding was needed to improve performance, but found that the current funding model was overly complex and lacked transparency. The Gonski report recommended state and federal governments work together in a two-tier funding model based on a ‘per student’ amount, with extra funding for disadvantage such as disability, low socioeconomic background, school size, remoteness, the number of Indigenous students, and lack of English proficiency.

The Gillard Government accepted the recommendation for a new funding model and entered into discussions with the state governments over contributions. After lengthy negotiations, the Victorian Coalition Government signed up to the ‘Better Schools Plan’ (formerly known as Gonski) in August 2013. Victoria was set to receive an extra $12.2 billion in school funding over six years from 2014 to 2019. The needs-based reforms were designed to allocate a base amount per student, though there was confusion as to whether Victoria’s agreement with the Commonwealth had been finalised and how the money would be delivered, particularly given the Federal change of government.

Teachers’ salaries

Soon after the Coalition Government took office in November 2010, a dispute over teachers’ salaries began. In March 2011, the Government sought to introduce its 2.5 per cent public sector wage policy for teachers, plus performance bonuses. The Victorian branch of the Australian Education Union (AEU) rejected performance-based rewards and sought a 30 per cent salary increase over three years.

In March 2013, the Coalition took performance pay off the negotiating table and, in April 2013, an agreement was reached where teachers would receive a pay rise of 3 per cent in 2013, 2.75 per cent in 2014 and 2015, as well as 2.75 per cent rolled over from 2012.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.
Legislation
The following selection of legislation relating to education was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Education and Training Reform Amendment (School Safety) Act 2011: provided government school principals and others with legislative powers to ban, search for and seize harmful items from students on school premises or during teacher supervised activities away from school grounds. See the Library’s Research Brief for further information.
- Education and Training Reform Amendment (Skills) Act 2011: made several changes, including clarifying that TAFE institutes and adult education institutions can deliver programs and services outside Victoria, be it interstate or overseas.

2012
- Education Legislation Amendment (VET Sector, Universities and Other Matters) Act 2012: made changes to VET regulation, the governance of adult community and further education institutions can deliver programs and services outside Victoria, be it interstate or overseas.
- Education Legislation Amendment (Governance) Act 2012: revised governance structures for Victoria’s post-secondary institutions including TAFE institutes and universities, made changes to the composition of university councils, and abolished the Victorian Skills Commission and industry training boards, whose roles were seen as redundant. The Act also introduced a legislative framework for the public funding of VET programs to be provided through contracts between the Department of Education and Early Childhood Development and VET providers, whether public or private. To this end, the Act made several changes to contract law as it applies to these funding contracts.

2013
- Education and Training Reform Amendment (Teacher Registration and Other Matters) Act 2013: provided additional functions to the Victorian Curriculum and Assessment Authority regarding its responsibilities in ensuring the integrity of test administration under the national assessment program - literacy and numeracy (NAPLAN). It also made changes to the regulation of the teaching profession by the Victorian Institute of Teaching (VIT), following on from reforms that were made after a review of the VIT by Frank King and Associates in 2008.
- Education and Training Reform Amendment (School Attendance) Act 2013: provided for a system where a school attendance officer can issue the parent of an unenrolled or absent child with a ‘school enrolment notice’ or a ‘school attendance notice’. If the parent fails to comply with the notice, a penalty infringement notice could apply. See the Library Research Brief for further background information.
- University of Ballarat Amendment (Federation University Australia) Act 2013: changed the name of the University of Ballarat to Federation University Australia.
- Education and Training Reform Amendment (Dual Sector Universities) Act 2013: amended the Education and Training Reform Act 2006 to remove references to universities with TAFE divisions, ending the state’s theoretical statutory control over university TAFE operations. The Act also gave borrowing and investment powers to TAFE Institutes.

2014
- Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Act 2014: established a register of disciplinary action for teachers, clarified provisions relating to police checks and publication of disciplinary proceedings, and changed the way that members are appointed to the VIT council. See the Library InfoLinks on this Bill.
- Education and Training Reform Amendment (Miscellaneous) Bill 2014 (lapsed): enabled the VRQA to conduct financial assessments of schools. This was in response to recent closures of several non-government schools due to financial collapse. The Bill also required schools to implement a policy for managing the risk of child abuse, including responding to allegations. This was in response to recommendations in the 2013 ‘Betrayal of Trust’ report by the Family and Community Development Committee. However, this Bill lapsed when the 57th Parliament expired.

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to education during the 57th Parliament.

- Bills Backgrounder: Education

For further Library research publications, see the Research & Inquiries Publications page.

Reports
The following reports related to education were produced during the last year of the 57th Parliament. See the Library catalogue for further reports.

- Apprenticeship and Traineeship Completion, Victorian Auditor-General’s Office (2014)
- Technical and Further Education Institutes: Results of the 2013 Audits, Victorian Auditor-General’s Office (2014)
Committee inquiries

The Education and Training Committee completed the following inquiries during the 57th Parliament.

• Inquiry into the Approaches to Homework in Victorian Schools, Education and Training Committee, Parliament of Victoria (2014)

Enquiries

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Community Services

An overview of developments within the Community Services portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Child protection

On 31 January 2011, the Baillieu Government announced an inquiry on Protecting Victoria’s Vulnerable Children to be chaired by former Supreme Court Judge, the Hon. Philip Cummins and to include Emeritus Professor Dorothy Scott and Bill Scales AO (the ‘Cummins Inquiry’). In contrast to previous reviews by the Ombudsman, Auditor-General and Victorian Law Reform Commission that examined discrete areas of the child protection system, this inquiry was asked to consider the overall government response to child abuse and neglect in Victoria.

The Inquiry's report, Protecting Victoria’s Vulnerable Children (the 'Cummins report') which included 90 recommendations, was tabled in Parliament in February 2012. In response, a number of significant developments addressing child abuse and neglect were introduced with an aim of strengthening and improving the protections and support for Victoria’s vulnerable children and young people.

The Government’s response, Victoria’s Vulnerable Children—Our Shared Responsibility Directions Paper, published in May 2012, set out the more immediate initiatives and longer term goals, which included child friendly court systems, and stable and supportive out-of-home care with a focus on placement stability and therapeutic care.

In particular, the Cummins Inquiry had recommended a departure from the adversarial nature in statutory child protection processes and adoption of appropriate dispute resolution (ADR) and family conferences. This was in line with reform options flagged by the 2010 Victorian Law Reform Commission (VLRC) report on Protection Applications in the Children’s Court. The Children, Youth and Families Amendment Act 2013 removed the requirement for a child to appear in court unless they wished to do so or if the court considered it necessary, aligning Victoria with other Australian jurisdictions. See the Parliamentary Library’s Research Brief for discussion on Children’s Court proceedings for child protection applications, and the recommendations of the VLRC and the Cummins Inquiry.

The Children, Youth and Families Amendment Bill 2014 introduced child safety conferences to involve parents, extended family, and child protection professionals as early as possible in the process of resolving child safety concerns for children subject to a protection application. However, the Bill lapsed at the end of the 57th Parliament.

On 17 April 2012, following one of the recommendations of the Cummins Inquiry, the Baillieu government announced an investigation into the handling of complaints of criminal child abuse in religious and non-government organisations. The task was assigned to the Joint Parliamentary Family and Community Development Committee, and it published its final report, Betrayal of Trust, in November 2013. The committee inquiry led to a number of pieces of legislation which addressed child protection in the area of criminal law reform, including the Crimes Amendment (Grooming) Act 2014, the Crimes Amendment (Protection of Children) Act 2014 and the Working with Children Amendment (Ministers of Religion and Other Matters) Act 2014. See the Parliamentary Library’s Research Brief on the Crimes Amendment (Grooming) Bill 2013 for background material on the Committee reports and the criminality of ‘grooming’. See also, the Library’s Research Brief on the Crimes Amendment (Protection of Children) Bill 2014 for information on the new offences created for failures to report or take action on child abuse.

Following on from the directions paper, the Government released Victoria’s Vulnerable Children—Our Shared Responsibility Strategy in May 2013. The stated key goal of the strategy was to improve outcomes for children in statutory care. This included working towards legal and statutory systems that are child friendly and providing quality care that is culturally appropriate.

In March 2014, the Government released Out-of-Home Care: A Five Year Plan which set out the process and timing of a new funding model and service delivery reforms. The more immediate reforms included improved safety of children and young people in residential care, implementing a monitoring framework, tendering for delivery of therapeutic services, and developing complementary processes for Aboriginal children and young people. The release of the five-year plan coincided with the Auditor-General’s report on residential care services for children, which found the residential care system for the most vulnerable of the state’s out-of-home care children had insufficient capacity and capability to cope with the complex needs of this group.

In October 2014, the Minister for Community Services announced increased funding for supervision and support for children in residential care.

Family violence

On 9 October 2012, Premier Ted Baillieu and Minister for Community Services and Women’s Affairs Mary Wooldridge launched Victoria’s Action Plan to Address Violence against Women and Children—Everyone has a Responsibility to Act. At the time, media reports on crime statistics for the preceding year showed more than 50,000 reported cases of domestic violence with a 40 per cent increase in charges being laid in 2012. Twenty women were killed in family violence settings in the same period. The Victoria Police Chief Commissioner, Ken Lay, stated on his appointment in November 2011 that tackling domestic violence would be his top priority.

High profile cases related to family violence brought the issue to the fore again in 2014. Carla Gaggiardi, who was assaulted by her partner after an intervention order had been issued against him, campaigned for the right to publicly identify her attacker. The
law as it stood placed restrictions on reporting of family violence cases and the ability to name persons who had breached a Family Violence Intervention Order (FVIO) without first obtaining a court order. The Family Violence Protection Amendment Act 2014 augmented the FVIO system by extending the hours when police officers are able to issue Family Violence Safety Notices (FVSNs), as well as lifting restrictions on the publication of perpetrators’ details. See the Parliamentary Library’s Research Brief on the Family Violence Protection Amendment (Safety Notices) Bill 2011 for discussion on key findings of the FVSN evaluation and information on similar orders in other Australian jurisdictions.

Rosie Batty campaigned for action on family violence after the death of her son, Luke Batty, killed by his father in February 2014. This came as investigations continued into the deaths of children in other family violence cases. In May 2014, Victoria Police Chief Commissioner Ken Lay reported that in the previous 12 months there was a 20 per cent increase in breaches of intervention orders and 44 deaths in family violence settings, including eight children. Funding was announced for the extension of Risk Assessment Management Panels (the RAMP model) aimed specifically at high risk family violence cases, with successful pilot programs in Hume and Geelong.

In October 2014, the Government announced a five year program to tackle domestic violence, including a GPS monitoring trial for tracking high risk offenders, where police and victims are alerted when an offender approaches the ‘boundaries of breach’.

Adoption

The Adoption Amendment Act 2013 amended consent requirements under the Adoption Act 1984 regarding identifying information and contact permission between adult adopted persons and their natural parents. According to the second reading speech, this was, in part, a response to the forced adoption practices that took place in Victoria until at least the early 1980s where mothers, particularly young unwed women, were forced into relinquishing their babies for adoption.

In October 2012, the Parliament of Victoria formally apologised to those who were harmed by these practices. The Act built on this apology by allowing for ‘contact statements’ whereby adopted persons have the final say and may allow or refuse contact with their biological parents if they so wish.

Legislation

The following selection of legislation relating to community services was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011

- Family Violence Protection Amendment (Safety Notices) Act 2011

2012

- Commission for Children and Young People Act 2012

2013

- Adoption Amendment Act 2013
- Assisted Reproductive Treatment Amendment (Access by Donor-Conceived People to Information about Donors) Bill 2013 (defeated)
- Children, Youth and Families Amendment Act 2013

2014

- Children Youth and Families Amendment Bill 2014 (lapsed)
- Children Youth and Families Amendment (Permanent Care and Other Matters) Act 2014
- Crimes Amendment (Protection of Children) Act 2014
- Crimes Amendment (Grooming) Act 2014
- Family Violence Protection Amendment Act 2014
- Working with Children Amendment (Ministers of Religion and Other Matters) Act 2014

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to community services during the 57th Parliament.

- Bills Backgrounder: Adoption Amendment Bill 2013, Victorian Parliamentary Library (2013)

For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Protecting Victoria’s Vulnerable Children Inquiry, P. Cummins, D. Scott and B. Scales, report to the Minister for Community Services (2012)
- Victoria’s Action Plan to Address Violence against Women and Children, Department of Human Services (2012)
Health

An overview of developments within the Health portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Mental health reform

The most significant change within the Health portfolio was the replacement of the Mental Health Act 1986 with the new Mental Health Act 2014. The Bill followed substantial reviews of the Mental Health Act including a 2008 consultation paper, public forums organised by a Community Consultation Panel throughout 2009, a 2010 exposure draft, and round table meetings on the exposure draft in 2011. The new Mental Health Act established a supported decision-making model to enable and support compulsory patients to make or participate in decisions about their treatment, which included the following legal mechanisms: a presumption of capacity, advanced statements, nominated persons and the right to seek a second psychiatric opinion.

The new Act was designed to establish a recovery-oriented framework for treatment and embed supported decision making; minimise the duration of compulsory treatment; increase safeguards to protect the rights and dignity of people living with mental illness; and enhance oversight and encourage service improvement. The Act redefined the role of the Chief Psychiatrist to focus on supporting mental health providers to improve the quality and safety of mental health services and promoting the rights of people receiving mental health services, particularly people receiving compulsory assessment or treatment. For further information see the Parliamentary Library’s Research Brief on the Mental Health Bill 2014.

Tackling drugs

The drug ice (crystal methamphetamine hydrochloride) continued to be a problem, particularly in rural and regional areas. In addition to the medical and psychological consequences of methamphetamine use, impacts were felt by emergency and health-care professionals, especially dealing with the rise in violent and aggressive behaviour of drug users. In June 2014, the Penington Institute report for the Victorian Department of Health was released which examined the impacts of methamphetamine use in Victoria. In September 2014, the Law Reform, Drugs and Crime Prevention Committee tabled their Inquiry into the Supply and Use of Methamphetamines, Particularly ‘Ice’. The report made several recommendations, including that the Victorian Government establish a Ministerial Council on Methamphetamine to coordinate an all-of-government approach, comprised of senior executive staff from a diverse range of departments.

Enquiries

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Smoking bans
Throughout the 57th Parliament, amendments to the Tobacco Act 1987 were introduced to strengthen smoking bans including prohibiting smoking at outdoor public playgrounds, skate parks, swimming pool complexes, sporting venues, entrances of schools and hospitals, railway stations and tram stops. Legislation was also passed to ban smoking at patrolled beaches and to ban retailers from including tobacco products in shopper loyalty schemes. Smoking will be banned in Victorian prisons from 1 July 2015. For more information see the Library’s Bills Backgrounder on the Corrections Amendment (Smoke-Free Prisons) Bill 2014.

Solarium ban
In response to skin-cancer deaths related to solarium use and research on the harmful effects of tanning, Victoria began regulating solaria in February 2008. In December 2012, the Government announced they would ban solaria in line with similar provisions in New South Wales, South Australia and Tasmania, as part of the Coalition Government’s Skin Cancer Prevention Framework 2013–17. The ban commenced on 1 January 2015 to allow businesses time to diversify their services or develop alternatives to ultra-violet tanning services.

Paramedics pay dispute
A two-year industrial dispute over pay and conditions between Victorian paramedics and the Government resulted in protests and received significant media coverage throughout the 57th Parliament. Before going into caretaker mode, the Napthine Government made an offer to the paramedics’ union of a 12 per cent pay rise over the next three years with a $3,000 bonus, which the union rejected. Opposition Leader Daniel Andrews stated that if Labor won the election he would sack the board of Ambulance Victoria and refer the issue of paramedics’ pay rates to Fair Work Australia.

Cancer cluster
In March 2014, it was announced that an independent inquiry would investigate concerns about a possible cancer cluster at Parliament House and temporary structures on parliamentary grounds. The inquiry is to include an environmental survey to ascertain whether MPs and staff are exposed to carcinogens or other environmental toxins and is established in consultation with the Victorian Cancer Council. The inquiry is to be chaired by Monash University epidemiology and preventive medicine head John McNeill.

Disability
The biggest development in the area of disability occurred nationally. On 1 July 2013, the National Disability Insurance Scheme Act 2013 (Cth) became fully operational. The Commonwealth Act created the framework for a National Disability Insurance Scheme to support people with disabilities, their families and carers. The NDIS is designed to ‘provide community linking and individualised support for people with disabilities throughout their life. The scheme is being introduced in stages and will be progressively rolled out in Victoria from July 2016. By July 2019, the NDIS should cover all eligible Victorian residents. Currently, the NDIS is being trialled in the Barwon area of Victoria.

Legislation
The following selection of legislation relating to health was introduced during the 57th Parliament. For further information, see the Legislation website. For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

- Health (Commonwealth State Funding Arrangements) Act 2012: provided for the implementation of the National Health Reform Agreement between the Commonwealth and the States and Territories that was agreed to by COAG on 2 August 2011.
- Radiation Amendment Act 2013: prohibited the commercial operation of tanning units (solarium beds). See above for further information on the solarium ban.
- Disability Amendment Bill 2014 (lapsed): provided for amendments to the Disability Act 2006 to enable treatment facility to be subject to electronic monitoring at certain times and in certain circumstances. The Bill was second read in June 2014 but lapsed at the end of the 57th Parliament.
- Health Services Amendment Act 2014: broadened the functions of Health Purchasing Victoria (HPV), provided the Minister for Health with the power to approve the entering into of long term leases and licences with respect to hospital sites and placed certain restrictions on the investment powers of registered funded agencies.
- Sentencing Amendment (Emergency Workers) Act 2014: imposed tougher sentences on those who commit acts of violence against emergency workers, including police, firefighters, paramedics, protective service officers, as well as doctors, nurses and other staff working in hospital emergency departments.
- Tobacco Amendment Act 2014: amended the Tobacco Act 1987 to prohibit smoking in specified outdoor areas and in the vicinity of pedestrian access points to certain places, including schools and hospitals.

Other health-related legislation included:

2011
- Drugs, Poisons and Controlled Substances Amendment (Prohibition of Display and Sale of Cannabis Water Pipes) Act 2011
- Drugs, Poisons and Controlled Substances Amendment (Drugs of Dependence) Act 2011

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.
• Health Practitioner Regulation National Law (Victoria) Amendment Act 2011
• Health Services Amendment (Health Innovation and Reform Council) Act 2011

2012
• Disability Amendment Act 2012
• Health Professions Registration (Repeal) Act 2012
• Health Services Amendment (Health Purchasing Victoria) Act 2012
• Health (Commonwealth State Funding Arrangements) Act 2012
• Tobacco Amendment (Smoking at Patrolled Beaches) Act 2012
• Tobacco Amendment (Shopper Loyalty Schemes) Act 2012
• Tobacco Amendment (Smoking in Outdoor Areas) Bill 2012 (defeated)

2013
• Disability Amendment Act 2013
• Drugs, Poisons and Controlled Substances Amendment Act 2013
• Tobacco Amendment Act 2013

2014
• Corrections Amendment (Smoke-Free Prisons) Act 2014
• Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2014
• Drugs, Poisons and Controlled Substances Amendment (Clinical Trials) Bill 2014 (lapsed)
• Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Act 2014
• Healthcare Quality Commissioner Bill 2014 (lapsed)
• Improving Cancer Outcomes Act 2014
• Private Health Care Facilities Bill 2014 (lapsed)
• Public Health and Wellbeing Amendment (Hairdressing Red Tape Reduction) Bill 2014 (lapsed)

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to health during the 57th Parliament.
• Research Brief: Drugs, Poisons and Controlled Substances Amendment (Clinical Trials) Bill 2014, Victorian Parliamentary Library (2014)

For further Library research publications, see the Research & Inquiries Publications page.

Committee inquiries
The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.
• Inquiry into Violence and Security Arrangements in Victorian Hospitals, Drugs and Crime Prevention Committee, Parliament of Victoria (2011)
• Inquiry into Options and Mechanisms to Increase Organ Donation in Victoria, Legislative Council, Legal and Social Issues References Committee, Parliament of Victoria (2012)

Enquiries
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**Human Services**

An overview of developments in the Human Services portfolio areas of Aboriginal affairs, housing, multicultural affairs and citizenship during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

**Key issues from the 57th Parliament**

**Aboriginal affairs**

Aboriginal heritage in Victoria is managed under the [Aboriginal Heritage Act 2006](http://www裾t.gov.au), which was subject to a major review in 2011–2012. The review produced a number of publications (including a discussion paper, issues and options paper, and a summary report) and received submissions from stakeholder groups and individuals. In 2014, the Coalition Government released an exposure draft of the Aboriginal Amendment Bill for public comment.

The Coalition Government’s [Victorian Aboriginal Affairs Framework 2013–2018](http://www裾t.gov.au) was released in November 2012. The Framework provides assessable criteria to apply to service design and delivery, to ensure that services – such as hospitals, schools and public housing – are accessible to Aboriginal Victorians. In May 2014, the Auditor-General published a [Report on the Accessibility of Mainstream Services for Aboriginal Victorians](http://www裾t.gov.au). The Auditor-General’s report stated that the audit found little improvement in outcomes under the Framework, and made recommendations on how the Framework could be implemented more effectively.

In December 2013, the Government released the [Victorian Aboriginal Economic Strategy 2013–2020](http://www裾t.gov.au) with the aim of increasing employment and business opportunities for Aboriginal Victorians.

**Victorian Government Indigenous Honour Roll**

In May 2011, Premier Baillieu launched Australia’s first Indigenous Honour Roll, to acknowledge Indigenous Victorians who have made significant and lasting contributions to Indigenous communities.

**Registered Aboriginal Parties**

In February 2011, the Minister for Aboriginal Affairs announced the Parliamentary Inquiry into the effectiveness of Registered Aboriginal Parties (RAPs) and their management of cultural heritage in accordance with the [Aboriginal Heritage Act 2006](http://www裾t.gov.au). The Minister stated that RAP appointments are made by the Victorian Aboriginal Heritage Council (an independent advisory body of 11 Traditional Owners from all parts of the state). At the time of the Inquiry there were nine RAPs in Victoria (as of December 2014, there are ten RAPs).

In November 2012, the Environment and Natural Resources Committee tabled its [Report on the Inquiry into the Establishment and Effectiveness of Registered Aboriginal Parties](http://www裾t.gov.au). The report’s content included an overview of the development of the legislative framework for the protection of Aboriginal cultural heritage in Victoria; the concept of Traditional Ownership and the impact that the native title process has had on Victoria’s Aboriginal community; and the membership and structure of the Victorian Aboriginal Heritage Council. The report made recommendations designed to improve the policies and practices of the Council in appointing RAPs, the structure and resourcing of the Council, and the effectiveness of appointed RAPs.

**Commissioner for Aboriginal Children and Young People**

The Coalition Government established the [Commissioner for Aboriginal Children and Young People](http://www裾t.gov.au) through the [Commission for Children and Young People Act 2012](http://www裾t.gov.au), which commenced operation in March 2013. The objective of the Act is to improve policies and practices relating to the wellbeing of children and the provision of out-of-home care services.

**Housing**

**Social housing**

In May 2011, the Parliament passed the [Residential Tenancies Amendment (Public Housing) Act 2011](http://www裾t.gov.au) to address illegal drug activity on public housing estates.

In March 2012, the Auditor-General tabled a report on [Access to Public Housing](http://www裾t.gov.au). The audit examined how effectively the Department of Human Services plans for and maintains public housing stock, and made recommendations for how this could be improved.

In April 2012, the Minister for Housing released two discussion papers to begin a consultation process on social housing reform. In March 2014, the Coalition Government released [New Directions for Social Housing: a Framework for a Strong and Sustainable Future](http://www裾t.gov.au). The Framework sets out directions to reform the state’s social housing, by addressing anti-social behaviour on estates, supporting tenants, and renewing and upgrading public housing stock.
Homelessness
In October 2011, the Minister for Housing launched the Victorian Homelessness Action Plan 2011–2015. She also announced the establishment of a Ministerial Advisory Council on Homelessness to provide advice to the Minister on the implementation of the Action Plan and the longer-term reform of homelessness programs. The Plan itself is designed to: support innovative approaches to homelessness; investigate models with a specific focus on early intervention and prevention; and work towards more effective targeting of resources. The Plan is aligned with the National Partnership Agreement on Homelessness which commenced in 2008.

In February 2013, the Auditor-General tabled a report titled Addressing Homelessness: Partnerships and Plans. The report examined whether Victoria’s implementation of the National Partnership Agreement on Homelessness and the Victorian Homelessness Action Plan had been effective in addressing homelessness.

Rooming houses
A regulatory impact statement, produced by the Department of Human Services in August 2011, proposed the introduction of 11 new standards aimed at improving the safety and security of rooming house residents. Research in 2011 had estimated significant growth in Melbourne’s rooming house population. An increased percentage of rooming house tenants were welfare recipients, often from vulnerable groups. Although tenant advocates stated their support for a tougher licensing system, the Government introduced a rooming house register and the minimum standards under the Residential Tenancies and Other Consumer Acts Amendment Act 2012. See the Library’s Research Brief on the subject for further information.

In August 2012, Consumer Affairs Victoria was given powers to issue on-the-spot fines of up to $2,800 to rooming house operators who failed to keep their premises up to legislated standards. The new minimum standards regime took effect on 31 March 2013. A private Member’s Bill introduced in April 2013, the Residential Tenancies Amendment (Rooming House Standards) Bill 2013, sought to remove the mechanism allowing landlords to opt out of rooming house standards under the Act, but the Bill was defeated. The Coalition Government launched the statewide register of rooming houses in October 2013. Local councils have responsibility for updating the register, which is intended to better inform the public about the location and ownership of rooming houses.

Multicultural Affairs and Citizenship
In May 2011, the Parliament passed the Multicultural Victoria Act 2011, which repealed (and re-enacted with amendments) the Multicultural Victoria Act 2004. The Act replaced the existing Victorian Multicultural Commission with a new statutory body that retained the same name. It also established eight regional advisory councils and renewed the principles of multiculturalism set out in the Act.

In March 2014, the Coalition government launched its multicultural affairs policy, Victoria’s Advantage – Unity, Diversity, Opportunity that followed the 2012 discussion paper, The Government’s Vision for Citizenship in a Multicultural Victoria. The resulting policy was based on a whole-of-government approach, identifying demographic changes and encouraging participation and social cohesion.

Banning of dowries
A petition calling for the banning of dowries in Victoria was prepared by women’s rights advocates, Dr Manjula O’Connor and presented in Parliament by the Hon. Ted Baillieu, in March 2014. The petition stated the petitioners’ concern that dowry demands are a significant contributor to family and domestic violence within certain cultural communities in Victoria. The petitioners requested that the Family Violence Protection Act 2008 be amended to add dowry demands to the list of examples of economic abuse.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation
The following selection of legislation relating to human services was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2013
- Aboriginal Lands Amendment Act 2013
- Consumer Affairs Legislation Amendment Act 2013
- Residential Tenancies Amendment (Rooming House Standards) Bill 2013 (defeated)

2011
- Aboriginal Heritage Amendment Act 2011
- Multicultural Victoria Act 2011
- Residential Tenancies Amendment (Public Housing) Act 2011

2012
- Commission for Children and Young People Act 2012

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publication on issues of relevance to human services during the 57th Parliament.
Youth

An overview of developments within the Youth portfolio during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

Youth justice

Youth justice is administered by the Department of Health and Human Services with the objective of supporting diversion of young people from the criminal justice system. In August 2012, the Government released a discussion paper called Practical Lessons, Fair Consequences: Improving Diversion of Young People in Victoria, which sought submissions on issues that had been highlighted by other reviews, including uncoordinated service delivery and limited diversion options for young people prior to sentencing. In addition, the Youth Justice Community Practice Manual was updated and launched in October 2014 following consultation and modernisation of over 80 procedures.

The Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 introduced reforms to the statutory service system. In particular, changes were made to permanency planning for children subject to Children's Court orders by addressing the decision-making process for arrangements regarding their permanent care.

Permanent care

Research and past inquiries have highlighted the connection between out-of-home care and subsequent risk of involvement in the youth justice system. A major finding of the 2012 Cummins Inquiry was that it was taking an average of five years to achieve permanent care for children unable to live with their parents. The Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 introduced reforms to the statutory service system.

Residential care

The Victorian Auditor-General’s report Residential Care Services for Children, published in March 2014, found that on any given day around 500 children are in residential care in Victoria. They are generally in the permanent care system. A major finding of the 2012 Cummins Inquiry was that it was taking an average of five years to achieve permanent care for children unable to live with their parents. The audit found that the residential care system has insufficient capacity and capability.
to respond to the level of demand and growing complexity of children’s needs. It stated that children have better outcomes in the therapeutic residential care model — which has planned placements and staff access to a therapeutic specialist — than in the standard model of care. The Government’s Out-of-Home Care: A Five Year Plan, released in March 2014, set out the pathway for reforms to the residential care system.

Secure Forensic Mental Health Facility
The Victorian Law Reform Commission (VLRC) — in its report on the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (CMIA), tabled in August 2014 — recommended the extension of the jurisdiction of the Children’s Court to include mental impairment and unfitness to be tried. In doing so, it has flagged the need for a more appropriate supervision and treatment system for young people. The Thomas Embling Hospital, a secure mental health facility which provides treatment in a custodial setting, is specifically for adult patients. The detention facility at Parkville Youth Justice Centre is, in the view of the VLRC, not appropriate for young people with a mental condition as its primary focus is custodial not therapeutic treatment. The VLRC recommended the establishment of a dedicated secure forensic mental health or disability facility for young people unfit to stand trial. While it is a small cohort, the VLRC argues that early intervention with appropriate supervision and treatment for this vulnerable group would reduce reoffending and ensure community safety.

Recurring issues
Binge drinking re-emerged as an issue during the 57th Parliament. A September 2014 VicHealth survey found approximately two-thirds of young Victorians aged 16-29 years had been involved in a binge drinking session that had placed them at risk of injury. The Government sought to address binge drinking by young people through reforms such as the Liquor Control Reform Amendment Act 2011 which was aimed at reducing the supply of alcohol to underage drinkers in private residences.

Youth homelessness continued to be an issue in regional and metropolitan areas. Various services are provided in partnership schemes including Kids Under Cover, the Geelong Project, and The Foyer. The Youth Foyers program offers accommodation to disadvantaged students at risk of homelessness, and is run in partnership with the Brotherhood of St Laurence, Hanover Welfare Services and local tertiary providers.

Youth unemployment in Victoria reached record levels in 2014. See the ‘Employment’ section in this Briefing Book for further information.

Legislation
The following selection of legislation relating to youth services was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

- Liquor Control Reform Amendment Act 2011
- Children, Youth and Families Amendment (Security Measures) Act 2014
- Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014

Reports
The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Own Motion Investigation Into Child Protection - Out Of Home Care, Victorian Ombudsman (2010)
- Practical Lessons, Fair Consequences: Improving Diversion for Young People in Victoria, Department of Justice (2012)
- Protecting Victoria’s Vulnerable Children Inquiry, P. Cummins, D. Scott and B. Scales, report to the Minister for Community Services (2012)
- Investigation into Children Transferred From The Youth Justice System to the Adult Prison System, Victorian Ombudsman (2013)
- Out-Of-Home Care: A Five Year Plan, Department of Human Services (2014)
- Residential Care Services for Children, Victorian Auditor-General’s Office (2014)

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For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.
Employment

An overview of developments within the Employment portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Unemployment

The 57th Parliament opened with a seasonally adjusted unemployment rate in Victoria of 4.9 per cent in December 2010, which dropped to 4.4 per cent in March 2011 before rising to 6.8 per cent in July 2014 where it remained until the end of the 57th Parliament. See also the ‘Treasury and Finance’ section of this Briefing Book.

At November 2014, Victoria had the second-highest trend unemployment rate in Australia with 6.9 per cent, equal with Queensland and behind Tasmania (7.0 per cent).

According to the Small Area Labour Market data produced by the federal Department of Employment, the Victorian local government areas with the highest unemployment rates in the September 2014 quarter were Greater Dandenong (11.7 per cent) and Hume (10.1 per cent). By Statistical Area Level 2 (SA2), Broadmeadows had the highest unemployment rate of 26.7 per cent.

Job losses, particularly in the manufacturing sector, were a recurring issue during the 57th Parliament. See the ‘Manufacturing and Small Business’ section of this Briefing Book for further information.

According to 2011 Census data, the industries with the most employees in Victoria include Health Care and Social Assistance, Retail Trade, and Manufacturing.

Unemployment rate by jurisdiction, November 2014, trend data

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Employment by sector, Victoria, 2011

Youth unemployment
During the 57th Parliament youth unemployment rose to levels not seen in Victoria in over a decade. According to data based on the ABS Labour Force Survey, the Commonwealth Department of Employment’s Labour Market Information Portal states that the average unemployment rate amongst 15–24 year olds in Victoria for the year to November 2014 was 14.5 per cent. Areas with the highest rate of youth unemployment include Warrnambool and South West (18.4 per cent) and Geelong (18.5 per cent).

According to Brotherhood of St Laurence research on youth unemployment, the Hume region (including Goulburn Valley, Wodonga and Wangaratta) is a ‘hotspot’ for youth unemployment in Australia. Their research also indicated that the youth unemployment rate had increased by more than 30 per cent in a number of Victorian regions over the two years to February 2014, including Bendigo, Warrnambool and South West, and the inner east and outer east of Melbourne. Welfare groups acknowledged that the Victorian labour market was shifting away from unskilled entry level positions to jobs requiring more skills, and called on the government to do more to support vulnerable young people looking for work.

Workplace bullying
Serious bullying became punishable by up to ten years’ imprisonment during the 57th Parliament. In 2011, Parliament passed the Crimes Amendment (Bullying) Act 2011, also known as Brodie’s Law, named after a young victim of workplace bullying who took her own life. The perpetrators in this case were fined under existing Occupational Health and Safety laws, leading to concern that such laws were inadequate for cases of serious bullying. The Act amended the Crimes Act 1958 so that serious bullying could be prosecuted under the offence of stalking. Families of bullying victims welcomed the strengthening of penalties for perpetrators. See also the ‘Sentencing and Criminal Justice’ section of this Briefing Book.

For further information, see the Library’s Research Brief on Brodie’s Law.

Legislation
The following selection of legislation relating to employment was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
• Commercial Arbitration Act 2011
• Crimes Amendment (Bullying) Act 2011
• Equal Opportunity Amendment Act 2011
• Public Holidays Amendment Act 2011
• Shop Trading Reform Amendment (Easter Sunday) Act 2011

2012
• Working with Children Amendment Act 2012

2013
• Parliamentary and Public Administration Legislation Amendment Act 2013
• Workplace Injury Rehabilitation and Compensation Act 2013

2014
• Small Business Commissioner Amendment Act 2014

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publication on issues of relevance to employment during the 57th Parliament.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.
Industry, Innovation and Employment

Industrial Relations

An overview of developments within the Industrial Relations portfolio during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

Royal Commission into Trade Union Governance and Corruption

The Federal Government established a Royal Commission into Trade Union Governance and Corruption in March 2014 and on 15 April 2014 Victoria issued its State Letters Patent to establish the Commission in Victoria. The Commission held hearings throughout 2014, and published an interim report on 19 December 2014. In October 2014, the Government made a submission to the Commission in which it highlighted governance issues and recommended the introduction of model laws to regulate union governance and disclosures from union officials.

Building and construction industry

In 2014, the Government updated and replaced the Victorian Code of Practice for the Building and Construction Industry (introduced in 1999) and the Implementation Guidelines (introduced in 2012), which outline the Government’s expectations and requirements for persons that choose to tender for public building and construction work. Contractors had to comply with the new code from 8 October 2014, and client agencies must ensure compliance with the code by any participant with whom they contract. The Government also introduced the Victorian Building Authority (VBA) to replace the Victorian Building Commission and the Plumbing Industry Commission from 1 July 2013, following reports of corruption by senior Building Commission officials. For further information see the Library’s Research Brief on this subject.

In September 2012, the Government instructed its Construction Code Compliance Unit to undertake a detailed investigation on the current state of compliance with the law and applicable codes of practice in the Victorian building and construction industry. In particular, the unit was tasked with investigating the CFMEU’s blockades of the Grocon sites, which later resulted in a Supreme Court case. The investigation report was not made public.

Move on laws

The Government introduced amendments to ‘move-on’ laws which expanded police and protective services officer (PSO) powers to direct people to move on, applying them to protesters and picketing employees for the first time. For more information see the ‘Sentencing and Criminal Justice’ section of this Briefing Book and the Library’s Research Brief on the amendments.

Committee inquiry

This Committee report relating to employment was completed during the 57th Parliament.

• Small Area Labour Market Data, Department of Employment, Commonwealth of Australia (2014)
• Inquiry into Workforce Participation by People with Mental Illness, Family and Community Development Committee, Parliament of Victoria (2012); and Government Response (2013)

Enquiries

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Industrial Relations Victoria

During the 57th Parliament, the Government moved the responsibilities of the Industrial Relations Victoria unit to the Department of Treasury and Finance (DTF).

A number of high profile public service pay disputes occurred during the 57th Parliament including those with Victorian ambulance workers and Victorian teachers.

For further information, see ‘Paramedics pay dispute’ in the ‘Health’ section of this Briefing Book, and ‘Teachers’ salaries’ in the ‘Education’ section of this Briefing Book.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following legislation relating to industrial relations was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011

- **Commercial Arbitration Act 2011**: repealed the Commercial Arbitration Act 1984 replacing it with a new model Act agreed to by the Standing Committee of Attorneys-General, based on the UN Commission on International Trade Law (UNCITRAL) Model Law on International Commercial Arbitration. This provided for a new procedural framework for the conduct of commercial arbitrations.

- **Equal Opportunity Amendment Act 2011**: dealt with issues of discrimination in the workplace and made changes to payment of youth wages. For more information see the Library’s Bills Backgrounder.

- **Shop Trading Reform Amendment (Easter Sunday) Act 2011**: removed shop trading restrictions on Easter Sunday.

  - Public Holidays Amendment Act 2011: allowed non-metropolitan Councils to nominate alternative public holiday arrangements in lieu of Melbourne Cup Day.

2012

- **Building Amendment Act 2012**: provided that a disciplinary inquiry may be commenced against a person whose registration as a building practitioner is suspended, for a period of up to three years after the suspension takes effect.

2013

- **Building and Planning Legislation Amendment (Governance and Other Matters) Act 2013**: established the Victorian Building Authority to introduce a new governance framework for the building industry. For more information see the Library’s Research Brief.

  - Workplace Injury Rehabilitation and Compensation Act 2013: repealed the Accident Compensation Act 1985 and the Accident Compensation (WorkCover Insurance) Act 1993 and replaced them with a single piece of legislation to govern workers’ compensation insurance, payment of premiums, rehabilitation for injured workers, and compensation in relation to workplace injuries and deaths.

2014

- **Summary Offences and Sentencing Amendment Act 2014**: expanded move on powers to protestors and picketing employees in circumstances where their behaviour is likely to cause injury, damage property, or obstruct the lawful entry/exit of a building. If a person does not comply with a direction to move on, they can be arrested and removed. For more information see the Library’s Research Brief.

- **Building Legislation Amendment Bill 2014** (lapsed): attempted to extend the 2013 VBA reforms, including incorporating the functions of the Architects Registration Board of Victoria into the VBA. For more information see the Library’s Bills InfoLink.

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to industrial relations during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.


- **Public Sector Workplace Relations Policies**, Victorian Department of Treasury and Finance (2012)


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Liquor and Gaming Regulation

An overview of developments within the Liquor and Gaming Regulation portfolios during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

The Gambling Licences Review
A major review of Victoria’s gaming machine, wagering and Keno licensing arrangements began in 2006 and was completed in 2011. The review also covered the funding arrangements for the Victorian racing industry. As part of this review:

- gaming machine entitlements were allocated in 2010;
- the Keno licence was issued to Tabcorp Investments No. 5 Pty Ltd on 25 March 2011;
- the monitoring licence was issued to Intralot Gaming Services Pty Ltd on 14 November 2011; and
- the wagering and betting licence was issued to Tabcorp Wagering (Vic) Pty Ltd on 19 December 2011.

As of 6 February 2012, gambling and liquor regulation was combined under the new Victorian Commission for Gambling and Liquor Regulation (VCGLR) which replaced the Victorian Commission for Gambling Regulation, the Director of Liquor Licensing, and the Liquor Licensing Panel, following the commencement of the Victorian Commission for Gambling and Liquor Regulation Act 2011.

End of the duopoly
Tatts and Tabcorp held a duopoly over Victoria’s $2.3 billion poker machine industry between 1994 and 2012, controlling the state’s 27,000 electronic gaming machines. In August 2012, the Victorian gaming industry transitioned from this duopoly to a new structure where Victorian clubs and pubs had direct control over their gaming operations. Tatts and Tabcorp subsequently sued the Victorian government for $1.2 billion. In June 2014, Tatts was awarded $540 million in compensation from the Government. However, Tabcorp’s $686.8 million claim was dismissed in a separate court case.

Problem gambling
In December 2012, the Victorian Competition and Efficiency Commission (VCEC) released its final report into its Inquiry into the Social and Economic Costs of Problem Gambling. The VCEC estimated that the social and economic costs of problem gambling in Victoria were between $1.5 billion and $2.8 billion in 2010–11. The vast majority of the quantifiable costs come from two sources: costs associated with excess gambling expenditure by problem gamblers, and the intangible costs associated with impacts on mental wellbeing for problem gamblers and their families ($400 million to $1.2 billion). A relatively small proportion of the population, around 30,000 problem gamblers and their families, bear the majority of these costs.

The inquiry also found that direct and indirect costs to the Victorian Government — including costs of treatment services and costs to the health, human services and justice systems — were estimated to be between $74 million and $147 million in 2010–11.

Responsible gambling initiatives
In 2011, the Coalition government established the Victorian Responsible Gambling Foundation which aimed to help people affected by problem gambling and foster greater understanding and awareness of responsible gambling in the community. In 2012, the Government introduced a ban on automatic teller machines (ATMs) in gaming venues. ATMs were also prohibited from being within 50 metres of any race track or within 50 metres of the gaming areas of Victoria’s Crown Casino in Melbourne. Swinburne University conducted an evaluation of the ban in September 2013 and found that it had been an effective harm minimisation measure, with high risk gamblers spending less time and money on gaming machines as a result of the ban.

After the December 2011 release of its pre-commitment discussion paper, the Coalition government introduced a voluntary pre-commitment scheme in 2013. The scheme is designed to control the amount of time and money problem gamblers spend by allowing them to set limits before they play. Victoria was the first jurisdiction in Australia to introduce a state-wide, networked pre-commitment system. Players will be able to apply limits at any gaming machine in Victoria from 1 December 2015. For further information on the pre-commitment scheme, see the Library’s Research Brief.

Growth in sports betting
According to the VCGLR 2013–14 Annual Report, Victorians’ spending per capita on sports betting grew by over 230 per cent over the past ten years, compared to expenditure per capita on electronic gaming machines (EGMs) which fell by 23 per cent over the same period. In 2013–14, player loss in Victoria from wagering-racing, football, trackside and sports betting amounted to $825.2 million.

The uptake of sports betting has been an issue of concern to the Victorian Responsible Gambling Foundation as more young people access online gambling through mobile devices (despite underage gambling being illegal) and are exposed to gambling advertising through sport, social media and online games.

Gaming revenue
The gaming industry is highly lucrative, with significant taxes flowing into consolidated revenue. According to the VCGLR, total player loss in 2013–14 in Victoria amounted to $5,393.4 million, with $1,530.1 million flowing from taxes and levies to the State of Victoria. Almost half ($2,504.3 million) was lost on electronic gaming machines in clubs and hotels in Victoria, with a further $1,556.8 million lost on electronic gaming machines and table games at Crown Casino.
Player loss and taxes paid by category, Victoria 2013–14

<table>
<thead>
<tr>
<th>Source</th>
<th>Player loss</th>
<th>Taxes and levies paid into the Consolidated fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gaming machines – hotels and clubs</td>
<td>2,504.3</td>
<td>870.5</td>
</tr>
<tr>
<td>Melbourne Casino – gaming machines and table games</td>
<td>1,556.8</td>
<td>207.7</td>
</tr>
<tr>
<td>Wagering-racing (totalisator), football, trackside and sports betting</td>
<td>825.2</td>
<td>57.6</td>
</tr>
<tr>
<td>Lotteries (Victoria only)</td>
<td>492.1</td>
<td>390.7</td>
</tr>
<tr>
<td>Keno</td>
<td>15.0</td>
<td>3.6</td>
</tr>
<tr>
<td>Total</td>
<td>5,393.4</td>
<td>1,530.1</td>
</tr>
</tbody>
</table>


Drink driving and alcohol

According to Road Safety Victoria, drink driving accounts for 25–30 per cent of driver and rider fatalities and 11 per cent of serious injuries on Victoria’s roads. Repeat drink drivers make up 30 per cent of all motorists detected drink driving. The Victorian Alcohol Interlock Program was expanded with alcohol interlocks now mandatory for more drink-driving offences. The new laws commenced on 1 October 2014 and apply more licence and learner permit cancellations for a broader range of drink-driving blood alcohol concentration (BAC) levels. See the Library’s Research Notes on the Road Safety Amendment Bill 2014 for more information.

In addition to drink-driving reforms, the Coalition Government introduced a number of reforms aimed at public drunkenness under its Reducing the Alcohol and Drug Toll: Victoria’s Plan 2013–2017, including:

» strengthening incentives for licensees to comply with licensing laws by introducing a five-star rating system and a demerit points system;
» introducing new laws to strengthen powers for police to deal with and deter antisocial behaviour in and around licensed premises;
» empowering licensees to ban individuals from their premises;
» banning the supply of alcohol to minors in a private residence without parental consent;
» new laws returning decision-making about the consumption of alcohol by a minor to parents to drive responsible consumption and tackle the prevalence of underage drinking;
» giving local governments planning powers over packaged liquor outlets; and,
» creating the Victorian Commission for Gambling and Liquor Regulation as an independent regulator.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to liquor and gaming regulation was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011

• Gambling Regulation Amendment (Licensing) Act 2011: made further provisions in respect to regulatory arrangements for gaming machine entitlements and the monitoring, wagering and betting of Keno licences. For more information see Library’s Bills Backgrounder.
• Justice Legislation Amendment (Infringement Offences) Act 2011: amended the Infringements and Other Acts Amendment Act 2008 and the Liquor Control Reform Amendment (Party Buses) Act 2009 to enable the continued use of infringement notices for a number of liquor-related offences.
• Liquor Control Reform Amendment Act 2011: amended the Liquor Control Reform Act 1998 to make it an offence to supply liquor to a minor in a private residence without parental or guardian consent.
• Liquor Control Reform Further Amendment Act 2011: introduced a five star rating system to reward responsible liquor licensees with discounts on their annual liquor licensing renewal fees. It also introduced a demerit points system and automatic suspension process targeted towards liquor licensees who commit offences.
• Road Safety Amendment (Drinking while Driving) Act 2011: amended the Road Safety Act 1986 to introduce two new offences of consuming intoxicating liquor whilst driving a motor vehicle or while accompanying a learner driver.
• Victorian Commission for Gambling and Liquor Regulation Act 2011: created the Victorian Commission for Gambling and Liquor Regulation as an independent statutory authority to oversee the regulation of liquor and gambling in Victoria.
• Victorian Responsible Gambling Foundation Act 2011: established the Victorian Responsible Gambling Foundation which aimed to reduce the prevalence of problem gambling and the severity of harm related to gambling and to foster responsible gambling. For more information see Library’s Bills Backgrounder.

2012

• Racing Legislation Amendment Act 2012: allowed bookmakers to accept telephone and electronic bets. For more information see Library’s Bills Backgrounder.
• Transport Legislation Amendment (Marine Drug and Alcohol Standards Modernisation and Other Matters) Act 2012: created new offences prohibiting the operation of a vessel whilst impaired by a drug other than alcohol and prescribed a zero concentration of alcohol for persons under 21 years.
2013

- **Crimes Amendment (Integrity in Sport) Act 2013**: implemented recommendations from the *Review of Victorian Sports Betting Regulation* undertaken by Des Gleeson. The Act created a criminal offence against anyone who seeks to fix a betting outcome or to profit from such a fix, specifically targeting those engaged in match fixing, race fixing and spot fixing. For more information see Library's *Bills Backgrounder*.

- **Gambling and Liquor Legislation Amendment Act 2013**: resolved operational issues arising from the transition from the duopoly gaming operator system to the new industry structure.

- **Liquor Control Reform Amendment Act 2013**: allowed police and protective services officers on duty at a designated place (or a gambling and liquor inspector) the power to seize liquor from a person perceived to be under 18 years of age and tip out the liquor, whether in an opened or unopened container.

2014

- **Casino and Gambling Legislation Amendment Act 2014**: extended the Melbourne Casino Licence until 18 November 2050, and allowed for an increase in the maximum number of gaming machines available for gaming. For more information see the Library’s *Bills InfoLink*.

- **Gambling and Liquor Legislation Amendment (Modernisation) Act 2014**: amended the *Gambling Regulation Act 2003* to replace outdated provisions and create a new offence for a registered bookmaker to employ a person convicted of a serious offence within the last ten years. For more information see the Library’s *Bills InfoLink*.

- **Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014**: removed the requirement for Ministerial approval to conduct two-up on or before ANZAC day. The Act provided minor business exemptions from the requirement to hold a liquor licence and provided an extension of trading hours on New Year’s Eve for most liquor licensees. It also removed the requirement to seek approval to host alcohol-free underage and mixed-age music events on licensed premises. For more information, see the Library’s *Bills Backgrounder*.

- **Gambling and Liquor Legislation Further Amendment Act 2014**: made miscellaneous amendments to betting regulations. See the Library’s *Bills Backgrounder* for more information.

- **Gambling Regulation Amendment (Pre-commitment) Act 2014**: amended the *Gambling Regulation Act 2003* to provide for a pre-commitment scheme to be imposed in relation to gaming machines from 1 December 2015. For more information see the Library’s *Research Brief*.

- **Gambling Regulation and Casino Control Amendment Bill 2014**: defeated private member’s bill introduced by the Greens in the Legislative Council to change bet limits on electronic gaming machines.

- **Road Safety Amendment Act 2014**: expanded the alcohol interlock program, vehicle impoundment scheme and created a new offence for driving under the combined influence of alcohol and illicit drugs. This Act also facilitated the introduction of stage one of a new motorcycle graduated licensing system and extended police powers in recovering the costs of vehicle removal. For more information see the Library’s *Research Note*.

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to liquor and gambling regulation during the 57th Parliament.

- **Bills Backgrounder: Gambling Regulation Amendment (Licensing) Bill 2011**, Victorian Parliamentary Library (2011)


For further Library research publications, see the *Research & Inquiries Publications page*.

Enquiries

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Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the *Library catalogue* for further reports.


- **Pre-commitment Discussion Paper**, Victorian Department of Justice (2011)


- **The Victorian Gambling Study**, Victorian Responsible Gambling Foundation (2012)


- **Effectiveness of Justice Strategies in Preventing and Reducing Alcohol-Related Harm**, Victorian Auditor-General’s Office (2013)

- **Evaluation of the Removal of ATMs from Gaming Venues in Victoria**, Swinburne University of Technology (2013)

- **Report on Own Motion Inquiry into Race Fixing**, S. Perna, Victorian Racing Integrity Commissioner (2013)

Manufacturing and Small Business

An overview of developments within the Manufacturing and Small Business portfolios during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Manufacturing

The manufacturing sector comprises a range of industries, including automotive cars and components, advanced electronics and machinery, aerospace, aviation, defence, chemicals and plastics, pharmaceuticals, fabricated metals, textiles, clothing and footwear and food processing.

Victorian has experienced a decline in its manufacturing industries in recent years. According to the Australian Bureau of Statistics labour force data, the manufacturing sector employed 304,700 Victorians in November 2010. By November 2014, the manufacturing sector employed 286,500 Victorians. Over the same period, the value of manufacturing fell from $26.849 billion (8.48 per cent of gross state product) to $25.699 billion (7.47 per cent of gross state product).

One third of all persons employed in the Australian manufacturing sector come from Victoria (see table below). In 1985, close to 20 per cent of Victoria’s employees were employed in manufacturing. In November 2014, manufacturing jobs represented 9.9 per cent of Victorian employment. During the 57th Parliament, manufacturing positions were cut at Alcoa, Target, Boral and Qantas, resulting in significant job losses, particularly in the Geelong region.

Persons employed in manufacturing 1985 – 2014

<table>
<thead>
<tr>
<th>Year</th>
<th>Australia</th>
<th>Victoria</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov 1985</td>
<td>1,085,800</td>
<td>362,800</td>
<td>33.4%</td>
</tr>
<tr>
<td>Nov 1990</td>
<td>1,114,300</td>
<td>353,100</td>
<td>31.7%</td>
</tr>
<tr>
<td>Nov 1995</td>
<td>1,067,800</td>
<td>347,800</td>
<td>32.6%</td>
</tr>
<tr>
<td>Nov 2000</td>
<td>1,052,400</td>
<td>351,300</td>
<td>33.4%</td>
</tr>
<tr>
<td>Nov 2005</td>
<td>1,027,100</td>
<td>323,200</td>
<td>31.5%</td>
</tr>
<tr>
<td>Nov 2010</td>
<td>975,300</td>
<td>304,700</td>
<td>31.2%</td>
</tr>
<tr>
<td>Nov 2014</td>
<td>915,000</td>
<td>286,500</td>
<td>31.3%</td>
</tr>
</tbody>
</table>


Motor vehicle industry

During the 57th Parliament, Ford, Holden and Toyota announced that they would cease production of their vehicles in Australia, with all car manufacturing shut down by the end of 2017. The car industry in Victoria accounts for nine per cent of all manufacturing jobs, equating to approximately 25,000 workers. According to the National Institute of Economic and Industry Research, the shutdown of Victoria’s car manufacturing will result in a loss of $14 billion to the state economy and a loss of $29 billion to the national economy.

According to a National Australia Bank analysis of the automotive industry in February 2014, Victoria has the most employees in the automotive sector, and automotive employees represent the largest proportion of Victorian manufacturing employment compared to other jurisdictions.

SPC Ardmona

SPC Ardmona’s (SPCA) fruit processing plants in Shepparton faced difficult economic conditions, resulting in its parent company, Coca Cola Amatil (CCA) closing its fruit canning operations at Mooroopna in late 2011.

In February 2014, the Victorian Government announced a $22 million co-investment package for SPCA, and parent company CCA offered $78 million to make up a $100 million package to refit the company’s processing plant. This government rescue package was conditional upon SPCA employing at least 500 full-time staff for at least three years, and remaining open for five years.

Also affecting the region was the nearby Heinz closure of its tomato sauce factory at Girgarre in January 2012, with the loss of 146 jobs.

See the Library’s Current Issues Brief: SPC Ardmona Chronology for more information.

Competitive manufacturing


Motor vehicle and parts manufacturing industry, 2014

<table>
<thead>
<tr>
<th>State</th>
<th>Businesses</th>
<th>Employment</th>
<th>% of State Employment</th>
<th>% of State Manufacturing Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victoria</td>
<td>1,024</td>
<td>25,100</td>
<td>0.9</td>
<td>9.2</td>
</tr>
<tr>
<td>New South Wales</td>
<td>748</td>
<td>6,320</td>
<td>0.2</td>
<td>2.3</td>
</tr>
<tr>
<td>Queensland</td>
<td>731</td>
<td>5,710</td>
<td>0.2</td>
<td>2.9</td>
</tr>
<tr>
<td>South Australia</td>
<td>252</td>
<td>4,330</td>
<td>0.6</td>
<td>6.2</td>
</tr>
<tr>
<td>Rest of Australia</td>
<td>387</td>
<td>2,970</td>
<td>0.2</td>
<td>2.3</td>
</tr>
<tr>
<td>Total</td>
<td>3,142</td>
<td>45,030</td>
<td>0.4</td>
<td>4.8</td>
</tr>
</tbody>
</table>

Government support to manufacturing

In January 2012, the Gillard and Baillieu governments announced new funding to boost the performance of the Ford Falcon and the Ford Territory produced in Australia. The Commonwealth committed $34 million towards a total investment of over $103 million to boost the fuel efficiency and emissions performance in both models. This funding also secured Falcon production at Broadmeadows in Melbourne to at least the end of 2016.

In March 2012, the Commonwealth, Victorian and South Australian Governments announced a $275 million co-investment support package for Holden, intended to enable research and development capacity to remain in Victoria and additional contract work to be undertaken in Victoria for the Holden global supply chain.

In March 2014, in an attempt to encourage new investment and job creation, the Government announced it would fund the $24.5 million Geelong Region Innovation and Investment Fund (GRIIF) and the $24.5 million Melbourne North Innovation and Investment Fund.

Small Business

There are approximately 530,000 small businesses operating in Victoria. In December 2012, COAG released the report, Identifying Unnecessary and Ineffective Regulations, which made several recommendations to reduce unnecessary regulatory burdens on small businesses (see also the 2012 report by the Productivity Commission). In 2013, the Government released Supporting Small Business 2013, aimed at encouraging growth in the sector.

The Victorian Small Business Commissioner supports small businesses and provides mediation services for business disputes. In 2014, the Small Business Commissioner Act 2003 was amended to broaden the Commissioner’s alternative dispute resolution functions.

Establishment of a Red Tape Commissioner

In January 2013, the Hon. John Lloyd commenced as Victoria’s new Red Tape Commissioner. The Commissioner’s role is to consult businesses about their red tape burden and make proposals to the Government to reduce red tape. According to a 2012 Red-Tape Survey, 58 per cent of businesses paid at least $10,000 a year for accountants, lawyers and other advisers to comply with red tape.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to manufacturing and small business was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011

- Regional Growth Fund Act 2011: replaced the Bracks/Brumby government’s Regional Infrastructure Development Fund with a new Regional Growth Fund, providing funding to manufacturers and creating jobs in Regional Victoria. The Baillieu government committed itself to invest $1 billion into the Regional Growth Fund over eight years. Around 60 per cent of the fund was to be allocated...
to strategic projects and 40 per cent to locally based projects, supporting local councils, regional infrastructure providers, community organisations, business groups, educational institutions and the private sector in regional Victoria.

- Shop Trading Reform Amendment (Easter Sunday) Act 2011: amended the Shop Trading Reform Act 1996 by removing the restrictions introduced by the Bracks Government in 2003 prohibiting some shops from trading on Easter Sunday. This removed the restriction that required shops with more than 20 employees or retail businesses with more than 100 employees in Victoria to close on Easter Sunday. It also removed a requirement for specific exemptions to be sought if municipalities wished to trade on Easter Sunday.

2012

- Retail Leases Amendment Act 2012: amended the Retail Leases Act 2003 by removing the requirement for the landlord of a retail lease premises to notify the Small Business Commissioner of the particulars of a retail lease within 14 days of the lease being entered into. It also removes the requirement for the Small Business Commissioner to create and maintain a register of retail lease information.

2014

- Small Business Commissioner Amendment Act 2014: This Act amended the functions and powers of the Victorian Small Business Commissioner to promote the efficient resolution of commercial disputes involving small businesses, particularly those involving local councils and State Government bodies. For more information see Library Bills InfoLinks.

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to manufacturing and small business during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- A More Competitive Manufacturing Industry, Victorian Department of Business & Innovation (2011)
- Inquiry into a more Competitive Manufacturing Industry, Victorian Competition and Efficiency Commission (2011)
- Identifying Unnecessary and Ineffective Regulations, COAG (2012)
- Regulator Engagement with Small Business, Productivity Commission (2013)
- The Strategic Role of the Australian Automotive Manufacturing Industry, Allen Consulting Group (2013)
- Australia’s Automotive Manufacturing Industry, Productivity Commission (2014)
- Automotive Industry Data Card, Department of Industry (2014)
- Manufacturing Data Card, Department of Industry (2014)


Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.

- Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses, Rural and Regional Committee, Parliament of Victoria (2013) and Government Response (2013)
- Inquiry into the Opportunities for People to Use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014)

Enquiries

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Integrity and Oversight Bodies

An overview of developments regarding Integrity and Oversight bodies during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

The Government reformed Victoria’s integrity framework during the 57th Parliament. These reforms included amendments to the powers of existing integrity agencies, and the establishment of a number of new bodies which are outlined below.

IBAC

In October 2011, the Coalition Government introduced the first of a number of Acts to create Victoria’s first public sector-wide anti-corruption commission, called the ‘Independent Broad-based Anti-corruption Commission’ or ‘IBAC’. The IBAC was formally established in July 2012 and, following the introduction of further legislation and the commencement of relevant provisions, became fully operational in February 2013. For further information see the Library’s Current Issues Briefs on the Independent Broad-based Anti-corruption Commission Bill 2011, the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011, and the Independent Broad-based Anti-corruption Commission Amendment (Examinations) Bill 2012.

The IBAC has been subject to a large amount of public comment and analysis. Stakeholders, including former judges, academics, legal groups and accountability advocates, have stated that the scope of the IBAC provided by the legislation is relatively narrow in comparison to other Australian anti-corruption commissions, and particularly in comparison to the New South Wales Independent Commission Against Corruption (ICAC). The commentary states that the IBAC’s ability to combat corruption will be limited if restrictive elements of the legislation, such as the definition of corrupt conduct and the provisions relating to commencing an investigation are not amended.

In April 2014, the IBAC published a special report following its first year of being fully operational. The special report provided an overview of the IBAC’s performance of its functions in its first year, and based on that experience, made some suggestions of possible amendments to ‘some aspects of the legislation that restrict the performance of IBAC’s investigative functions.’

In September 2014, the Coalition Government introduced the Integrity Legislation Amendment Bill 2014 which responded to some of the suggestions made in the IBAC’s special report, and was designed to strengthen the IBAC and the state’s integrity framework more broadly. Stakeholder groups welcomed some provisions of the Bill but stated that further reform of the IBAC legislation was required. The Bill lapsed at the conclusion of the 57th Parliament. The Library’s Research Brief on the Integrity Legislation Amendment Bill 2014 provides further information on the IBAC’s special report, the Bill itself, and stakeholder views.

Public Interest Monitor

The Public Interest Monitor Act 2011 established the Public Interest Monitor (PIM) to provide more checks and balances on the use of covert and coercive powers, such as telephone intercepts and surveillance devices. For example, the PIM appears when an agency makes an application to a court to tap a person’s phone, and tests that granting permission to do so is in the public interest. See the Library’s Bills Backgrounder on the Public Interest Monitor Bill 2011 for further information.

Victorian Inspectorate

The Victorian Inspectorate Act 2011 established the Victorian Inspectorate (VI) which commenced operations in February 2013. The VI is the key oversight body in the state’s integrity framework and reports to the Parliament. The VI oversees the IBAC, the Auditor-General’s Office and the Ombudsman. It monitors the use of coercive powers by the three bodies and receives and investigates complaints about them. The VI also monitors compliance by the PIM with its obligations.

New Parliamentary Committees

Amendments to the Parliamentary Committees Act 2003 created the IBAC Committee and the Accountability and Oversight Committee, which both became operational in February 2013. The IBAC Committee monitors and reviews the performance of the IBAC and the VI’s functions that relate to the IBAC. The Accountability and Oversight Committee monitors and reviews the performance of the Ombudsman, the performance of the VI’s duties that relate to the Ombudsman, as well as the performance of the Freedom of Information Commissioner.
Freedom of Information Commissioner

The Freedom of Information Commissioner (FOIC) was established by the Freedom of Information Amendment (Freedom of Information Commissioner) Act 2012, and became operational from December 2012. The FOIC’s role is to promote the operation of Freedom of Information (FOI) in Victoria by reviewing agency FOI decisions, handling complaints, and monitoring compliance with the Freedom of Information Act 1982.

See the Library’s Research Brief on the Freedom on Information Amendment (Freedom of Information Commissioner) Bill 2011 for further information.

Protected Disclosures

The Protected Disclosure Act 2012 (‘the PD Act’) replaced the Whistleblower Protection Act 2001 and amended the Ombudsman Act 1973. It commenced operation in February 2013. The aim of the PD Act is to provide protection to people who make disclosures (‘blow the whistle’) about improper conduct by public bodies or public officers.

The PD Act provides that the IBAC is the central body or ‘clearing house’ responsible for protected disclosures, which was previously the role of the Ombudsman. Accordingly, the IBAC is now responsible for receiving, assessing, and investigating or dismissing disclosures, or referring them on to another body (such as the Ombudsman, VIC or Victoria Police).

The IBAC special report following its first year in operation, stakeholders and the Ombudsman have noted some issues with the new protected disclosure system (for example the volume of disclosures being referred to the Ombudsman). The lapsed Integrity Legislation Amendment Bill 2014 proposed some legislative amendments to address these issues, and further detail is provided in the Library’s Research Brief on that Bill.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to integrity and oversight bodies was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Independent Broad-based Anti-corruption Commission Act 2011
- Parliamentary Committees Amendment Act 2011
- Parliamentary Salaries and Superannuation Amendment Act 2011
- Parliamentary Salaries and Superannuation Further Amendment Act 2011

2012
- Freedom of Information Amendment (Freedom of Information Commissioner) Act 2012
- Independent Broad-based Anti-corruption Commission Amendment (Examinations) Act 2012
- Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Act 2012
- Integrity and Accountability Legislation Amendment Act 2012
- Protected Disclosure Act 2012
- Victorian Inspectorate Amendment Act 2012

2013
- Integrity Legislation Amendment Act 2013
- Victoria Police Act 2013

2014
- Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014
- Inquiries Act 2014
- Privacy and Data Protection Act 2014
- Public Administration Amendment (Public Sector Improvement) Act 2014
- Integrity Legislation Amendment Bill 2014 (lapsed)

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to integrity and oversight during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

Justice

Committee inquiry

This Committee report was completed during the 57th Parliament.

- Report into Victoria’s Oversight Agencies, Accountability and Oversight Committee, Parliament of Victoria (2014)

Enquiries

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Corrections and Parole

An overview of developments in the Corrections portfolio during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

Prisons
Corrections Victoria administers 11 publicly operated prisons, two privately operated prisons, and one transition centre. Over the course of the 57th Parliament, more than 1,800 new prison beds opened at Victorian prisons, with a further 2,200 beds in progress, including the new 1,000-bed medium security Ravenhall Prison. For example, $447 million was allocated in the 2014–15 Budget to expand prison capacity by 871 beds, through the use of relocatable units, and 357 new prison beds were announced in the 2013–14 Budget including a new 40-bed high security unit at Barwon Prison.

Since 2010, the adult prison population in Victoria has grown from 4,537 prisoners with a male imprisonment rate of 203.5 men per 100,000 male population, to 6,112 prisoners in 2014 with a male imprisonment rate of 256.2 men per 100,000 male population.

As a result of growing prisoner numbers, overcrowding has placed pressure on the system. For example, the Magistrates’ Court stated in its 2013–14 Annual Report that it had struggled with the non-production of prisoners to hearings since September 2013, and had introduced weekend sittings in Melbourne to process the increased number of persons. The Magistrates’ Court also warned that the abolition of suspended sentences as of 1 September 2014 may intensify the issue of non-production of persons in custody. The Victorian Auditor-General reported on prisoner transportation in June 2014 and found several weaknesses in areas such as system oversight and cost efficiencies.

Other reforms to prisons during the 57th Parliament included the introduction of condoms and dental dams, and the banning of smoking in Victorian prisons from 1 July 2015.

Number of prisoners and imprisonment rate, Victoria, 2004–2014

![Graph](image)


Offences committed while on bail or on parole

After a variety of high-profile cases involving offenders who committed offences while in the community on either bail or parole, a number of amendments were passed by the 57th Parliament to strengthen bail and parole, and create new offences for their breach.

The Bail Amendment Bill 2013 was introduced in April 2013 and amended the Bail Act 1977 to: list key and commonly imposed bail conditions; make it an offence to contravene certain bail conditions and/or to commit an indictable offence whilst on bail (punishable by 30 penalty units or three months’ imprisonment); and strengthen judicial procedures regarding bail applications. The Victorian Law Reform Commission conducted a review of the Bail Act from 2005–2007 and made 157 recommendations, including that a new offence for breaching a bail condition should not be created (recommendation 102), and that the Bail Act should be replaced.

The amendments to the Corrections Act in relation to parole largely followed the recommendations of the 2012 Sentencing Advisory Council (SAC) Review of the Victorian Adult Parole System. This review prompted two further reviews in 2013: the Review of the Parole System in Victoria by former High Court Justice Ian Callinan, and the Review of Parolee Reoffending by Way of Murder by Professor Ogloff and the Office of Correctional Services Review.

Under the Corrections Amendment (Breach of Parole) Act 2013 it is now an offence to breach a term or condition of parole, including by committing an offence (punishable by 30 penalty units or three months’ imprisonment). Further, amendments were made by the Justice Legislation Amendment (Cancellation of Parole and Other Matters) Act 2013 to allow cancellation of parole, and to require automatic cancellation of parole for sex offenders and serious violent offenders who commit further like offences.

The new penalties for breaching conditions of bail or parole are the same as that for breaching the new community correction order. For information on community correction orders and other new offences created during the 57th Parliament, see the ‘Sentencing and Criminal Justice’ section of this Briefing Book.

Adult Parole Board

Following the review of the Adult Parole System a number of recommendations were implemented to ensure that parole is administered on the principle that it is a privilege, not a right. Under the Corrections Amendment (Parole Reform) Act 2013, a statement ensuring that the safety and protection of the community is paramount in parole decisions was inserted into the Corrections Act 1986. The Act also provided for a full-time chair of the Board, implemented time limits on appointments; required the
Board to report on the number of people convicted of a serious violent offence while on parole; and amended notification arrangements to require at least 14-days’ notice of a prisoner’s release on parole to registered victims. See the Library’s Research Brief for further information.

Following these reforms, 12 new community members were appointed to the Board in September 2014. In other amendments, the Board was given the power to attach a requirement for electronic monitoring to a parole order.

Under the Corrections Amendment (Further Parole Reform) Act 2014, the remaining recommendations of the Callinan review were implemented including the creation of a two-tier system of release for prisoners on parole for sexual or serious violent offences. Further, offenders with sentences of more than three years must now apply for parole (rather than automatically be considered for parole) and processes for risk assessment and treatment programs apply from the start of a prisoner’s sentence.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to corrections was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2013

- Bail Amendment Act 2013: amended the Bail Act 1977 to list key and commonly imposed bail conditions; make it an offence to contravene certain bail conditions; make it an offence to commit an indictable offence whilst on bail; strengthen judicial procedures regarding multiple bail applications.
- Corrections Amendment Act 2013: amended the Corrections Act 1986 to allow the Adult Parole Board to cancel parole if the parolee is sentenced to another offence committed during parole after the expiry of the parole period. It also implemented miscellaneous recommendations from the Victorian Ombudsman report into the death of Carl Williams (in relation to justice permits and police custody transfers) and the SAC review of the adult parole system (in relation to information sharing between authorities).
- Corrections Amendment (Breach of Parole) Act 2013: created an offence for breach of a condition or term of parole (punishable by 30 penalty units or three months prison), and gave police arrest and detention powers in relation to reasonable suspicion that the parolee has breached a term or condition of parole.
- Corrections Amendment (Parole Reform) Act 2013: provided that safety and protection of the community is paramount in parole decisions; amended the membership arrangements of the Adult Parole Board; and provided for notification of registered victims before a prisoner is released on parole. This was the first Act in response to the Callinan review.
- Corrections Further Amendment Act 2013: addressed a Supreme Court decision that called into question the validity of certain decisions or actions made by prison authorities in relation to the sale of cigarettes and tobacco in Victorian prisons. See: Knight v Secretary of the Department of Justice (2012) VSC 613.
- Justice Legislation Amendment (Cancellation of Parole and Other Matters) Act 2013: amended the Corrections Act 1986 to allow the Adult Parole Board to cancel or vary parole for an offender who has committed an offence punishable by imprisonment during the parole period, and to require the Board to cancel parole for prisoners released on parole in relation to a sexual or serious violent offence if they commit a sexual or serious violent offence while on parole. The Act also clarified powers of the Adult Parole Board in relation to electronic monitoring, and clarified circumstances in which a child may be legally represented and give instructions to a legal practitioner in the Family Division of the Children’s Court.

2014

- Corrections Amendment (Further Parole Reform) Act 2014: created a two-tier process for the release of prisoners on parole in respect of a sexual offence or a serious violent offence; provided that prisoners who have had their parole cancelled and been convicted of an offence while on parole are not eligible to be released on parole again until they have served a term of imprisonment at least half that of the remaining period of parole at the time of cancellation; and amended meeting procedures of the Adult Parole Board.
- Corrections Amendment (Parole Reform) Act 2014: inserted a provision into the Corrections Act 1986 to specifically disallow the Adult Parole Board from making a parole order in relation to the prisoner Julian Knight, unless the Board is satisfied that: he is either in imminent danger of dying or is so incapacitated that he no longer has the physical ability to do harm to any person; and he has demonstrated that he does not pose a risk to the community.
- Corrections Amendment (Smoke-Free Prisons) Act 2014: prohibited smoking in prisons from July 2015 by allowing tobacco products and paraphernalia found on persons in prisons to be seized and removing the exception relating to prison cells and exercise yards from the offence of smoking in an enclosed workplace.
- Corrections Legislation Amendment Act 2014: permitted censorship of letters between prisoners (or between prisoners and ex-prisoners); broadened non-lethal firearm provisions in relation to the prevention or control of a riot or serious threat to a prison; amended disclosure provisions between the Adult Parole Board and the Coroner; and allowed the testing of prisoners on parole for alcohol, drug or poison use where their parole order has such terms or conditions.
Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to corrections during the 57th Parliament.

- Bills Backgrounder: Bail Amendment Bill 2013, Victorian Parliamentary Library (2013)
- Bills Backgrounder: Corrections Amendment (Parole Reform) Bill 2013, Victorian Parliamentary Library (2013)

For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Alternatives to Imprisonment: Community Views in Victoria, Sentencing Advisory Council (2011)
- How Much Does Imprisonment Protect the Community Through Incapacitation?, Sentencing Advisory Council (2012)
- The Death of Mr Carl Williams at HM Barwon Prison – Investigation in Corrections Victoria, Victorian Ombudsman (2012)
- Investigation into Children Transferred from the Youth Justice System to the Adult Prison System, Victorian Ombudsman (2013)
- Adult Parole Board Factsheets 2014, Corrections Victoria (2014)
- Community Correction Orders in the Higher Courts: Imposition, Duration, and Conditions, Sentencing Advisory Council (2014)
- Community Correction Orders: Monitoring Report, Sentencing Advisory Council (2014)
- Exploring the Relationship between Community-Based Order Conditions and Reoffending, Sentencing Advisory Council (2014)
- Investigations into Deaths and Harm in Custody, Victorian Ombudsman (2014)

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Courts and Legal Services

An overview of developments in court services and legal services as part of the Attorney-General’s portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Jury directions
The reform of jury directions was a major initiative during the 57th Parliament. Drawing on recommendations from a 2009 Victorian Law Reform Commission report, and the 2012 Weinberg Report prepared for the Jury Directions Advisory Group, the Jury Directions Act 2013 was introduced to simplify jury directions and create a framework for determining which directions are given in criminal trials in order to reduce retrials, unnecessary appeals, and delays. The second stage of these reforms was introduced in the Assembly in 2013 and in the Council in 2014, but both lapsed at the end of the 57th Parliament. However, amendments to specific jury directions were ongoing with reforms to family violence directions and complicity directions included in other legislation.

Suppression orders
Under the Open Courts Act 2013, a presumption in favour of disclosure was introduced in regard to the issuing of suppression orders over court proceedings. The Act is a modified version of the model legislation drafted by the Standing Committee of Attorneys-General (now the Law, Crime and Community Safety Council). According to a study of suppression orders in Victorian courts between 2008 and 2012, over 1,500 non-publication orders were issued by Victorian courts to suppress information from being published by the media, which is significantly higher than in comparable jurisdictions. According to the second reading speech, the Act maintains the general suppression powers of the Children’s Court, but promotes open justice in the rest of the judicial system by establishing a clear, fair and effective regime that reinforces the importance of open justice and confines exceptions to those limited circumstances where exceptions are justified.

Vexatious litigants
Victoria’s system for dealing with vexatious litigants was reformed in 2014, following a 2008 Law Reform Committee inquiry. The new system commenced as of 31 October 2014 and replaced section 21 of the Supreme Court Act 1986 whereby the Supreme Court of Victoria declared a person to be a vexatious litigant, banning them from pursuing further litigation without first obtaining leave. Since 1928, only 15 people had been declared vexatious litigants, with Julian Knight arguably the most high profile litigant.

The new system involves a tiered approach to litigation restraint orders which can be tailored according to a person’s litigation history or pattern of behaviour, and issued by any Victorian court. According to the Department of Justice’s legislative guide, the Vexatious Proceedings Act 2014 enables courts to more adequately respond to vexatious litigants and prevent the inappropriate use of court resources.

Uniform legal profession framework
During the 57th Parliament, a new uniform legal profession framework was introduced. Nearly three-quarters of legal practitioners operate out of NSW and Victoria, and harmonisation of the regulatory framework governing the legal profession in these two states is intended to significantly cut red tape for law firms operating across jurisdictions. The Legal Profession Uniform Law Application Act 2014 was the outcome of a 2009 COAG initiative agreed to by NSW and Victoria on 5 December 2013 and introduced into Parliament on 10 December 2013. The Act has not commenced in its entirety (most operative provisions currently await proclamation); the uniform scheme is expected to come into operation in NSW and Victoria in mid-2015. The Legal Services Commissioner will oversee the implementation of the professional discipline and dispute resolution provisions of the uniform law, and chair the new Legal Services Council. The Legal Services Council will be responsible for making subordinate uniform rules, based on the principle of co-regulation. A separate statutory Admissions Committee will have responsibility for admissions and admission policy and consist of judicial members nominated by the Chief Justice of Victoria.

Victoria Legal Aid and Community Legal Centres
The Victorian Auditor-General’s Office released its final report on its inquiry into Access to Legal Aid in August 2014. It found that Victoria Legal Aid (VLA) funding was largely based on 2008 demand levels and subsequent increases in demand has resulted in the VLA tightening eligibility for its more intensive and costly legal services, thereby reducing the number of people eligible for legal representation and moving more people to less intensive services.

In December 2014, a Productivity Commission report on Access to Justice Arrangements found that ‘the nature and predictability of funding arrangements constrain the capacity of legal assistance providers to direct assistance to the areas of greatest benefit’. The report also found that per capita funding for Victoria Legal Aid (a combination of federal and state funding) has grown since 1997–98 and in 2012–13 it was higher than the national average, but below that of NSW, the ACT and the NT.

Community Legal Centres have also seen growth in funding on a per capita basis, although the Productivity Commission noted that the number of CLCs sharing those resources has similarly grown and resources have not necessarily been distributed evenly across centres.
Independence of court administration

Court Services Victoria (CSV) was established as the independent public sector body for the provision of administrative services and facilities for Victorian courts, VCAT and the Judicial College of Victoria as of 1 July 2014 under the Court Services Victoria Act 2014. CSV is governed by the Courts Council, chaired by the Chief Justice. The administration of the courts by a statutory body has been heralded as a significant reform for the independence of the judiciary from the executive arm of government.

The governance of the Victoria Law Foundation was also amended in 2011 to reduce the number of members appointed by the Attorney-General and restore the Chief Justice of the Supreme Court (or nominee) as the chairperson of the foundation.

Court facilities and services

A number of new court facilities and improved court services were developed during the 57th Parliament, including a new Children’s Court expected to open in Broadmeadows in 2015, a multi-jurisdictional court facility at Shepparton scheduled for completion in 2018, a new court room and justice facilities at the Bendigo court complex, refurbishment of the Wangaratta court complex and a new mega-trials venue in Melbourne.

In addition, weekend remand court sittings commenced in Melbourne, the Family Drug Treatment Court commenced in the Children’s Court, and the Major Cases Planning List was restored at VCAT.

Lapsed Bills

A number of Bills lapsed at the end of the 57th Parliament, including a Bill to establish an independent Judicial Commission to investigate complaints about judges, magistrates and members of VCAT. Changes to judicial entitlements in order to consolidate them into one Act, were also not debated.

Legislation

The following selection of legislation relating to courts and legal services was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.


• Victoria Law Foundation Amendment Act 2011

2012
• Evidence Amendment (Journalist Privilege) Act 2012
• Evidence (Miscellaneous Provisions) Amendment (Affidavits) Act 2012
• Justice Legislation Amendment (Miscellaneous) Act 2012
• Legal Profession and Public Notaries Amendment Act 2012
• Public Prosecutions Amendment Act 2012

2013
• Children, Youth and Families Amendment Act 2013
• Courts and Other Justice Legislation Amendment Act 2013
• Courts Legislation Amendment (Judicial Officers) Act 2013
• Courts Legislation Amendment (Reserve Judicial Officers) Act 2013
• Crimes Amendment (Investigation Powers) Act 2013
• Jury Directions Act 2013
• Justice Legislation Amendment Act 2013
• Justice Legislation Amendment (Miscellaneous) Act 2013
• Open Courts Act 2013

2014
• Court Services Victoria Act 2014
• Courts Legislation Miscellaneous Amendments Act 2014
• Courts Legislation Amendment (Funds in Court) Bill 2014 (lapsed)
• Judicial Commission Bill 2014 (lapsed)
• Judicial Entitlements Bill 2014 (lapsed)

• Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Act 2014
• Jury Directions Amendment Bill 2013 (lapsed)
• Jury Directions Amendment Bill 2014 (lapsed)
• Legal Profession Uniform Law Application Act 2014
• Vexatious Proceedings Act 2014
• Victorian Civil and Administrative Tribunal Amendment Act 2014

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to courts and legal services during the 57th Parliament.
• Bills Backgrounder: Criminal Procedure Amendment (Double Jeopardy and Other Matters) Bill 2011, Victorian Parliamentary Library (2011)
• Bills Backgrounder: Court Services Victoria Bill 2013, Victorian Parliamentary Library (2013)
• Bills Backgrounder: Children Youth and Families Amendment Bill 2013, Victorian Parliamentary Library (2013)

Reports
The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.
• Construction of Police Stations and Courthouses, Victorian Auditor-General’s Office (2011)
• Jury Directions: The Next Step, Department of Justice (2013)

Committee inquiries
The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.
• Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers, Law Reform Committee, Parliament of Victoria (2013)

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Police and Emergency Services

An overview of developments in the Police and Emergency Services portfolio during the 57th Parliament, including key issues, legislation and reports.

Key issues from the 57th Parliament

Victoria Police

The Victorian Public Service Commission conducted an inquiry into the command, management and functions of the senior structure of Victoria Police (the ‘Rush report’), tabled in Parliament on 1 March 2012. This inquiry was conducted in the context of the resignation of a number of senior members of Victoria Police in 2011 and reports of disunity and mismanagement highlighted by an Ombudsman inquiry into Victoria Police crime statistics and an Office of Police Integrity Investigation into the conduct of a Ministerial Officer (Police Adviser). The report put forward 25 recommendations in the areas of future capability, legislative reform, structure of senior command, and information technology. In particular, it recommended the development of a new police Act to govern Victoria Police.

As of 1 July 2014, the Police Regulation Act 1958 was replaced with the Victoria Police Act 2013. According to the Victoria Police Annual Report 2013–14, the new Act maintains the independence of the Chief Commissioner of Police, while clarifying the relationship between the Chief Commissioner and the Minister. It also provides a framework for the appointment and removal of Commissioners, police and protective services officers; recognises Victoria Police’s public service workforce as part of the organisation; redefines liability provisions for the State of Victoria where police officers commit detrimental or negligent action; and enables the Chief Commissioner to direct employees to undergo drug and alcohol testing. For further information, see the Library’s Bills Backgrounder on the Victoria Police Bill 2013.

On 3 June 2014, Chief Commissioner Ken Lay launched the Victoria Police Blue Paper: a Vision for Victoria Police in 2025, which proposed three key areas for strategic reform: matching resources to demand by rethinking the traditional operating model (with an emphasis on crime prevention, the needs of victims, community engagement and service delivery); improving capability through workforce and technology reforms; and collaborating more closely by forging partnerships with government departments, agencies and the private sector.

The 57th Parliament also passed the Crime Statistics Act 2014, and as of 1 July 2015, the Crime Statistics Agency will be responsible for the crime statistics currently administered by Victoria Police. Further, the Office of Police Integrity was abolished in 2013 and replaced with the new Independent Broad-based Anti-Corruption Commission. See the ‘Integrity and Oversight’ section in this Briefing Book for more information.

Protective Services Officers

The role of Protective Services Officers (PSOs) grew during the 57th Parliament. By November 2014, 950 PSOs had been deployed to stations across Melbourne, with funding for a further 96 PSOs in place. According to the Victoria Police Annual Report 2013–14, PSOs had issued more than 34,000 infringements and been involved in close to 1,500 arrests for serious offences since their deployment in February 2012. In addition, 1,900 new police were deployed across Victoria during the 57th Parliament. The expansion of the role of PSOs—from protecting public officials and public places to protection of the general public in certain places—was enabled by the Police Regulation Amendment (Protective Services Officers) Act 2011, which was introduced on the first sitting day of the 57th Parliament. A history of PSOs in Victoria is available in the Library’s Research Brief on the Justice Legislation Amendment (Protective Services Officers) Bill 2011.

Bushfires Royal Commission

The 2009 Victorian Bushfires Royal Commission delivered its final report on 31 July 2010. The report included a recommendation that an independent monitor be appointed to oversee the implementation of the Commission’s other 66 recommendations. The 57th Parliament passed the Bushfires Royal Commission Implementation Monitor Act 2011 in April 2011, and the government tabled its Implementation Plan in May 2011.


One recommendation of the Royal Commission was to remove the Fire Services Levy from insurance premiums, and apply it as a property levy. Since 1 July 2013, the Fire Services Property Levy has been collected through council rates. The Fire Services Levy Monitor was appointed to oversee the removal of the levy from insurance premiums. The legislation implementing the levy and the monitor was passed by the 57th Parliament in 2012. In September 2013, the Opposition introduced a private Members’ Bill in the Legislative Council titled Fire Services Levy Monitor Amendment (Ensuring Fair and Equitable Levies) Bill 2013, aimed at expanding the role of the monitor to ensure fair administration of the new levy. The Bill was defeated in the Council.

Emergency Services

In addition to funding for Country Fire Authority and Metropolitan Fire Brigade initiatives and upgrades, emergency services volunteers have been encouraged through grants such as the Volunteer Emergency Services Equipment Program and legislative changes to recognise the rights of volunteer firefighters.

Also drawing on the Victorian Bushfires Royal Commission’s recommendations, the Victorian Emergency Management Reform White Paper was released in December 2012.
as a ‘road map’ of reforms over the next ten years. Further, Emergency Management Victoria commenced operation on 1 July 2014, and Victoria’s first Emergency Management Commissioner was appointed.

Over the course of the 57th Parliament, the Victorian Greens sought to introduce a Bill to enable fair compensation to firefighters who suffer from cancer caused by exposure to fire scenes. The Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011 was first introduced in the Legislative Council in December 2011, but not second read until 6 February 2013. The President ruled the introduction of the Bill in the Council an infringement of section 62 of the Constitution Act 1975, and the Bill was subsequently referred to the Economy and Infrastructure Legislation Committee to investigate any Constitutional impediments to its introduction in the Council. The Committee tabled its final report in June 2013, finding that the Bill should be introduced in the Assembly.

Ambulance Victoria

Funding for Ambulance Victoria was a lasting issue over the life of the 57th Parliament, with ongoing debate around response times and enterprise bargaining. For further information see the ‘Health’ section of this Briefing Book.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to police and emergency services was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011

- Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011 (private Members’ Bill - lapsed).

2012

- Emergency Services Legislation Amendment Act 2012: made various arrangements to reflect new emergency management protocols and command structure.
- Fire Services Property Levy Act 2012: replaced the Fire Services Levy with the Fire Services Property Levy.
- Police and Emergency Management Legislation Amendment Act 2012: extended the reporting requirements of the Bushfires Royal Commission Implementation Monitor for a further two years, expanded the category of persons able to act as Chief Officer of the CFA, removed the limitation on the number of Deputy and Assistant Commissioners of Victoria Police, and amended provisions in relation to warrants for prohibited weapons.

2013


- Justice Legislation Amendment (Protective Services Officers) Act 2011: provided PSOs with additional powers to combat crime and control public disorder.
- Police Regulation Amendment (Protective Services Officers) Act 2011: extended the role of PSOs.

2014

- Electricity Safety Amendment (Bushfire Mitigation) Act 2014: clarified responsibilities in regard to keeping trees clear of electric lines.
- Justice Legislation Amendment Act 2014: The Act amended the Country Fire Authority Act 1958 to change the appointment of members of the CFA board, to provide for places that are to be community fire refuges by regulations, and to remove impediments to the participation of forestry industry brigades in fire prevention and suppression.
- Victoria Police Amendment (Consequential and Other Matters) Act 2014: made consequential amendments to other Acts as a result of the new Victoria Police Act 2013.

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to police and emergency services during the 57th Parliament.

Sentencing and Criminal Justice

An overview of key sentencing and criminal justice reforms within the Justice portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Sentencing reforms were extensive during the 57th Parliament. The Coalition Government had a legislative agenda to abolish suspended sentences, end home detention, and replace community-based sentences with community correction orders. In addition, the Government introduced mandatory minimum sentences for some new offences and baseline sentences for a selection of serious offences. New public disorder offences were created and legislation targeted at criminal organisations was passed. Further, reforms were made to family violence initiatives and sexual assault offences.

Community correction orders

Community correction orders (CCOs) have been available as a sentencing option in Victorian courts since January 2012. They are intended to act as a more flexible non-custodial replacement of orders such as the community based order (CBO), the intensive correction order (ICO) and the combined custody and treatment order (CCTO). They allow an offender to serve their sentence in the community, under the terms that they commit no other offences while the order is in place and report regularly to Corrections Victoria. A CCO will also have conditions attached which can be much broader and personalised than the orders it replaced. These conditions usually include requirements such as up to 600 hours of community service work, drug rehabilitation, or staying away from a particular place or person.

On 22 December 2014, the Supreme Court of Victoria issued its first guideline judgment to provide clarity in regard to the use of community correction orders in the sentencing process (see in particular Appendix 1 of the judgment). The Sentencing Advisory Council (SAC) has also investigated CCOs extensively including a monitoring report in February 2014, an analysis of CBOs and reoffending in October 2014, and a comparison of sentencing remarks in relation to CCOs imposed by the Higher Courts between January 2012 and June 2013.

Abolition of suspended sentences

Suspended sentences have been progressively abolished as a sentencing option in recent years. From 1 November 2006, suspended sentences for serious or significant offences were only able to be issued in the higher courts in exceptional circumstances. They were abolished for serious or significant offences heard in the higher courts from 1 May 2011, and were abolished for all offences sentenced in the higher courts from September 2013. As of 1 September 2014, suspended sentences were abolished.
sentences were abolished as an option in the Magistrates’ Court and thereby ceased to be a sentencing option in any Victorian court. According to a SAC report, suspended sentences were largely replaced by CCOs in 2012, but in 2013 the vast majority of offenders who would have otherwise received a suspended sentence received a term of imprisonment.

Mandatory minimum sentences

Victoria’s first mandatory minimum sentences were introduced for new gross violence offences in 2013. Under these reforms, a person who causes serious injury intentionally or recklessly in circumstances of gross violence is subject to a mandatory minimum non-parole period of four years. Under the Sentencing Amendment (Emergency Workers) Act 2014, if those offences are committed against an emergency worker the mandatory minimum non-parole period is five years, while causing serious injury intentionally against an emergency worker attracts a mandatory minimum non-parole period of three years, and causing serious injury recklessly against an emergency worker attracts a mandatory minimum non-parole period of two years.

A mandatory minimum non-parole period of ten years was also introduced in 2014 for the new offences of manslaughter in circumstances of gross violence and manslaughter by single punch or strike. However, the Director of Public Prosecutions must give notice that these mandatory minimums are being sought and the judge must be satisfied that no special reasons for not imposing a mandatory minimum sentence exist. See the section on ‘public disorder offences’ below for more information.

For a discussion of the arguments for and against mandatory minimum sentencing see the Library’s Research Brief on the Crimes Amendment (Gross Violence Offences) Bill 2012.

Baseline sentences

Baseline sentences were introduced as an intended ‘median sentence’ for six serious offences, and were later extended to the aggravated offence of murder of an emergency worker, following a 2012 inquiry by the SAC. As requested by the government, this inquiry recommended baseline sentences for 30 offences.

As the Sentencing Amendment (Baseline Sentences) Act 2014 did not commence until 2 November 2014, it has not yet had significant time to influence sentencing statistics, although the Sentencing Advisory Council has produced a comprehensive report on the way baseline sentences may be calculated by the courts. For further information, see the Library’s Research Brief on the Sentencing Amendment (Baseline Sentences) Bill 2014.

Public disorder offences

A number of new offences targeted at public disorder and violence were passed by the 57th Parliament, including new gross violence offences and initiatives involving alcohol-fuelled violence.

As discussed above, causing serious injury intentionally and causing serious injury recklessly, in circumstances of gross violence, now attract a mandatory minimum non-parole period of four years. Circumstances of gross violence include: planning in advance to engage in conduct which caused serious injury and which could be reasonably foreseen as conduct that would cause serious injury; causing serious injury in the company of two or more persons; planning in advance to use an offensive weapon and proceeding to use it; continuing to cause injury after a person was incapacitated; or causing serious injury to another person while they were incapacitated. See the Library’s Research Brief on gross violence offences for more information.

One-punch manslaughter was also introduced as a new offence in response to a number of high profile incidents involving deaths from a ‘coward’s punch’ or ‘king hit’, usually inflicted by a stranger. The new offence of manslaughter by one punch follows similar offences introduced in Western Australia and New South Wales, although the Victorian legislation is unique in that the punch must be delivered to a person’s head or neck, cause injury to the person’s head or neck, and the offender must have intended to deliver the punch to the victim’s head or neck when they knew the victim was not expecting to be punched by the offender. A discussion of the Victorian offence in comparison to the WA and NSW offences is available in the Library’s Research Note on one-punch laws.

The government’s ability to direct people to vacate a public space was also enhanced under the Summary Offences and Sentencing Act 2014 which introduced two new exclusion order schemes: move-on exclusion orders and alcohol exclusion orders. Move-on exclusion orders can be used to exclude persons from a public space for up to 12 months if they

have been repeatedly directed to move on from that place. The Act also expanded the circumstances in which people could be directed to move on to include protesters and picketing employees (if their behaviour is likely to injure a person, is likely to damage property, or is preventing the lawful entry or exit to premises). For further information on move-on powers, including discussion of measures in other jurisdictions, see the Library’s Research Brief.

Alcohol exclusion orders exclude persons from licensed venues for a period of two years and must be issued if the court is satisfied that a person has committed an offence while intoxicated and that intoxication significantly contributed to the commission of that offence. These exclusion orders are in addition to other bans capable of being imposed for public drunkenness.

In addition, anti-hoon legislation with enhanced confiscation and vehicle destruction powers was introduced in 2011. The Road Safety Amendment (Hoon Driving and Other Matters) Act 2011 also targeted repeat offenders found drink driving, drug driving or driving while disqualified or unlicensed.

Criminal organisations

The Criminal Organisations Control Act 2012 was introduced to provide for the making of declarations and control orders in relation to criminal organisations, primarily outlaw motorcycle gangs (also known as ‘bikies’). Once an organisation is declared, control orders can be issued by the Supreme Court which prohibit such things as the continued operation of those organisations,
gang membership and association between gang members, and the wearing of gang patches or insignia. However, the high standard of proof required to make such orders has seen enforcement agencies struggle to obtain them. See the Library’s Research Brief on the Criminal Organisations Control Bill 2012 for further information.

In addition to these control orders, anti-fortification legislation was introduced in 2013 allowing the Magistrates’ Court to issue fortification removal orders to require the removal of fortifications from premises where there are reasonable grounds to believe that the premises are being used for or in connection with a specified offence (including a variety of serious violent offences, firearm offences, drugs offences and pornography offences). New offences were also created in relation to obstructing inspection of fortified premises or failure to comply with directions, as well as for the construction or installation of fortification on premises where illegal activity is taking place or that has been subject to a fortification removal order in the past.

Family violence and victims of crime

Tackling family violence was a high profile issue during the 57th Parliament. In relation to reforms to criminal offences, a number of initiatives were introduced in order to better incorporate experiences of family violence. For example, defensive homicide was introduced as an alternative offence to murder in 2005, and abolished in 2014 following evidence in a 2010 Department of Justice discussion paper and 2013 consultation paper that the offence was not serving victims of family violence as intended. Self-defence provisions were also reformed and extended to all offences, in order to recognise the unique experience of victims of family violence when acting in self-defence. See the Library’s Research Brief on the Crimes Amendment (Abolition of Defensive Homicide) Bill 2014 for more information. For further information on family violence initiatives, see the ‘Community Services’ section of this Briefing Book.

Other victims of crime initiatives include Victoria’s first Victims of Crime Commissioner, Greg Davies, who was appointed on 5 October 2014. A Victims of Crime consultative committee has also been established, chaired by retired Supreme Court Judge Philip Cummins. The Victorian Law Reform Commission is conducting an inquiry into victims of crime in the criminal trial process, and is due to report by 1 September 2016. Further, amendments to the membership requirements of the SAC in 2011 made it mandatory for a member of the 12 person council to be involved in a victim of crime support group and either be a victim of crime or a representative of victims of crime.

Sexual offences

Following a 2013 Department of Justice review of sexual offences and an options paper for reform of rape laws, the 57th Parliament passed the Crimes Amendment (Sexual Offences and Other Matters) Act 2014 which replaced rape, sexual assault and consent provisions in the Crimes Act 1958 to make them clearer. This builds on the ongoing sexual assault reform strategy which aims to encourage the reporting of sexual assault and minimise the trauma and distress for victims interacting with the criminal justice system.

The Act also created new summary offences for the distribution of intimate images in response to the 2013 Parliamentary Law Reform Committee inquiry into sexting.

Other reforms

Legislation known as Brodie’s Law was introduced in 2011 to make serious bullying a criminal offence under existing stalking provisions following the suicide of a young woman bullied in her workplace. These new stalking provisions mean that threats, abusive words or acts may form part of bullying conduct and the definition of harm was broadened so that the offence extends to conduct causing the victim to engage in self-harm. See the Library’s Research Brief on Brodie’s Law for further information.

In addition, a variety of other reforms to child protection legislation were introduced following the Betrayal of Trust inquiry, including a new grooming offence. See the Library’s Research Briefs on the Crimes Amendment (Protection of Children) Bill 2014 and the Crimes Amendment (Grooming) Bill 2013 for further information. See also the ‘Community Services’ section of this Briefing Book.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.
Legislation

The following selection of legislation relating to criminal justice and sentencing was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library's InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Crimes Amendment (Bullying) Act 2011
- Criminal Procedure Amendment (Double Jeopardy and Other Matters) Act 2011
- Family Violence Protection Amendment (Safety Notices) Act 2011
- Justice Legislation Amendment Act 2011
- Justice Legislation Amendment (Infringement Offences) Act 2011
- Liquor Control Reform Amendment Act 2011
- Liquor Control Reform Further Amendment Act 2011
- Road Safety Amendment (Drinking while Driving) Act 2011
- Road Safety Amendment (Hoon Driving and Other Matters) Act 2011
- Sentencing Amendment (Community Correction Reform) Act 2011
- Sentencing Further Amendment Act 2011
- Serious Sex Offenders (Detention and Supervision) Amendment Act 2011
- Sex Work and Other Acts Amendment Act 2011
- Terrorism (Community Protection) Amendment Act 2011
- Traffic (Code of the Road) Amendment Act 2011

2012
- Community Based Sentences (Transfer) Act 2012
- Control of Weapons and Firearms Acts Amendment Act 2012
- Courts and Sentencing Legislation Amendment Act 2012
- Criminal Organisations Control Act 2012
- Criminal Procedure Amendment Act 2012
- Justice Legislation Amendment Act 2012
- Justice Legislation Amendment (Family Violence and Other Matters) Act 2012
- Serious Sex Offenders (Detention and Supervision) Amendment Act 2012
- Terrorisation offences Act 2012

2013
- Crimes Amendment (Gross Violence Offences) Act 2013
- Crimes Amendment (Integrity in Sports) Act 2013
- Fortification Removal Act 2013
- Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013
- Terrorism (Protection of Children) Act 2013

2014
- Crimes Amendment (Abolition of Defensive Homicide) Act 2014
- Crimes Amendment (Grooming) Act 2014
- Crimes Amendment (Protection of Children) Act 2014
- Crimes Amendment (Sexual Offences and Other Matters) Act 2014
- Criminal Organisations Control and Other Acts Amendment Act 2014
- Family Violence Protection Amendment Act 2014
- Justice Legislation Amendment (Confiscation and Other Matters) Act 2014
- Justice Legislation Amendment (Firearms and Other Matters) Bill 2014 (lapsed)
- Sentencing Amendment (Baseline Sentences) Act 2014
- Sentencing Amendment (Coward's Punch Manslaughter and Other Matters) Act 2014
- Sentencing Amendment (Emergency Workers) Act 2014
- Sentencing Amendment (Historical Homosexual Convictions Expungement) Act 2014
- Sex Offenders Registration Amendment Act 2014
- Summary Offences and Sentencing Amendment Act 2014

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to sentencing and criminal justice during the 57th Parliament.

• Research Note on One-Punch Laws and the Sentencing Amendment (Cowards Punch Manslaughter and Other Matters) Bill 2014, Victorian Parliamentary Library (2014)

For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

Department of Justice reviews
• Defensive Homicide Discussion Paper (2010)
• Defensive Homicide: Proposals for Legislative Reform – Consultation Paper (2013)
• Review of Sexual Offences: Consultation Paper (2013)
• Complicity Reforms (2014)
• Criminal Investigation Powers Bill Exposure Draft (2014)
• Victorian Review of Counter-Terrorism Legislation (2014)

Sentencing Advisory Council reports
• Sentencing Snapshot Series (ongoing)
• Baseline Sentencing: Report (2012)
• Community Attitudes to Offence Seriousness (2012)

• How Much Does Imprisonment Protect the Community Through Incapacitation? (2012)
• Sentencing Children and Young People in Victoria (2012)
• Comparing Sentencing Outcomes for Koori and Non-Koori Adult Offenders in the Magistrates’ Court of Victoria (2013)
• Family Violence Intervention Orders and Safety Notices: Sentencing for Contravention (2013)
• Reoffending Following Sentencing in the Magistrates’ Court of Victoria (2013)
• Calculating the Baseline Offence Median (2014)
• Community Correction Orders in the Higher Courts: Imposition, Duration and Conditions (2014)
• Community Correction Orders: Monitoring Report (2014)
• Exploring the Relationship between Community-Based Order Conditions and Reoffending (2014)

Victorian Law Reform Commission reports
• Sex Offenders Registration (2012)
• Forfeiture (2014)
• Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (CMIA) (2014)
• Regulatory Regimes Preventing Infiltration of Organised Crime (due to report by 29 February 2016)
• Victims of Crime in the Criminal Trial Process (due to report by 1 September 2016)

Victorian Auditor-General’s Office reports
• Effectiveness of Victims of Crime Programs (2011)
• Effectiveness of Justice Strategies in Preventing and Reducing Alcohol-Related Harm (2012)

Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.
• Inquiry into Locally Based Approaches to Community Safety and Crime

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Justice
Environment and Climate Change

An overview of developments within the Environment and Climate Change portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Cattle grazing in the Alpine National Park

Cattle grazing in the Alpine National Park was an issue that continued throughout the 57th Parliament. The cattle grazing trial began in early 2011 and was described as a scientific study into the effect of seasonal grazing on bushfire risk. The trial was cut short by federal Environment Minister Tony Burke who said the cattle must be removed by April 2011. Minister Burke later ruled that the trial was in breach of federal law.

The Victorian Government did not succeed in its bid to have the decision overturned by the Federal Court, but resubmitted its application for a grazing trial after the 2013 change of government. A cattle grazing trial was endorsed by federal Environment Minister Greg Hunt in March 2014, allowing 60 cattle to graze until the end of June 2014, with a larger trial due to start in January 2015.

In June 2014, the Victorian Environment Minister released the draft Greater Alpine National Parks Management Plan for comment. The plan is a 15-year vision for the management of Victoria’s 900,000 hectares of alpine national parks in eastern Victoria. The draft plan supports seasonal alpine cattle grazing, recreational hunting and the possibility of new commercial leases in alpine areas.

Waste management

In June 2011, the Government passed the Environment Protection Amendment (Landfill Levies) Act 2011. The Act raised the landfill levy for every tonne of municipal and commercial waste by ten per cent from 1 July 2011 and by the same amount in each of the following three years. The Minister said that the new levies struck the right balance between encouraging recycling and limiting the burden on households and businesses. He said that the Government planned to reinvest levy revenue in recycling industry innovations and support waste avoidance and resource recovery initiatives. President of the Municipal Association of Victoria, Bill McArthur, said councils would be forced to pass on the additional levies to ratepayers through charges for kerbside collections.

The Government announced an internal review to examine the focus and direction of Sustainability Victoria in May 2011. After a lengthy consultation process the final report was released in February 2012. The review recommended that Sustainability Victoria should focus on recycling, waste reduction and energy efficiency, in alignment with broader government priorities.

The Government’s review of waste policy began with the release of a discussion paper in March 2012. The discussion paper was designed to start a conversation about maximising value from waste management. The Minister commissioned the multi-agency review in the wake of the Victorian Auditor-General’s report on municipal solid waste management in June 2011.

After a draft waste policy was released for comment in October 2012, the final document, Getting Full Value, was launched in April 2013. The policy sets out a 30-year vision for state-wide waste and resource recovery programs, with policy priorities for the next ten years. The Government initially provided $12 million towards its implementation. Further funding was made available by the Government through the ‘Conserve, Invest and Save’ strategy which targeted programs such as organic waste recovery, illegal dumping and resource efficiency for businesses. The Environment Protection and Sustainability Victoria Amendment Act 2014 was passed in March 2014, implementing the ‘Getting Full Value’ policy. The same Act ended the Environment and Resource Efficiency Program, which had required major companies to reduce their energy and water consumption.

Environmental Partnerships

The Coalition Government unveiled its overarching statement on environmental policy in November 2012. Environmental Partnerships outlines three aspirations: to value the environment; to act to protect, conserve and maintain the environment; and to enjoy the benefits of a healthy environment. The Government encouraged a new sense of environmental citizenship whereby active communities share responsibility for supporting environmental efforts.

The Communities for Nature program was launched by the Minister in late 2011. It is a competitive grants program offering small (up to $10,000) and large ($10,000 to $150,000) grants to community groups for improving their local natural environment. The types of projects it covers include control of pests and weeds, waterway cleanups and revegetation. The Government also released a strategic plan in 2012 for the well-established Victorian Landcare Program.

Climate change

The introduction of a national carbon tax by the federal Labor Government in July 2012 triggered a review of the Victorian Climate Change Act 2010. The Victorian legislation aimed to cut greenhouse gas emissions by 20 per cent from 2000 levels by 2020. The review found ‘no compelling case’ to maintain the Victorian emissions target when a national scheme with a lower (five per cent) target was in place. The Government passed the Climate Change and Environment Protection Amendment Act 2012 in December of that year, removing the 20 per cent target.

In March 2013, the Government released the Victorian Climate Change Adaptation Plan, which provided a framework for managing climate risks to critical Victorian Government assets and services. Through the Victorian Adaptation and Sustainability Partnership (formerly the Victorian Local Sustainability Accord), the Government provided funding support and community grants to assist local councils with practical climate adaptation projects.
The Commissioner for Environmental Sustainability tabled the second Victorian State of the Environment Report in November 2013. The report found that Victoria’s greenhouse gas emissions have increased, average temperatures have risen and weather has become more extreme. Conversely, the report also found that air quality was good, land conservation areas have increased and there has been growth in recycling. Amongst 34 recommendations, the Commissioner called for more buses, consideration of a congestion tax and a risk-based system for controlled burn targets to reduce bushfire fuel on public land.

The Energy Saver Initiative Scheme, also known as the Victorian Energy Efficiency Target (VEET), was introduced in 2009 and intended to continue until 31 December 2029. The scheme supports accredited businesses in supplying energy efficient devices to households, such as light bulbs, in order to achieve a targeted reduction in greenhouse gas emissions. According to the VEET Performance Report 2013, amendments to the VEET regulations to include water-based activities saw the scheme grow significantly in 2013.

In February 2014, the Government released modelling indicating that continuation of the scheme from 2015 to 2030 could cost taxpayers up to $700 million. In May 2014, the Government indicated that it would phase out the scheme by the end of 2015. Environment Victoria chief executive Mark Wakeham said that 2000 jobs in the clean energy industry could be lost if the scheme was wound up.

The Bill containing the intended changes, the Statute Law Amendment (Red Tape Reduction) Bill 2014, lapsed at the conclusion of the 57th Parliament. The Bill would have lowered the scheme’s greenhouse gas emissions reduction target from 5.4 million to 2 million tonnes in 2015, and discontinued the scheme from 1 January 2016.

Parks

In March 2012, the Government passed the Parks and Crown Land Legislation Amendment Act 2012. The Act created Lake Tyers State Park and a new reserve on Raymond Island in the Gippsland Lakes. The creation of the parks fulfilled a commitment to Traditional Owners under the Gunaikurnai Recognition and Settlement Agreement of 2010. The total area of new parkland created by the Act was 10,000 hectares.

The Forests Amendment Act 2012 abolished the need to obtain firewood permits for domestic wood collection from designated areas in state forests and regional parks. The Government had announced the abolition of collection fees in August the previous year, but had inadvertently left firewood collectors exposed to the threat of large fines until the legislation was changed.

In August 2012, the Government announced that it was considering providing access to recreational prospectors in national parks, and it asked the Victorian Environmental Assessment Council (VEAC) to investigate further. The VEAC recommended that eight new park areas be opened up to recreational gold fossickers, with a review of environmental and cultural impacts to be conducted after 12 months.

Waterways

The Minister for Environment and Climate Change launched A Cleaner Yarra River and Port Phillip Bay: A Plan of Action in October 2012. The $1 billion, five year action plan seeks to address the management of water quality issues such as pollution and litter. A program called Yarra Watch started in November 2013 to provide up-to-date information about the health of the river to the public.

In May 2012, Mobil Oil Australia agreed to comply with an EPA Pollution Abatement notice to divert its discharge of industrial waste water from the Yarra River at Spotswood into the sewer system. Mobil had held an EPA licence to discharge wastewater into the Yarra River since 1973.

DSE and DPI merge

In April 2013, Premier Napthine announced the merger of the Department of Sustainability and Environment and the Department of Primary Industries. The new Department of Environment and Primary Industries (DEPI) commenced operation on 1 July 2013. The Government said the integrated department would be a more practical ‘one stop shop’ for land and water management issues.

Point Nepean

In February 2012, the Government announced it was spending over $13 million on essential infrastructure for the Point Nepean National Park and historic Quarantine Station on the Mornington Peninsula. In August 2012, the Victorian Competition and Efficiency Commission (VCEC), acting on a reference from the previous Brumby Government, produced a report reviewing Victorian tourism which had a direct bearing on Point Nepean.

The Government response to the tourism report supported the majority of the VCEC recommendations, including encouraging appropriate and environmentally sensitive private tourism investment in national parks, with lease terms extending up to 99 years. The Government passed the National Parks Amendment (Leasing Powers and Other Matters) Act 2013 to enact the new measures. The proposal to develop tourist destinations in national parks was viewed with concern by groups such as the Victorian National Parks Association. See the Library’s Research Brief for further information.

In August 2012, the Government gave a reference to the Environment and Natural Resources Committee to examine issues around ecotourism and heritage tourism. The Committee’s report was tabled in September 2014. In 2013, the Government also released new guidelines for tourism investment opportunities in national parks, as well as a new master plan for Point Nepean.

After a competitive tender process, the Government announced in July 2014 that the Point Leisure Group had made a successful $100 million bid to develop the Quarantine Station. The Point Leisure Group development proposal includes a health retreat, conference centre and luxury accommodation. The Government agreed to a 50 year lease arrangement with the developer in early November 2014.
The following selection of legislation relating to environment and climate change was passed during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library's InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Environment Protection Amendment (Landfill Levies) Act 2011

2012
- Climate Change and Environment Protection Amendment Act 2012
- Forests Amendment Act 2012
- Parks and Crown Land Legislation Amendment Act 2012

2013
- Alpine Resorts and National Parks Acts Amendment Act 2013
- National Parks Amendment (Leasing Powers and Other Matters) Bill 2013, Victorian Parliamentary Library (2013)

For further Library research publications, see the Research & Inquiries Publications page.

The following selection of reports was produced on issues of relevance to the 57th Parliament.

2011

2012

2013
- Alpine Resorts and National Parks Acts Amendment Act 2013
- National Parks Amendment (Leasing Powers and Other Matters) Act 2013
- Parks and Crown Land Legislation Amendment Act 2013

2014
- Environment Protection and Sustainability Victoria Amendment Act 2014
- Native Vegetation Credit Market Bill 2014 (defeated)
- Parks and Crown Land Legislation Amendment Bill 2014 (lapsed)
- Statute Law Amendment (Red Tape Reduction) Bill 2014 (lapsed)

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Municipal Solid Waste Management, Victorian Auditor-General's Office (2011)
- Review of Sustainability Victoria’s

Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.

- Inquiry into the Establishment and Effectiveness of Registered Aboriginal Parties, Environment and Natural Resources Committee, Parliament of Victoria (2012) and Government Response (2013)
- Inquiry into Rural Drainage in Victoria, Environment and Natural Resources Committee, Parliament of Victoria (2013) and Government Response (2014)
- Inquiry into Heritage Tourism and Ecotourism in Victoria, Environment and Natural Resources Committee, Parliament of Victoria (2014)

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Local Government

An overview of developments within the Local Government portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Electoral reviews

The Local Government Amendment (Electional Matters) Act 2011 was passed in September 2011. The Act brought forward the municipal general elections date to the fourth Saturday of October in each cycle, at the request of the local government sector. The Act also included the City of Melbourne in the program of regular electoral representation reviews conducted by the Victorian Electoral Commission.

The change had been requested by Melbourne City Council. The City of Melbourne Amendment Act 2011 made allowance for any recommendations from an electoral representation review to be implemented by orders in council, if required.

In April 2011, Local Government Minister Jeanette Powell started a community consultation process in the City of Greater Geelong regarding the election of the mayor. The idea of direct election received support during the submissions phase of the local consultation. The City of Greater Geelong Amendment Act 2012 was passed by Parliament in February of that year, giving residents and ratepayers in Geelong the right to directly elect their mayor. Geelong’s deputy mayor is elected by fellow councillors on a rotating basis. The changes were made in advance of the local government elections that were due in October 2012.

In August 2013, the Minister announced a review of Victoria’s local government electoral system, with the aim of strengthening democracy and ensuring that councils are responsible and accountable to their local communities. The review followed a large number of complaints made to the Local Government Investigations and Compliance Inspectorate about the conduct of the 2012 election.

Former Federal MP Petro Georgiou was chosen to head the Local Government Electoral Review Panel.

After an extensive consultation process, the Panel issued two reports in 2014. The first report addressed questions regarding the strengthening of integrity and increasing participation. The second report looked at electoral representation, such as ward structures, voting and ballot counting. Amongst the Panel’s recommendations were a cap on political donations, compulsory information sessions for candidates and forced disclosure of political allegiances. The main reforms were backed by the chiefs of both the Victorian Local Governance Association and the Municipal Association of Victoria (MAV).

In early August 2011, local government Victoria which outlined funding cuts (totaling $5.7 million over four years). A community protest campaign ensued as the MAV and councils expressed their concern, saying the cuts may force some libraries to reduce opening hours or staffing levels. In early August 2011, the Government announced a $6.5 million funding injection for libraries over three years. The Government re-established the Libraries Ministerial Advisory Committee (Libraries MAC) on a bipartisan footing to conduct a comprehensive review of the role, services and funding of libraries.

By late 2013, the Libraries MAC had produced two reports under the ‘Tomorrow’s Library’ banner. After two years of consultations and submissions, the reports made several recommendations which together comprise the “Victorian Library” concept. They include a state-wide single library card, a centralised state-wide Library Management System and a platform for digital resources. The Libraries MAC decided that a state-wide approach could deliver efficiencies, consistency and opportunities to all Victorian public libraries.

The Minister also released new guidelines for the $17.2 million Living Libraries Infrastructure Program in September 2011. Councils and library corporations could apply for funding grants of up to $750,000 to support improvements to their library infrastructure. The funding was weighted towards smaller regional and rural libraries in recognition of the difficulties faced by smaller councils to upgrade their facilities.

Monitoring

Throughout the 57th Parliament, a number of councils were investigated after allegations were received by the Local Government Investigations and Compliance Inspectorate. A Monitor was appointed to Ararat Rural City Council to guide the council in regard to good governance and administration. In 2012, legislation was passed that extended the period of administration at Brimbank City Council until at least March 2015, which was later extended to October 2016 to synchronise with other council elections. Brimbank Council had been sacked in 2009 after being found to be seriously dysfunctional by the Ombudsman and a Local Government Inspector.

In May 2013, an Inspector was appointed to Wangaratta Rural City Council following allegations of breaches of the Local Government Act 1989. An industrial relations consultant was also brought in to investigate bullying complaints. The Minister introduced legislation in September, sacking the Wangaratta Council for the ‘profound and systemic failure’ to provide acceptable standards of government. Administrators have been appointed at Wangaratta through to the next elections due in 2016.

In October 2013, the Ombudsman reported misused entitlements and council assets at Darebin City Council. As a result the Minister implemented a series of measures designed to improve transparency. A Monitor was later appointed to work with Darebin Council until 2016 to improve their culture and standard of governance. Local Government Minister Tim Bull (appointed March 2014) also called
in a Monitor to assist Latrobe City Council in August 2014 to address governance issues.

Rates
The passage of the Local Government Legislation Amendment (Miscellaneous) Act 2012 started a broader conversation about the use of differential rates by councils. In response to some councils charging higher rates targeting poker machine venues and fast food outlets, the Act allowed the Minister to issue guidelines on the appropriate use of differential rates. A Ministerial Committee was formed to draw up draft guidelines for a consultation process. In February 2013, the Victorian Auditor-General produced a report on rating practices in local government.

The Ministerial guidelines, completed in April 2013, were intended to make the application of differential rates simpler, more consistent and transparent. Despite the new guidelines, Monash, Moonee Valley and Moreland Councils challenged the system by proposing higher rates for licensed venues. There was some support from the MAV, which stated that higher rates funded local anti-harm measures such as problem gambling programs. The Government subsequently vetoed the councils that were acting outside the approved rate guidelines.

Performance reporting
The passing of the Local Government Amendment (Performance Reporting and Accountability) Act 2014 introduced a mandatory Local Government Performance Reporting Framework, which commenced in July 2014. The framework was designed to give ratepayers and residents confidence that public money was being spent responsibly and used for the provision of high quality services. An interactive ‘MyCouncil’ website was also trialled by councils from July 2013, but has not been fully implemented.

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publication on issues of relevance to local government during the 57th Parliament.

For further Library research publications, see the Research & Inquiries Publications page.

Legislation
The following selection of legislation relating to local government was introduced during the 57th Parliament. For further information, see the Legislation website.
For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- City of Melbourne Amendment Act 2011
- Local Government Amendment (Electoral Matters) Act 2011

2012
- City of Greater Geelong Amendment Act 2012
- City of Melbourne Amendment (Enrolment) Act 2012

2013
- Local Government (Rural City of Wangaratta) Act 2013

2014
- Local Government Amendment (Governance and Conduct) Bill 2014 (lapsed)
- Local Government Amendment (Performance Reporting and Accountability) Act 2014

- Fraud Prevention Strategies in Local Government, Victorian Auditor-General’s Office (2012)
- Local Government Performance Reporting Framework: Directions Paper, Department of Planning and Community Development (2012)
- Performance Reporting by Local Government, Victorian Auditor-General’s Office (2012)
- Best Practice Procurement Guidelines 2013, Department of Planning and Community Development (2013)
- Organisational Sustainability of Small Councils, Victorian Auditor-General’s Office (2013)
- Asset Management and Maintenance by Councils, Victorian Auditor-General’s Office (2014)
- Shared Services in Local Government, Victorian Auditor-General’s Office (2014)
Committee inquiries

The following Parliamentary Committee report was produced on issues relevant to the 57th Parliament.


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Planning

An overview of developments within the Planning portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

The Coalition Government’s detailed planning policy included a metropolitan liveability audit, and the establishment of a housing affordability unit and new planning referral authorities. The Government also proposed a new urban renewal authority, a review of development in Green Wedge areas and a new metropolitan planning strategy for Melbourne.

Urban Renewal Authority

One of the first planning Acts introduced during the 57th Parliament concerned the establishment of the Urban Renewal Authority Victoria. The Government launched the new authority in November 2011 as ‘Places Victoria’. The new authority replaced VicUrban and was given the role of overseeing housing and commercial developments in areas such as Fishermans Bend, Docklands and Richmond Station. The authority was established to attract private sector investment in key sites to help progress developments and accommodate population growth.

News reports emerged in late 2012 about board level turmoil at Places Victoria. Places Victoria had reviewed its inventory and was reporting net losses after a series of asset write downs. The organisation was declared a reorganising body in March 2013, and a major corporate restructure and review of its property portfolio followed. Places Victoria subsequently stepped back from greenfield projects to concentrate on in-fill suburban sites, and promoting housing in existing suburbs and regional centres.

Audits and reviews

By mid-2011, the Government had several planning review processes underway:

- the green wedge zone permitted land use audit;
- the ‘logical inclusion’ process for changes to the urban growth boundary in growth areas; and
- the ‘anomalies’ review where non-growth area councils were invited to write to an independent advisory committee if they wanted changes to their urban growth boundary.

The Government passed the feedback from councils into separate committee processes, with the resulting Logical Inclusions Advisory Committee report appearing in late 2011, and the Urban Growth Boundary Anomalies Advisory Committee report being published the following year. The logical inclusions report recommended 14 assessment areas on the metropolitan fringe for inclusion within the Urban Growth Boundary, totalling 6,000 hectares of new land. As part of the later Planning Zone Reform process, Green Wedge...
and Green Wedge A Zones were introduced to, among other things, encourage sustainable farming and productive agricultural uses.

The Frankston and Dandenong councils identified land that they considered to be anomalies under the Urban Growth Boundary Anomalies Advisory Committee review. After a consultation process, all identified sites were recommended for inclusion in the Urban Growth Boundary, with the exception of Bangholme Precinct in Dandenong.

Plan Melbourne

In June 2011, Planning Minister Matthew Guy established an expert Ministerial Advisory Committee to start the process of reviewing the planning system. The Committee was asked to give an industry perspective on the legislative base and structure of planning schemes and regulations. After receiving submissions the initial report of the Committee was delivered to the Minister in December 2011. The report and the Government’s response were released in May 2012.

Another Ministerial Advisory Committee was appointed in May 2012, to oversee the development of the new planning strategy and prepare a discussion paper. The resulting discussion paper, Melbourne: Let’s Talk About the Future, was a broad ranging document highlighting nine strategic principles designed to encourage feedback from the public on the future of planning and development in Melbourne. It predicted a huge demand for housing if Melbourne’s population continues to climb towards six million by 2050.

After the release of a draft version for comment in October 2013, the final version of Plan Melbourne was released in May 2014. The planning strategy identifies the infrastructure, services and projects that are needed to guide Melbourne’s growth. The 2050 population projections for Melbourne had risen to 7.7 million by the time the report was released, with the total state population projected to be ten million. In October 2013, the Metropolitan Planning Authority (MPA) was named as the body responsible for implementing the Plan Melbourne initiatives for jobs, transport, housing, investment and infrastructure-led growth. The MPA was formerly known as the Growth Areas Authority.

Regional growth plans

Eight regional Victorian growth plans were developed in consultation between local and state government agencies. The plans cover the Central Highlands, G21 (Geelong/Barwon), Gippsland, Great South Coast, Hume, Loddon Mallee North, Loddon Mallee South and Wimmera Southern Mallee regions. The regional growth plans provide broad direction for land use and development within each region, as well as frameworks for key regional centres. The Planning Minister released the G21 Regional Growth Plan in April 2013, describing it as a 40 year blueprint for Geelong. The plan identifies residential land supply, employment zones, agricultural land and natural assets.

Fishermans Bend

Fishermans Bend is one of the key initiatives of Plan Melbourne and has been described by the Government as Australia’s largest urban renewal precinct. In July 2012, the 240 hectare Fishermans Bend site was declared a site of state significance and rezoned as part of the Capital City Zone. The rezoning expanded the Capital City Zone by more than 50 per cent in an area adjacent to Southbank and Docklands.

The Government launched the Draft Vision and design guidelines for Fishermans Bend in September 2013. The plan included two underground railway stations, connected to the City Loop. The Government estimated that the precinct would eventually accommodate 80,000 residents. The Fishermans Bend Strategic Framework Plan (SFP) was finalised in July 2014, and adopted as an amendment to the Melbourne and Port Phillip planning schemes. In September, the Government announced that five major planning permits had been approved for Fishermans Bend, including construction approvals for 11 buildings.

Development contributions

The Minister established a stakeholder reference group in June 2011 to provide advice on a simpler and more transparent development contributions system. Development contributions are payments or works provided by developers towards infrastructure (such as roads, storm water management systems, open space and community facilities) to meet the future needs of local residents. The preferred framework chosen by the Government in May 2012 included a new standardised levy system based on five infrastructure categories.

The Minister appointed the Standard Development Contributions Advisory Committee in September 2012 to reach agreement on the scope of works in each category and to set the contribution amounts. The Advisory Committee produced two reports, proposing standard levies that can be applied to all municipalities in three development settings: Growth Areas, Urban Areas and Strategic Development Areas. The new standard levies were announced in May 2014, and are scheduled to apply from 1 July 2015.

Growth Area Infrastructure Contribution (GAIC)

In late June 2011, the 57th Parliament passed the Planning and Environment Amendment (Growth Area Infrastructure Contribution) Act 2011, which made changes to the GAIC to allow developers to defer paying their contributions tax to the subdivision stage rather than upfront. The Act also enabled the GAIC liability to be fully or partially satisfied by a ‘work in kind’ (WIK) agreement with the state government. Legislation passed in February 2012 removed the requirement for non-government schools to pay the GAIC on land that they own in growth areas. See the Library’s Research Brief for further information.

VicSmart

The Planning and Environment Amendment (VicSmart Planning Assessment) Act 2012, passed in September 2012, established a new assessment process for specified planning permit applications. The new process, called VicSmart, is geared towards simple, low-impact proposals such as minor subdivisions and fence extensions. VicSmart aims to overcome lengthy planning delays by providing a ‘code assessment’ track to reduce the waiting time from an average of 40 days to ten business days. See the...
Another piece of legislation designed to reduce paperwork and simplify key planning processes was the Planning and Environment Amendment (General) Act 2013. This Act abolished Development Assessment Committees and established the Planning Application Committee (PAC). The PAC is a new opt-in body that will work with councils on complex planning matters. Further details can be found in the Library’s Research Brief.

Planning zone reforms
In July 2012, the Planning Minister announced major reforms to Victoria’s residential, commercial, industrial and rural planning zones. The reformed residential zones were introduced into the Victorian Planning Provisions on 1 July 2013. The new residential zones came into effect on 1 July 2014. They include three categories: a Residential Growth Zone, a General Residential Zone and a Neighbourhood Residential Zone (also known as ‘go-go’, ‘slow-go’ and ‘no-go’ zones respectively). The General Residential Zone replaced all land previously zoned Residential 1, 2 and 3 if the council had not finalised an amendment to implement the new zones by 1 July 2014. By early November 2014, Minister Guy had approved new planning zones for 22 of Melbourne’s councils.

Building industry reform
The Building and Planning Legislation Amendment (Governance and Other Matters) Act 2013 introduced a new governance framework for the building industry. The regulatory reforms followed recommendations made by the Victorian Auditor-General and the Victorian Ombudsman. The Act established the Victorian Building Authority (VBA) as the single integrated regulator to replace the Building Commission and the Plumbing Industry Commission from 1 July 2013. The Government described the new VBA as a ‘one stop shop’ for domestic building consumer protection and building practitioner regulation. For further information see the Library’s Research Brief.

Agent of change principle
During 2012, Music Victoria lobbied the state government to incorporate the ‘agent of change’ principle into the Victorian planning scheme. The principle protects existing live music venues from noise complaints by making developers responsible for sound-proofing new apartments. In August 2014, the Government announced that it would adopt the agent of change principle as part of its Live Music Action Agenda. See also the ‘Arts, Sport and Recreation’ section of this Briefing Book.

Department move
In a reorganisation under Premier Napthine in April 2013, the Planning portfolio was relocated from the Department of Planning and Community Development to the new Department of Transport, Planning and Local Infrastructure.

Construction boom
In Victoria, the Planning Minister has responsible authority status to decide on Melbourne city developments larger than 25,000 square metres. In September 2014, Minister Guy was reported in the media as saying that he had approved 90 buildings in the central city area since coming to government in 2010, with about 20 more applications pending. Australian Bureau of Statistics figures released in August 2014 valued Victoria’s total construction work for the year 2013–14 at $24.9 billion.

Heritage protections
The Government approved a new management plan for the Royal Exhibition Building and Carlton Gardens in November 2013, as required under the site’s World Heritage listing. The amended management plan was prepared following a public consultation process in 2011.

In April 2014, Minister Guy said that the Shrine of Remembrance would be given permanent and mandatory planning controls to protect it from encroaching development. Shrine Trustees had voiced their concern that the Shrine should not be overshadowed by neighbouring apartment towers, such as those at Southbank.

In June 2014, Minister Guy announced an amendment to the Melbourne Planning Scheme, which is designed to protect the area east of Exhibition Street from inappropriate developments. The amendment aims to introduce permanent mandatory height controls to buildings in the Bourke Hill heritage precinct, the boundary of which will incorporate the steps and forecourt of Parliament House.

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2014

- Planning and Environment Amendment (Infrastructure Contributions and Other Matters) Bill 2014 (lapsed)

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to planning during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, Department of Planning and Community Development (2011)
- Initial Report, Victorian Planning System Ministerial Advisory Committee (2011) and Government Response
- Compliance with Building Permits, Victorian Auditor-General’s Office (2011)
- Managing Melbourne: Review of Melbourne Metropolitan Strategic Planning, Department of Planning and Community Development (2012)
- Melbourne: Let’s Talk About the Future, Department of Planning and Community Development (2012)
- Urban Growth Boundary Anomalies Advisory Committee Report, The Advisory Committee (2012)
- Own Motion Investigation into the Governance and Administration of the Victorian Building Commission, Victorian Ombudsman (2012)
- Report 2: Setting the Levies, Standard Development Contributions Advisory Committee (2013)
- Reformed Zones for Victoria: Reformed Residential Zones (fact sheet), Department of Planning and Community Development (2013)
- G21 Regional Growth Plan, Geelong Regional Alliance (2013)
- Royal Exhibition Building & Carlton Gardens: World Heritage Management Plan, Department of Transport, Planning and Local Infrastructure (et al) (2013)
- Fishermans Bend Strategic Framework Plan, Metropolitan Planning Authority (2014)
- Investigation into Advice Provided to the Office of the Minister for Planning by the Department of Planning and Community Development in Relation to Land Development at Phillip Island: Ombudsman Act 1973, Victorian Ombudsman (2014)
- Plan Melbourne: Metropolitan Planning Strategy, Department of Transport, Planning and Local Infrastructure (2014)
- Fast Decisions for Simple Planning Applications (VicSmart overview), Department of Transport, Planning and Local Infrastructure (2014)

Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.

- Inquiry into Liveability Options in Outer Suburban Melbourne, Outer Suburban/Interface Services and Development Committee, Parliament of Victoria (2012)

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National and Rural Development

An overview of developments within the Regional and Rural Development portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Regional Growth Fund
The Coalition Government’s regional and rural strategy was expressed in large part by the Regional Growth Fund Act 2011. The Fund was designed to be the major driver of regional development in Victoria, enabling regions to boost their prosperity, sustainability and liveability. The Fund is administered by Regional Development Victoria: the lead government agency for rural and regional issues in Victoria.

The Regional Growth Fund is structured around two primary funding streams. Around 60 per cent of the fund is for investment in major strategic projects to improve liveability in regional Victoria. The remaining 40 per cent is for the support of grass roots community projects.

Strategic projects include: major infrastructure, industry development, job creation and the extension of the natural gas network across regional Victoria. The local initiatives stream provides flexible funding for councils and communities to address locally identified priorities and needs, and is supported by the five non-metropolitan Regional Development Australia committees.

Major infrastructure programs under the Fund include the:

- Energy for the Regions Program, which aims to deliver reticulated natural gas to 18 regional towns across Victoria;
- Local Government Infrastructure Program, which assists all 48 rural and regional councils with planning and building new infrastructure and assets such as roads, bridges, sporting grounds, pools and libraries;
- Regional Partnerships Facilitation Fund, which is a $20 million competitive grant fund that supports alliances between higher education institutions and vocational education organisations; and
- Putting Locals First Program, which enables regional communities to build capacity by driving priority developments in their local area.

In late 2014, the Deputy Premier and Minister for Regional and Rural Development, Peter Ryan, said the first $500 million from the Regional Growth Fund had supported almost 1,800 projects and leveraged over $2 billion worth of investment. A full list of projects and funding is available from the Regional Development Victoria website.

Flood recovery
A series of floods occurred in northern, western, central Victoria and Gippsland from late 2010 to 2012. Flood response and recovery was a major concern for the Government over that period. Grants were made available to flood victims from both the state and federal governments. The Government provided $30 million of relief money to the Flood Recovery Community Infrastructure Fund, as well as $10 million for the Business Recovery Fund. Regional Development Victoria also assisted flood affected councils with the provision of short term Flood Recovery Officers.

The President of the Metropolitan Fire and Emergency Services Board, Neil Comrie, was commissioned to conduct an inquiry into flood warnings and response. His report, completed in December 2011, highlighted shortcomings in emergency management arrangements. The Environment and Natural Resources Committee also produced a report on flood mitigation infrastructure in Victoria, which was tabled in August 2012. The Committee reviewed the ownership, management and maintenance of the state’s levee banks and waterways.

In response to these reports, the Government introduced the Water Amendment (Flood Mitigation) Act 2014 to make it easier for regional Victorians to protect themselves against floods. The Act enables the Minister to issue permits authorising a person to access certain types of Crown Land in order to carry out flood-mitigation maintenance on levees that are not maintained by a public body.

Regional Cities Growth Framework
In August 2013, the Government, in collaboration with Regional Cities Victoria, launched the Regional Cities Victoria Growth Framework. Regional Cities Victoria is an alliance representing the state’s ten largest regional city councils. The Framework has been produced with a view to clarifying long term growth strategies and development in regional areas.
Regional Growth Plans
Eight regional Victorian growth plans have been developed by the Coalition Government. For further information see the ‘Planning’ section of this Briefing Book.

SPC Ardmona
The future of the SPC Ardmona fruit processing operation in Shepparton featured in the news throughout the 57th Parliament, with a focus on the impact of job losses in the region. For further information, see the Library’s Current Issues Brief: SPC Ardmona Chronicle and the ‘Manufacturing and Small Business’ section of this Briefing Book.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation
The following Act relating to regional and rural development was introduced during the 57th Parliament. For further information, see the Legislation website.

2011
- Regional Growth Fund Act 2011

Library research publications
The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to regional and rural development during the 57th Parliament.

For further Library research publications, see the Research & Inquiries Publications page.

Reports
The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.
- Regional Growth Fund: New Prosperity, More Opportunities and a Better Quality of Life, Regional Development Victoria (2011)
- Advancing Country Towns: Progress Report, Department of Planning and Community Development (2012)
- Implications of Population Growth on Infrastructure and Resources in Regional Cities, Essential Economics (2012)
- Flood Relief and Recovery, Victorian Auditor-General’s Office (2013)

Committee inquiries
The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.
- Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce, Rural and Regional Committee, Parliament of Victoria (2012) and Government Response (2012)
- Inquiry into the Impact of Food Safety Regulation on Farm and Other Businesses, Rural and Regional Committee, Parliament of Victoria (2013) and Government Response (2013)
- Inquiry into the Opportunities for People to Use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014) and Government Response (2014)
- Inquiry into the Opportunities for Increasing Exports of Goods and Services from Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014)

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Primary Industries
Agriculture

An overview of developments within the Agriculture portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Food to Asia

Victoria is the largest food and fibre exporting state in Australia, and increasing Victoria’s food exports to Asia was a key aim of the Government during the 57th Parliament. This involved various activities to explore opportunities for food and agribusiness in the Asian export sector, including multiple trade missions to China and Southeast Asia. In March 2014, the Coalition Government launched their Food to Asia Action Plan, which contained 35 targeted actions over seven key areas, including: improving access to Asian markets, establishing new markets for premium products, creating an effective workforce to supply Asia, moving products efficiently to Asian markets, enhancing research and development, streamlining regulation, and increasing capital investment.

Farming and agribusiness groups have welcomed Government action to expand export opportunities in the Asian market. Establishing new markets for premium products, creating an effective workforce to supply Asia, moving products efficiently to Asian markets, enhancing research and development, streamlining regulation, and increasing capital investment.

Poppy cultivation

In late 2013, the Coalition Government introduced legislation to create a licensing framework for the commercial cultivation and processing of alkaloid poppies in Victoria for therapeutic and research purposes. Previously, the growing and processing of alkaloid poppies (also known as opium poppies) in Australia was restricted to Tasmania. The Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Act 2013 effectively provided for the expansion of the poppy industry to Victoria.

The Coalition Government emphasised the opportunity for growers in regional Victoria to establish commercial poppy crops and reap the economic benefits. The Labor Opposition supported the creation of a poppy farming industry in Victoria, and the reaction from farmers has largely been positive. See the Library’s Research Brief for further background on this issue.

Wild dog control

Wild dog control in Gippsland and North East Victoria was a focus of the Coalition Government during the 57th Parliament. Along with shooting, trapping and ground baiting, the Government sought to control the number of wild dogs through aerial baiting.

In 2011, the Coalition Government applied to the federal Labor Government for approval to commence aerial baiting, but the application was rejected. In 2013, the Government sent a revised application, which was granted approval by the Federal Coalition Government. Aerial baiting commenced in targeted areas of East Gippsland and North East Victoria in 2014.

Farming groups welcomed the introduction of aerial baiting, as they had been lobbying the government on this issue. However some commentators raised questions as to whether other non-target native species would be affected by aerial baiting.

Fruit processing

The future of fruit processing in regional Victoria became an issue during the 57th Parliament, with SPC Ardmona’s (SPCA) fruit processing plants in Shepparton facing difficult economic circumstances, forcing SPCA to cut jobs and slash its fruit intake from local growers. For further information, see the ‘Manufacturing and Small Business’ section of this Briefing Book. See also the Library’s Current Issues Brief: SPC Ardmona Chronology.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

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Legislation

The following selection of legislation relating to agriculture was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Domestic Animals Amendment (Puppy Farm Enforcement and Other Matters) Act 2011
- Farm Debt Mediation Act 2011
- Fisheries Amendment Act 2011

2012
- Fire Services Property Levy Act 2012
- Primary Industries and Food Legislation Amendment Act 2012
- Primary Industries Legislation Amendment Act 2012

2013
- Catchment and Land Protection Amendment Act 2013
- Fisheries Amendment Act 2013
- Plant Biosecurity Amendment Act 2013
- Sustainable Forests (Timber) Amendment Act 2013
- Water Legislation Amendment Act 2013

2014
- Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Act 2014
- Game Management Authority Act 2014
- Primary Industries Legislation Amendment Act 2014

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to agriculture during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Water Amendment (Flood Mitigation) Act 2014
- Water Amendment (Water Trading) Act 2014
- Invasive Species Control Bill 2014 (lapsed)

Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.

- Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce, Rural and Regional Committee, Parliament of Victoria (2012) and Government Response
- Inquiry into Agricultural Education and Training in Victoria, Education and Training Committee, Parliament of Victoria (2012) and Government Response
- Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses, Rural and Regional Committee, Parliament of Victoria (2013) and Government Response
- Inquiry into the Opportunities for People to Use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014) and Government Response
- Inquiry into Increasing Exports of Goods and Services from Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014)

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Energy and Resources

An overview of developments within the Energy and Resources portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Unconventional gas

Coal seam gas, shale gas and tight gas are forms of unconventional natural gas. Hydraulic fracturing or ‘fracking’ is a technique that can be used to aid the extraction of unconventional gas. It involves pumping fluid (a mixture of water, sand and chemicals) into a well to fracture the surrounding rock to enable the gas to flow more freely. Potential environmental implications of fracking include the risk of contaminating water resources. Other environmental concerns regarding the extraction of unconventional gas include fugitive methane emissions, and in regard to coal seam gas in particular, the removal of large amounts of groundwater. The Council of Australian Governments (COAG) Standing Council on Energy and Resources (SCER) has stated that these identified issues can be successfully mitigated with adherence to best practice guidelines.

At present, the Victorian unconventional gas industry is at a very early stage. It is not yet known whether there is any coal seam gas or shale gas in Victoria and, if there is, whether it would be economically viable to extract it. The parts of Victoria with the highest potential for unconventional gas are the Gippsland and Otway basins. Tight gas has been found in Gippsland but is yet to be commercially produced. In August 2012, the Coalition Government announced a hold on further approvals to undertake fracking as part of onshore gas exploration, and a hold on the issuing of new exploration licences for coal seam gas until national regulatory frameworks were finalised. The Government also announced a ban on the use of BTEX chemicals (benzene, toluene, ethylbenzene and xylene) in fracking in Victoria. These chemicals are found in petroleum products and are known to be harmful to human health. In June 2013, the COAG SCER released the National Harmonised Regulatory Framework for Natural Gas from Coal Seams, which was intended to provide guidance on best practice to industry regulators. In November 2013, the Gas Market Taskforce (chaired by former Howard Government Minister, the Hon. Peter Reith) presented its final report to the Victorian Government, which recommended the development of an unconventional gas industry in Victoria.

However, in late November 2013, the Coalition Government announced that the moratorium on fracking would remain in place until at least July 2015 while a community consultation process and water studies are conducted. The Greens have stated that they are opposed to unconventional gas mining in Victoria and support the development of renewable energy sources. Labor has stated that there should be a public inquiry, including consideration of scientific assessments and community engagement, prior to the development of a coal seam gas industry in Victoria. See the Library’s Research Paper for further information on unconventional gas in Victoria.

Wind farms

In August 2011, the Coalition Government amended planning restrictions to prevent wind farms being constructed within two kilometres of homes (unless home owners consent) and within five kilometres of key town centres, as well as creating ‘no go zones’ in areas such as Wilsons Promontory, the Macedon Ranges and the Great Ocean Road. Wind farm developments with existing permits were allowed to be built.

The new restrictions were met with a mixed response. The peak body for the clean energy sector, the Clean Energy Council stated that the planning amendments were overly restrictive and would cause wind farm developers to leave Victoria, resulting in significant economic loss for the state. The Labor Opposition, who had previously approved several wind farm developments while in Government, stated that the new restrictions would reduce investment and employment opportunities, particularly in regional Victoria. Environment groups cited the importance of wind power as a renewable energy resource. Conversely, some anti-wind farm lobby groups supported increased restrictions, arguing the wind turbines are unsightly, noisy and cause health problems for nearby residents. The issue of potential health effects has been a source of ongoing debate. A 2009 review of evidence by the National Health and Medical Research Council (NHMRC) found that there was insufficient evidence to link wind turbines to adverse health conditions, but further investigation by the NHMRC is underway.

In October 2014, Australia’s biggest manufacturer of wind towers, Keppel Price in Portland, announced they would suspend parts of their operation and reduce their workforce. The company has stated that the job losses are the result of continued uncertainty in the wind industry, including issues surrounding the Federal Government’s lowering of the Renewable Energy Target.

Feed-in tariffs

In November 2011, the Coalition Government introduced a new Transitional Feed-in Tariff (TFIT) for properties installing rooftop solar panels. The TFIT replaced the Premium Feed-in Tariff, which was approaching its 100 megawatt cap under the Electricity Industry Act 2000. The feed-in tariff rate was cut from 60 cents to 25 cents per kilowatt hour for electricity fed back into the grid from solar energy systems. The new rate was a temporary measure, pending a review of tariff schemes by the Victorian Competition and Efficiency
Commission (VCEC). The VCEC reported in September 2012, recommending further changes to the feed-in tariff. The Government implemented the VCEC recommendation to reduce the feed-in tariff to eight cents per kilowatt hour for new customers by the end of 2013, saying it would reduce upward pressure on electricity prices. The new price will be updated annually in line with the adjusted wholesale electricity rate.

Emissions target
The previous Labor Government introduced a greenhouse gas emissions target for Victoria under the Climate Change Act 2010, which stated that by the year 2020, Victoria’s greenhouse gas emissions should be 20 per cent below Victoria’s emissions level for the year 2000. In 2012, the Coalition dispensed with this target, stating this state-based emissions target was no longer necessary in light of the federal government’s newly established carbon tax. The Federal Government repealed the carbon tax in July 2014 and has moved to alter the federal renewable energy target. Amendments to Victoria’s Energy Efficiency Target (VEET) were also introduced in 2014, although they lapsed at the end of the 57th Parliament. See the Environment and Climate Change section of this Briefing Book for further information.

For further media coverage on these and other issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation
The following selection of legislation relating to energy and resources was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Electricity Industry Amendment (Transitional Feed-In Tariff Scheme) Act 2011
- Energy Legislation Amendment (Bushfire Mitigation And Other Matters) Act 2011
- Extractive Industries (Lysterfield) Amendment Act 2011
- Mines (Aluminium Agreement) Amendment Act 2011
- Resources Legislation Amendment Act 2011

2012
- Climate Change and Environment Protection Amendment Act 2012
- Energy Legislation Amendment Act 2012
- Mineral Resources (Sustainable Development) Amendment Act 2012
- Resources Legislation Amendment (General) Act 2012
- National Energy Retail Law (Victoria) Bill 2012 (withdrawn)
- Energy Legislation Amendment (Feed-In Tariffs and Other Matters) Act 2013
- Energy Legislation Amendment (Flexible Pricing and Other Matters) Act 2013
- Energy Legislation Amendment (General) Act 2014
- Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2014 (lapsed)
- Mineral Resources (Sustainable Development) Amendment Act 2014
- Resources Legislation Amendment (BTEX Prohibition And Other Matters) Act 2014
- Statute Law Amendment (Red Tape Reduction) Bill 2014 (lapsed)
- Resources Legislation Amendment (BTEX Prohibition And Other Matters) Act 2014
- Research Note: Resources Legislation Amendment (BTEX Prohibition And Other Matters) Bill 2014, Victorian Parliamentary Library (2014)

For further Library research publications, see the Research & Inquiries Publications page.

Reports
The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, Department of Planning and Community Development (2011)
- Power from the People: Inquiry into Distributed Generation, Victorian Competition and Efficiency Commission (2012) and Government Response
Committee inquiry

The following Parliamentary Committee report was produced on issues relevant to the 57th Parliament.


Water

An overview of developments within the Water portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Office of Living Victoria

The Coalition Government established the Office of Living Victoria (OLV) in May 2012 as an administrative office in the then Department of Sustainability and Environment. The purpose of the OLV was initially to implement urban water policy reform within the water boards, making changes to urban water management and bringing in other water saving initiatives. The OLV’s role was later expanded to include economic reform and to lead an efficiency review of the water sector.

In August 2014, the Ombudsman released a report titled Investigation into Allegations of Improper Conduct in the Office of Living Victoria, prompted by a whistle-blower complaint in June 2013. The investigation found that the OLV failed to comply with Victorian Government procurement policies. The Ombudsman noted concerns with several aspects of the OLV’s governance and operations, including the OLV’s leadership, governance framework, planning, and contract and project management.

In July 2014, prior to the release of the Ombudsman’s report, the Coalition Government abolished the OLV and brought its functions under the Department of Environment and Primary Industries.

Murray Darling Basin Plan

The Coalition Government signed on to the Murray Darling Basin Plan in June 2013, making Victoria the first Basin state to do so. By February 2014, the other Basin states of Queensland, New South Wales and South Australia, as well as the Australian Capital Territory, had all signed up. Victoria, New South Wales and South Australia signed the first River Murray Waters Agreement in 1914.

Significant droughts in the early 2000s prompted the federal government to initiate a Commonwealth takeover of Murray Darling Basin water management under Prime Minister John Howard, with the Water Act 2007 (Cth) establishing the Murray Darling Basin Authority (‘the Authority’) to devise a basin plan. The Authority took five years to produce the final basin plan, following a lengthy process of investigation, consultations, and several re-writes.

In 2012, the Authority released the final basin plan, setting sustainable diversion limits (i.e. how much water can be taken for consumptive purposes), supported by money for water infrastructure improvements and the Commonwealth’s environmental water recovery strategy. The Commonwealth Minister for Water signed the Murray Darling Basin Plan into law in November 2012. The limits on consumptive water use under the

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North-South Pipeline

Constructed by the previous government and turned on in 2010, the 70 kilometre north-south pipeline runs between the Goulburn River and Sugarleaf Reservoir and was designed to transfer part of northern Victoria’s water savings to boost Melbourne’s water supplies. The Coalition introduced new restrictions in 2011 so that water would only be sent down the pipeline if Melbourne’s water storage level fell below 30 per cent in November (which historical data shows has never occurred). Water in the pipeline can also be used for firefighting purposes.

Desalination Plant

The desalination plant in Wonthaggi has been an ongoing source of debate in the 57th Parliament. Though opposed to the size and cost of the Wonthaggi desalination plant built by the previous government, the Coalition Government considered it too costly to break the construction contracts. Instead, it chose not to purchase water from the desalination plant, stating that it was not necessary as water storage levels were high. Under the contract, the Government was still required to deliver operational water service revenue payments and other fees to the desalination company, Aquasure. The Labor Opposition supported the desalination plant as an important insurance policy for Victoria’s water supply.

Media coverage during the 57th Parliament relating to the desalination plant highlighted industrial disputes and the ongoing costs of the plant. News reports in 2012 also revealed that Melbourne Water had overcharged customers for costs relating to the desalination plant. The money was later returned to customers.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to water was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Water Legislation Amendment (Water Infrastructure Charges) Act 2011: applied the Commonwealth’s Water (Infrastructure) Rules 2010 as state law and enabled the Essential Services Commission to apply to the ACCC for accreditation to approve and determine water charges in northern Victoria in the Murray-Darling Basin region.

2012
- Water Amendment (Governance and Other Reforms) Act 2012: converted the three Melbourne water retailers – City West Water, South East Water and Yarra Valley Water – from companies with their own corporations Acts to statutory corporations under the Water Act 1989, to be consistent with all other water corporations in Victoria. Also removed certain powers from the water corporations, such as the power to turn off a person’s drinking water supply if they have not paid their bill, and the power to sell their land to repay an outstanding debt to the water corporation. The power of a water corporation to require property owners to connect to its water works was also limited to sewerage works, and only where it has environmental or public health benefits.

2013
- Water Legislation Amendment Act 2013: enabled water corporations to install separate water meters on each part of land which may be separately occupied; required mortgagees of water shares to gain the Minister’s approval when transferring that water share; expanded the Victorian Water Register to become the central repository for records of all water entitlement; and removed the 1.5 cents per litre surcharge for mineral water taken and used under licence.

2014
- Water Amendment (Flood Mitigation) Act 2014: enabled the Minister to issue permits authorising a person to access certain types of Crown Land in order to carry out maintenance on levees which are not maintained by a public body, to make it easier for regional Victorians to protect themselves against floods.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

Investigation into the Foodbowl Modernisation Project and Related Matters, Victorian Ombudsman (2011)


Operating Water Infrastructure using Public Private Partnerships, Victorian Auditor-General’s Office (2013)


Investigation into Allegations of Improper Conduct in the Office of Living Victoria, Victorian Ombudsman (2014)

Committee inquiries

These Committee reports relating to water were completed during the 57th Parliament.

Inquiry into Flood Mitigation Infrastructure in Victoria, Environment and Natural Resources Committee, Parliament of Victoria (2012); Government Response (2013)

Inquiry into Rural Drainage in Victoria, Environment and Natural Resources Committee, Parliament of Victoria (2013) and Government Response (2014)

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Transport

An overview of developments within the portfolios of Public Transport, Roads, and Ports during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Public transport

The performance of public transport is an ongoing issue in Victoria. The public transport system consists of train, tram, bus and coach services. The number of people using public transport has increased substantially since the mid-2000s and the system faces a number of challenges.

For further background information on public transport, see the Library’s Research Brief on the Transport Legislation Amendment (Public Transport Development Authority) Bill 2011.

The Auditor-General found in his 2012 report on Public Transport Performance that the Department of Transport was not prepared for the patronage boom on public transport and that customer satisfaction had declined, with the largest decline being for metropolitan trains. Passengers were concerned about overcrowding, frequency of services, delays, cancellations, full services, and whether the operator provides information about cancellations and delays. Passengers were also concerned about how well the public transport system is connected (for example, whether bus and train timetables are coordinated so that buses arrive in time for passengers to catch departing trains). In addition, it was reported that passengers were concerned about trains skipping stations to meet punctuality targets during the 57th Parliament.

The Coalition Government created Public Transport Victoria (PTV) in December 2011 with the aim of providing integrated management of the public transport system and improving services. See the Library’s Research Brief on this subject for further information. The Auditor-General’s 2014 report on Coordinating Public Transport found that the coordination of services requires further improvement.

Parliamentary Committee and Auditor-General reports during the 57th Parliament have emphasised that the growing outer suburbs of Melbourne need access to public transport infrastructure. Expansions of the rail network during the 57th Parliament included the South Morang rail extension project (begun in October 2010) which rebuilt and electrified the rail line from Epping to South Morang. South Morang station opened in April 2012. The Sydenham line was also electrified as far as Sunbury in 2012.

Work also continued on from the 56th Parliament on the $4.1 billion Regional Rail Link project. The Regional Rail Link is designed to remove bottlenecks from Victoria’s rail network by separating metropolitan and regional tracks between the western suburbs of Melbourne and the CBD. The provision of dedicated regional tracks and related station upgrades, new stations, road and rail grade separations and removal of level crossings, are intended to improve the journey for passengers on the Geelong, Bendigo and Ballarat lines into the CBD.

Taxi Industry Inquiry and reforms

In March 2011, Premier Baillieu announced the establishment of a Taxi Industry Inquiry to be chaired by Professor Allan Fels. This major review of Victoria’s taxi industry formally commenced in May 2011. In addition, the Government introduced the Transport Legislation Amendment (Taxi Services Reforms and Other Matters) Act 2011 to establish the Taxi Services Commission as the industry regulator. See the Library’s Bills Backgrounder for further information.

The Taxi Industry Inquiry produced a lengthy Draft Report which was released for public comment in May 2012. The final report, titled Customers First: Service, Safety, Choice, was made publicly available in December 2012. In May 2013, the Government announced the implementation of reforms to the industry based on the report’s recommendations. In June 2013, the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 was introduced to provide for the reform of the licensing system for taxis and changes to the determination...
of taxi fares, as well as changes to the powers of the Taxi Services Commission and the Essential Services Commission. See the Library’s Bills Backgrounder for further information.

In January 2014, the Government announced a reduction of the fee charged when a passenger uses a credit or debit card to pay for a taxi fare, from ten per cent to five per cent. In April 2014, the Government announced an increase to daytime taxi fares and a new tiered tariff structure.

Melbourne Metro or Melbourne Rail Link?

The ‘Melbourne Metro’ was first proposed in Sir Rod Eddington’s East-West Link Needs Assessment Report in 2008. It involves the construction of a nine kilometre tunnel under inner Melbourne (between South Kensington and South Yarra) to connect the Sunbury and Dandenong rail lines and would include five new underground stations, at an estimated cost of $9 billion. It is intended to add capacity to the network and facilitate the east-west movement of people across the city.

The first stage of the Melbourne Metro project, estimated at $4.9 billion, was assessed by Infrastructure Australia as ‘ready to proceed’ in 2010. The Melbourne Metro was bipartisan state government policy, and the Federal Labor government allocated $3 billion to the project in its 2013–14 budget.

However, when the Abbott Coalition Government was elected in September 2013, its policy was to prioritise the building of roads and the eastern section of the East-West link.

Additionally, in 2014, the Napthine Coalition government announced an alternative proposal called the ‘Melbourne Rail Link’ which involves a 7.5 kilometre tunnel from Southern Cross to South Yarra and two new underground train stations. The Melbourne Rail Link project also includes a link to the airport and upgrades to the Cranbourne-Pakenham rail corridor, with a total estimated cost of $8.5–11 billion. Labor maintained the Melbourne Metro plan as its policy.

East-West Link

The East-West Link (EWL) is a proposed 18 kilometre toll road that would run from the western suburbs of Melbourne to the Eastern Freeway in Clifton Hill. It is conceptualised in two parts: the western section, which would run from the Western Ring Road in Sunshine West to the CityLink in Parkville; and the eastern section which would run through a tunnel from the CityLink in Parkville to the junction of Hoddle Street and the Eastern Freeway in Clifton Hill (going under Royal Park and Alexandra Parade).

The EWL was one of the recommendations in Sir Rod Eddington’s East-West Link Needs Assessment Report in 2008. The report recommended that the western section of the EWL road and the Melbourne Metro rail tunnel (also recommended by the report) be prioritised and built first. The Coalition Government announced in May 2013, that it would fund the eastern part of the EWL as the first stage. It stated that the eastern section was prioritised because it would connect the Eastern Freeway with the CityLink and provide an alternative to the congested M1 corridor (the Monash and West Gate Freeways), as well as relieving congestion at the junction of the Eastern Freeway and Hoddle Street.

The Coalition Government estimated that the eastern-section (stage one) of the EWL would cost $6.8 billion. It stated that the project would be built via a public private partnership (PPP) arrangement, with financing sourced from the State Government, the Commonwealth Government and the private sector.

The Federal Coalition pledged $1.5 billion for the building of stage one of the EWL (and a further $1.5 billion for the future building of stage two). It was expected that toll revenue would partly offset the costs of the project over the longer term. In June 2013, the Coalition Government released the executive summary or ‘short form business case’ for the project and submitted it to Infrastructure Australia.

Some groups – such as the Greens, local governments in the project area, transport academics and community organisations – stated that the full business case for the project should be released for public scrutiny. Concerns also centred on the acquisition of residential properties, and the impact on Royal Park and Melbourne Zoo.

In June 2014, the Coalition Planning Minister approved the building of the eastern section of the EWL. In July 2014, Moreland and Yarra Councils began legal proceedings opposing the decision on the basis that the planning process had been flawed.
On 29 September 2014, the Coalition Government signed a contract with the East West Connect consortium to build stage one of the EWL. The Government stated that if the contracts were not honoured after a change of government, Commonwealth grants for the project would have to be repaid, in addition to contract termination costs. On 20 November 2014, Moonee Valley Council also lodged a separate legal action against the project.

Level crossings removal

Melbourne has approximately 170 to 180 level crossings (intersections where road and railway lines cross on the same level, rather than the railway line crossing over or under the road). Level crossings pose safety risks and can cause traffic congestion as cars have to stop while the train goes through. It also means that fewer trains can run, because traffic cannot be brought to a standstill too often. During the 57th Parliament, the Coalition Government removed five level crossings in metropolitan Melbourne: including Springvale Road, Springvale; Mitcham and Rooks Roads, Mitcham; and two at Anderson Road, Sunshine. In the 2014–15 State Budget, the Coalition announced construction funding to remove eight level crossings, as part of a program of 40 level crossing removals and grade separations.

Victorian Labor had a policy to remove 50 level crossings at an estimated cost of $5–6 billion, as an alternative to building the eastern section of the EWL. The Green’s transport policy included the elimination of dangerous level crossings in urban areas and the review of all rail crossings in regional and rural areas to ensure that they all have adequate warning signage or systems.

Port of Melbourne

The Port of Melbourne is Australia’s largest general and container port and is a key part of the Victorian transport system. According to the Port of Melbourne Corporation’s 2013–14 Annual Report, the port hosts around 3,000 ship visits per year and handles almost 7,000 containers per day on average. The port has net assets of $1.7 billion. In 2013–14 it made an operating profit after tax of $72.8 million and paid total dividends of $43.7 million to the Victorian Government. Most of the freight moved to and from the port is moved by truck. Congestion on the West Gate Bridge and heavy vehicle movements though residential areas near the port are ongoing issues.

Port Capacity Project

In April 2012, the Coalition Government announced the Port Capacity Project which will significantly expand the capacity of the port’s container and automotive terminals. It includes the redevelopment of Webb Dock and the construction of a new international container terminal, a new automotive terminal, and an automotive pre-delivery inspection hub. The project received planning approval in February 2013. In March 2013, a Government media release announced that work had commenced on the $1.6 billion project, with the new facilities expected to be operational by late 2016.

A second container port

The Coalition and Labor have both stated that due to projected growth in commercial shipping, the Port of Melbourne will reach capacity in coming decades and a second container port needs to be developed. During the 57th Parliament, the Government progressed with plans to develop the Port of Hastings in Western Port Bay on the eastern side of the Mornington Peninsula. Hastings is a deep water port with land that has been zoned for port development since the 1960s.

However, Western Port Bay is considered environmentally significant and has an environment-based tourism industry. It includes a number of reserves, national parks and marine national parks, is part of an UNESCO Biosphere Reserve and is listed under the Ramsar Convention on Wetlands of International Importance. Additionally, the development of the Port of Hastings would require the building of roads and railway lines to move freight to and from the port.

Bay West on the western side of Port Phillip Bay, between Geelong and Werribee, and near Avalon Airport, is another potential location for the new port. The Bay West site is closer to established road and rail links that lead to industrial hubs in the west and northwest suburbs of Melbourne. However, the water on the western side of Port Phillip Bay is relatively shallow and could require more dredging than Hastings. Dredging deeper channels for shipping has environmental impacts. Previous dredging of Port Phillip Bay faced community opposition. Additionally, the western shoreline of Port Phillip Bay is a Ramsar site with a number of environmentally significant areas.

In 2014, Victoria University’s Institute for Supply Chain and Logistics (ISCL) stated that it is important to question whether the very large container vessels (that require deeper water) which are expected to come to Victoria in the future will actually do so. The ISCL suggested that the size of the Victorian or Australian markets may not provide the commercial justification for international shipping companies to bear the cost of sending larger vessels here.
Privatisation of Port of Melbourne

It is bipartisan policy of the major parties to lease the Port of Melbourne to the private sector. The Ports of Geelong and Portland were sold by the Kennett Government in 1996 while the Ports of Melbourne and Hastings were retained in public ownership. In November 2013, Labor announced its policy to create the ‘Victorian Transport Building Fund’ (to be managed under an Act of Parliament by an independent board) which would be started using proceeds generated by issuing a long-term lease of the Port of Melbourne.

In May 2014, the Coalition Government announced that the Port of Melbourne would be leased to the private sector for a medium-term period with an expression of interest process to commence in early 2015. The Coalition stated that returns generated by the lease would help fund Victoria’s infrastructure program and the future development of the Port of Hastings.

The Greens have stated that the Port of Melbourne is a key economic asset for Victoria that should not be privatised, and that a private operator may increase port fees to boost profits which would have a negative impact on exporters.

For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to transport was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library’s InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- Transport Legislation Amendment (Marine Safety and Other Amendments) Act 2011
- Transport Legislation Amendment (Port of Hastings Development Authority) Act 2011

2012
- Transport Legislation Amendment (Marine Drug and Alcohol Standards Modernisation and Other Matters) Act 2012

2013
- Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Act 2013
- Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013
- Rail Safety National Law Application Act 2013
- Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- From a System to a Service: An Investigation into Returning a Passenger Rail Service to Cobram, S. Bardolia, Intern’s report, Parliament of Victoria (2011)
- Management of Road Bridges, Victorian Auditor-General’s Office (2011)
- Fare Evasion on Public Transport, Victorian Auditor-General’s Office (2012)
- Port of Melbourne Channel Deepening Project: Achievement of Objectives, Victorian Auditor-General’s Office (2012)
- Public Transport Performance, Victorian Auditor-General’s Office (2012)
- Developing Transport Infrastructure and Services for Population Growth Areas, Victorian Auditor-General’s Office (2013)

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to transport during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.
Committee inquiries

These Committee reports were completed during the 57th Parliament:

- Inquiry into Liveability Options in Outer Suburban Melbourne, Outer Suburban/Interface Services and Development Committee (2012)
- Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne, Outer Suburban/Interface Services and Development Committee (2013)

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Treasury and Finance

An overview of developments within the Treasury and Finance portfolio during the 57th Parliament, including key issues, legislation, committee inquiries and reports.

Key issues from the 57th Parliament

Budgets

During the 57th Parliament, four Budgets were handed down: the 2011–12 Budget, the 2012–13 Budget, the 2013–14 Budget and the 2014–15 Budget.

In his 2011 Budget speech, Treasurer Wells presented the first Budget of the Baillieu Coalition Government, with a focus on the financial and economic challenges facing the Budget, safer streets measures, rebuilding the transport system, improving health (including mental health) and education services, and protecting Victoria’s competitive strengths.

Treasurer Wells’ second Budget speech in 2012 focussed on Budget surpluses, productivity and infrastructure, industry support, TAFE funding, hospital funding, measures to protect vulnerable children, and justice initiatives.

In 2013, Treasurer O’Brien delivered the Napthine Coalition Government’s first Budget speech with an emphasis on economic growth, health initiatives, the East-West Link and transport, education funding, rural and regional development and improving services for Victorian families.

In his 2014 Budget speech, Treasurer O’Brien focused on infrastructure, the State’s strong financial position, investment in health and education capital projects, regional programs, and justice initiatives to enhance community safety. See the Library’s Hot Topics pages on the 2014–15 Budget for a breakdown of the key initiatives of the last Budget.

The last Budget update was the Pre-Election Budget Update, released on 11 November 2014.

Macroeconomic indicators

According to the Australian Bureau of Statistics, Victorian Gross State Product (GSP) has grown at an average of 2.1 per cent per annum from 2010–11 to 2013–14. General government net debt grew from $11.8 billion in 2010–11 to a forecast $23.4 billion in 2014–15. Meanwhile, the general government operating surplus grew from $0.5 billion in 2010–11 to a forecast operating surplus of $1.3 billion in 2014–15.

Victoria maintained a triple A rating from Standard & Poor’s and Moody’s over the course of the 57th Parliament. Good credit ratings have benefits such as the ability to secure government debt at lower interest rates.

The number of employed persons in Victoria (seasonally adjusted) grew from 2,796,300 in November 2010 to 2,898,400 in November 2014. The unemployment rate grew from 5.2 per cent in November 2010 to 6.8 per cent in November 2014, despite a declining participation rate.

Sources of taxation revenue, Victoria, 2014–15

Source: Department of Treasury and Finance (2014) ‘State taxation revenue’, DTF website, October [Budget forecasts].
government revenue in 2014–15. Of this federal funding, 47.4 per cent was forecast to come from GST revenue with the remaining grants tied to purposes such as health, education or local government.

Since the introduction of the GST in 2000–01, Victoria has consistently received less revenue than it would if GST was distributed on a per capita basis. This is because the Commonwealth Grants Commission (CGC) distributes GST revenue to the states based on the method of ‘horizontal fiscal equalisation’ whereby states receive funding based on their ability to provide services to ensure each state has the same capacity to provide. Factors taken into account include a state’s capacity to raise its own tax revenue (e.g. through royalties on mineral deposits), the extent of vulnerable populations (e.g. remote Indigenous communities), and dispersion of the population.

Compared to all other states and territories in 2012–13, Victoria had received the least per capita revenue over the life of the GST (see table below). This is because it is a consistently high performing state.

The Coalition government made a number of submissions urging GST distribution to be reviewed and for Victoria to get a fairer share. The GST Distribution Review Panel (of which former Premier John Brumby was a member) delivered its final report in October 2012, recommending only minor changes to CGC distribution methods.

On 25 October 2014, Prime Minister Tony Abbott announced that he would be pursuing reform of Australia’s system of federation. A green paper on reform options is expected in the second half of 2015 after consultation with premiers and chief ministers, followed by a white paper to be taken to the next federal election.

Following the National Partnership on Asset Recycling, agreed to on 2 May 2014, infrastructure funding is also available from the Commonwealth Government. Under the agreement, the Commonwealth will make contributions to the states from an Asset Recycling Pool from 2014–15 to 2018–19, on a first-come first-served basis, in regard to the sale of state assets identified and agreed to before 30 June 2016. The Commonwealth Government will provide funding equivalent to 15 per cent of the proceeds received by the state from the sale of assets that are reinvested in additional state infrastructure. The sale of the Port of Melbourne is a potential initiative that could trigger funding from the asset recycling pool. See the ‘Transport’ section of this Briefing Book for further information on the Port of Melbourne.

Election costings

Election costings are a perennial issue at all levels of government. At the 2010 and 2014 elections, the Oppositions costed their policies independently, while the Greens and the Government of the day submitted their policies to Treasury. To reduce the uncertainty that these separate costing methods create, the Coalition Government stated that it would introduce a Parliamentary Budget Office during the 57th Parliament, similar to those in the NSW and the Commonwealth parliaments. Following a discussion paper, the Napthine Government introduced legislation for a Parliamentary Budget Office in December 2013. However, the Opposition was opposed to this bill. The Bill was opposed to the small and temporary nature of the office and successfully moved an amendment that the Bill be withdrawn and amended. Under Standing Order 63, the Bill therefore lapsed. See the Parliamentary Library’s Research Brief on the Bill for further information.
For further media coverage on these issues, see the Parliamentary Library’s News Archive database (newspaper articles) or the Broadcast News database (TV/Radio news). Archived media releases and policies can also be accessed on the Library intranet.

Legislation

The following selection of legislation relating to treasury and finance was introduced during the 57th Parliament. For further information, see the Legislation website.

For Bills dealt with in 2014, see the Library's InfoLinks, which provide links to key documents and commentary on the Bill.

2011
- State Taxation Acts Amendment Act 2011
- State Taxation Acts Further Amendment Act 2011

2012
- State Taxation Acts Amendment Act 2012
- State Taxation and Other Acts Amendment Act 2012

2013

2014
- Building a Better Victoria (State Tax and Other Legislation Amendment) Act 2014
- Parliamentary Budget Officer Bill 2013 (lapsed)
- Small Business Commissioner Amendment Act 2014
- State Taxation Legislation Amendment Act 2014
- Treasury Legislation and Other Acts Amendment Act 2014

Library research publications

The Parliamentary Library & Inquiries Service produced the following research publications on issues of relevance to treasury and finance during the 57th Parliament.


For further Library research publications, see the Research & Inquiries Publications page.

Reports

The following selection of reports was produced on issues of relevance to the 57th Parliament. See the Library catalogue for further reports.

- Independent Assessment of State Insurance Arrangements, commissioned paper from PricewaterhouseCoopers, Department of Treasury and Finance (2011)
- Understanding Innovation: the Role of Policy Intervention, commissioned paper from Professor Henry Ergas, Department of Treasury and Finance (2012)
- The Use of Countercyclical Fiscal Policy by State Governments, commissioned paper from Professor Henry Ergas, Department of Treasury and Finance (2012)
- Balancing Budgets, Grattan Institute (2013)
- Victorian Parliamentary Budget Officer, discussion paper, Department of Treasury and Finance (2013)
- Budget Pressures on Australian Governments, Grattan Institute (2014)

Committee inquiries

The following Parliamentary Committee reports were produced on issues relevant to the 57th Parliament.

- Inquiry into Commonwealth Payments to Victoria, Legislative Council Economy and Infrastructure References, Parliament of Victoria (2012)
• Inquiry into Victorian Auditor General’s Office Reports January to June 2009, Public Accounts and Estimates Committee, Parliament of Victoria (2012)
• Inquiry into Local Economic Development Initiatives in Victoria, Economic Development and Infrastructure Committee, Parliament of Victoria (2013)
• Inquiry into the Opportunities for Increasing Exports of Goods and Services from Regional Victoria, Rural and Regional Committee, Parliament of Victoria (2014)

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Research & Inquiries service
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Information was current as at the time of printing. This publication should not be considered as a complete guide to the particular subject or legislation covered. While it is intended that all information provided is accurate, it does not represent professional legal opinion.

Some hyperlinks may only be accessible on the Parliament of Victoria’s intranet. All links were current and available at the time of publication.

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