

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 19 June 2007

(Extract from book 9)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier, Minister for Multicultural Affairs and Minister for Veterans' Affairs	The Hon. S. P. Bracks, MP
Deputy Premier and Minister for Water, Environment and Climate Change	The Hon. J. W. Thwaites, MP
Minister for Education	The Hon. J. Lenders, MLC
Minister for Skills, Education Services and Employment and Minister for Women's Affairs	The Hon. J. M. Allan, MP
Minister for Gaming, Minister for Consumer Affairs and Minister assisting the Premier on Multicultural Affairs	The Hon. D. M. Andrews, MP
Minister for Victorian Communities and Minister for Energy and Resources	The Hon. P. Batchelor, MP
Treasurer, Minister for Regional and Rural Development and Minister for Innovation	The Hon. J. M. Brumby, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Agriculture	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Tourism and Minister for Information and Communication Technology	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Racing	The Hon. R. J. Hulls, MP
Minister for Community Services and Minister for Aboriginal Affairs ...	The Hon. G. W. Jennings, MLC
Minister for Public Transport and Minister for the Arts	The Hon. L. J. Kosky, MP
Minister for Planning	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs	The Hon. J. A. Merlino, MP
Minister for Mental Health, Minister for Children and Minister for Aged Care	The Hon. L. M. Neville, MP
Minister for Roads and Ports	The Hon. T. H. Pallas, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Industry and State Development, Minister for Major Projects and Minister for Small Business	The Hon. T. C. Theophanous, MLC
Minister for Housing and Minister for Local Government	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Robinson, MP

Legislative Assembly committees

Privileges Committee — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Naphthine, Mr Nardella, Mr Stensholt and Mr Thompson.

Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr McIntosh, Mr Robinson and Mr Walsh. (*Council*): Mr P. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Mr Delahunty, Mr Haermeyer, Mr McIntosh, Mrs Maddigan and Mr Morris. (*Council*): Mr Leane and Ms Mikakos.

Economic Development and Infrastructure Committee — (*Assembly*): Ms Campbell, Mr Crisp and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis, Mr Tee and Mr Thornley.

Education and Training Committee — (*Assembly*): Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr, Mr Finn and Mr Hall.

Electoral Matters Committee — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr Hall and Mr Somyurek.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mrs Petrovich and Mr Viney.

Family and Community Development Committee — (*Assembly*): Ms Beattie, Mr Dixon, Mr Perera, Mrs Powell and Ms Wooldridge. (*Council*): Mr Scheffer and Mr Somyurek.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

Law Reform Committee — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan and Mr Lupton. (*Council*): Mrs Kronberg, Mr O'Donohue and Mr Tee.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Green, Mr Hodgett, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

Public Accounts and Estimates Committee — (*Assembly*): Ms Graley, Ms Munt, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Barber, Mr Dalla-Riva, Mr Pakula and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Langdon, Mr Mulder, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

Rural and Regional Committee — (*Assembly*): Mr Eren and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr Languiller and Mr R. Smith. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

Acting Speakers: Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Mr Lupton, Ms Marshall, Ms Munt, Mr Nardella, Mrs Powell, Mr Seitz, Mr K. Smith, Mr Stensholt and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:

The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

Leader of the Parliamentary Liberal Party and Leader of the Opposition:

Mr E. N. BAILLIEU

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Batchelor, Mr Peter John	Thomastown	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Bracks, Mr Stephen Phillip	Williamstown	ALP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Northe, Mr Russell John	Morwell	Nats
Clark, Mr Robert William	Box Hill	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Crisp, Mr Peter Laurence	Mildura	Nats	Overington, Ms Karen Marie	Ballarat West	ALP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Perera, Mr Jude	Cranbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Duncan, Ms Joanne Therese	Macedon	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Eren, Mr John Hamdi	Lara	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Ryan, Mr Peter Julian	Gippsland South	Nats
Graley, Ms Judith Ann	Narre Warren South	ALP	Scott, Mr Robin David	Preston	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Seitz, Mr George	Keilor	ALP
Haermeyer, Mr André	Kororoit	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Hardman, Mr Benedict Paul	Seymour	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Tilley, Mr William John	Benambra	LP
Hudson, Mr Robert John	Bentleigh	ALP	Thwaites, Mr Johnstone William	Albert Park	ALP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kosky, Ms Lynne Janice	Altona	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

CONTENTS

TUESDAY, 19 JUNE 2007

GOVERNOR'S SPEECH	
<i>Address-in-reply</i>	1971
ABSENCE OF MINISTER.....	1971
QUESTIONS WITHOUT NOTICE	
<i>Water: food bowl modernisation project</i>	1971
<i>Water: Victorian plan</i>	1971, 1973, 1975, 1977
<i>Water: north-south pipeline</i>	1972
<i>Minister for Water, Environment and Climate</i>	
<i>Change: conduct</i>	1974, 1976
<i>Climate change: Victorian water plan</i>	1976
<i>Bushfires: parliamentary inquiry</i>	1977
DRUGS AND CRIME PREVENTION COMMITTEE	
<i>Membership</i>	1978
ENERGY LEGISLATION AMENDMENT BILL	
<i>Introduction and first reading</i>	1978
PLANNING AND ENVIRONMENT AMENDMENT BILL	
<i>Introduction and first reading</i>	1979
SUMMARY OFFENCES AMENDMENT (UPSKIRTING) BILL	
<i>Introduction and first reading</i>	1979
PETITIONS	
<i>Nuclear energy: federal policy</i>	1979
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 8</i>	1979
DOCUMENTS.....	1979
ROYAL ASSENT.....	1980
APPROPRIATION MESSAGES.....	1980
BUSINESS OF THE HOUSE	
<i>Program</i>	1980
MEMBERS STATEMENTS	
<i>Cemeteries: trust review</i>	1981
<i>New South Wales storms: power restoration</i>	1981
<i>Rabbits: 1080 carrot baits</i>	1982
<i>Eumemmerring Secondary College: hospitality school</i>	1982
<i>Water: management</i>	1982
<i>Italian National Day</i>	1983
<i>Portuguese Day</i>	1983
<i>Vietnamese Television Association</i>	1983
<i>Multicultural affairs: report 2005-06</i>	1983
<i>Malalai Joya</i>	1984
<i>Lake Charlegrark: committee of management</i>	1984
<i>General practitioners: bulk-billing</i>	1984
<i>Emergency services: Rosebud facility</i>	1985
<i>Education: On Track survey</i>	1985
<i>Community services: Eastern Transport Access Network</i>	1985
<i>Litter: cigarette butts</i>	1986
<i>Water: nursery industry</i>	1986
<i>Yvonne Nobes</i>	1986
<i>Mildura: defibrillators</i>	1987
<i>Bendigo: violent crime</i>	1987
<i>Calder Freeway: funding</i>	1987
<i>Bernie Pearson</i>	1988
<i>Tinternvale Primary School: mini-fete</i>	1988
STATE TAXATION ACTS AMENDMENT BILL	
<i>Second reading</i>	1988
<i>Remaining stages</i>	1996
ACCIDENT TOWING SERVICES BILL	
<i>Second reading</i>	1996
<i>Consideration in detail</i>	2016
<i>Remaining stages</i>	2019
BUILDING AMENDMENT (PLUMBING) BILL	
<i>Second reading</i>	2019
ADJOURNMENT	
<i>Rail: level crossing safety</i>	2029
<i>Energy: household savings</i>	2030
<i>Emergency services: volunteers</i>	2030
<i>Multicultural affairs: funding</i>	2031
<i>School buses: hearing-impaired students</i>	2031
<i>Housing: Preston and East Reservoir</i>	2032
<i>Festival for Healthy Living program: funding</i>	2032
<i>Water: north-south pipeline</i>	2033
<i>Schools: integration aides</i>	2033
<i>Berwick-Cranbourne Road: upgrade</i>	2034
<i>Responses</i>	2034

Tuesday, 19 June 2007

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.05 p.m. and read the prayer.

GOVERNOR'S SPEECH

Address-in-reply

The SPEAKER — Order! I would like to advise honourable members that, as directed by the house, I presented to the Governor on 13 June 2007 the address of the Legislative Assembly, agreed to on 2 May 2007, in reply to his speech on the opening of Parliament.

The Governor was pleased to make the following reply:

Speaker and honourable members of the Legislative Assembly:

In the name and on behalf of Her Majesty the Queen I thank you for your expressions of loyalty to Our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this state.

DAVID de KRETZER, AC
Governor of Victoria

ABSENCE OF MINISTER

The SPEAKER — Order! I advise the house that the Minister for Sport, Recreation and Youth Affairs will be absent from question time today. The Minister for Skills, Education Services and Employment will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Water: food bowl modernisation project

Mr BAILLIEU (Leader of the Opposition) — Will the Premier confirm that the water to be saved in the Goulburn-Murray irrigation district will, under the Premier's plan, be first directed to Melbourne?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The food bowl plan is one which originated from a group of irrigators in the Goulburn-Murray system. It is a plan to get significant investment and water improvement into the Goulburn-Murray system. That plan is a once-in-a-lifetime opportunity to invest in irrigation

structures in this state. The irrigation system is about 80 years old. There is leakage, evaporation and a problem with water systems.

What we will be doing as part of this project is saving a significant amount of water which is currently being lost to the system. The estimate is that something like 900 gigalitres of water is lost every year. The project, of which the government has announced the first stage, is designed to save 225 gigalitres of water in the first stage. A third of that, 75 gigalitres, will go to the environment, a third to Melbourne with the new pipeline to be built, and a third — —

Mr Baillieu — On a point of order, Speaker, I wonder whether you could invite the Premier to answer the question. It is a simple question: will the savings be first directed to Melbourne?

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

Mr BRACKS — The water that is saved will be divided equally: a third, a third and a third. A third will go to the environment and to the Murray-Goulburn system; a third to irrigators, which will accrue; and a third to Melbourne. This is about water we do not have. When we get water which we currently do not have we will be allocating it to Melbourne, but we will also be allocating it to irrigators.

Water: Victorian plan

Mr ROBINSON (Mitcham) — Will the Premier inform the house how the next stage of the Victorian government's water plan will help secure Victoria's water future and ensure Victoria can continue to grow and prosper?

Mr BRACKS (Premier) — Can I thank the member for Mitcham for his question and for his interest in making sure that Victoria grows both its economy and its population.

The plan that has been released today by our government is a plan for growth in the economy. The biggest exporter in this economy currently is the dairy industry, at \$2.1 billion. That will grow under the proposals we have today. Our population is expected to grow by about 1.2 million people over the next 25 years as well. This is about providing water for that growth in population and the economy in the future. You are either pro-growth or you are not, and certainly on this side we are.

The plan we have released today is in three major parts. The biggest portion of the plan of course is the

\$3.1 billion investment in the biggest desalination plant in Australia.

Honourable members interjecting.

The SPEAKER — Order! I will not have that level of interjection, and I will not have applause across the chamber in that manner.

Dr Napthine — Copy cats!

The SPEAKER — Order! I warn the member for South-West Coast.

Ms Beattie — Nobody will copy you!

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

Mr BRACKS — The desalination plant, as I mentioned, will be not only the biggest desalination plant in Australia but one of the biggest desalination plants in the world. It will produce something like —

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte!

Mr BRACKS — It will produce something like 150 gegalitres of water, with the capacity to increase to 200 gegalitres. That is equivalent to a 30 per cent addition to Melbourne's water supply. This will be the biggest augmentation of Melbourne's water supply —

Honourable members interjecting.

Mr BRACKS — Speaker, when the member for South-West Coast pats you on the back, you know there is something wrong. With the former opposition leader, I would be careful. He has pledged loyalty before to many, many leaders, and he is doing it again.

Mr Wells interjected.

The SPEAKER — Order! The member for Scoresby!

Mr BRACKS — I do not think the imagery is too good.

Honourable members interjecting.

Mr BRACKS — So there is a capacity to go to 200 gegalitres from 150 gegalitres, a 30 per cent addition to Melbourne's water supply. The location has been selected from four sites: one was examined in Western Port; one was examined in Port Phillip Bay; one was examined on the Surf Coast; and one was

examined on the Bass Coast at Wonthaggi. The recommendation to the government in Melbourne Water's feasibility study is that the location be Wonthaggi, which I think is a good location and one which will go through an appropriate process, and it is one that I believe will produce for many, many years to come secure water for Melbourne and Victoria.

Secondly, as I mentioned in my previous answer, we are also committing to \$1 billion of extra funding for infrastructure support for the Goulburn-Murray irrigation system. That will accrue to 225 gegalitres of extra water per year, of which 75 gegalitres will come to Melbourne, 75 to irrigators and 75 to the environment.

We will also be connecting up Victoria more effectively with the water grid, with the piping of water to where it is most needed. Part of that will be the connection of Geelong for the first time to Melbourne's water supply, which I believe is a good move which has been welcomed by Geelong, and it will mean that Geelong has water security for all time to come.

That augmentation, of which desalination is about 30 per cent extra — the total augmentation is about 50 per cent extra — will accrue not only to Melbourne but also to Geelong and to the Wonthaggi region, the Bass Coast area, and to that whole coastline, which will welcome the extra water which will be provided to that region. We will also be connecting —

An honourable member interjected.

Mr BRACKS — Yes, Hamilton — I am coming to Hamilton. I know it should be first. We will also be connecting, with a pipeline, Hamilton to the Grampians. That water supply system is under stress and pressure currently. Water restrictions are very severe, and we believe that connection will enable a better water supply system for the township of Hamilton as well.

This is a comprehensive water plan for Victoria. It is the most extensive water plan for the last 25 years. It will increase Melbourne's water supply by 50 per cent. It is a plan for growth, for growing our population and for growing the economy. This is a plan for the long term. This is a plan to grow the economy and population and to provide secure water.

Water: north-south pipeline

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to page 31 of the government's *Sustainable Water Strategy — Central Region* discussion paper, and I quote:

Government policy is not to consider major transfers of water from north of the Great Dividing Range to Melbourne — the government does not support Melbourne water retailers taking water from irrigators north of the Divide.

And I ask: given that the government has now broken this promise, why would country Victorians believe this government when it now promises that it will not pillage more than 75 gigalitres annually from the Goulburn system?

Mr BRACKS (Premier) — I certainly do welcome the question from the Leader of The Nationals, for several reasons. We are not taking water from irrigators; we are increasing water from new infrastructure spending for water savings, and that extra water, which is not now available, will be shared as extra water for irrigators, extra for the environment and extra also for Melbourne water. This is extra water, which in this house The Nationals have supported in the past.

It is fair to say that there are two alternatives here. There is the government's alternative to spend money on infrastructure in the Goulburn-Murray region and to get water savings and extra water. There is also The Nationals policy. What is The Nationals policy? The Nationals policy is to sign on, unamended, to the water plan of the federal government.

Honourable members interjecting.

The SPEAKER — Order! The member for Burwood and the member for Narre Warren North!

Mr BRACKS — That plan will not only allow water trading interstate, and of course everyone supports that, but will allow, signed onto by The Nationals, who are saying they do not want water savings and part of that water accruing to Melbourne — what they want is not a new channel — the existing Murray River, which does not need upgrading, to run water to Adelaide. They would prefer water going to Adelaide than to Melbourne.

Water: Victorian plan

Mr TREZISE (Geelong) — My question is to the Minister for Water, Environment and Climate Change.

Honourable members interjecting.

The SPEAKER — Order! The member for South-West Coast has been warned once. He is now warned a second time. There will not be a third warning. I ask the members for Scoresby, Kew, Polwarth and Caulfield to cooperate with their behaviour in question time.

Mr TREZISE — I ask: can the minister detail to the house how the state government's water plan will provide water security for Melbourne, Geelong, South Gippsland and Western Port?

Honourable members interjecting.

The SPEAKER — Order! The Treasurer will cooperate by not responding to temptation.

Mr Baillieu interjected.

The SPEAKER — Order! I seek the Leader of the Opposition's cooperation.

Mr Baillieu interjected.

The SPEAKER — Order! I will not hear the Leader of the Opposition.

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for Geelong for his question. I am sure the member for Geelong is thrilled with the announcement today about Geelong.

Today our government — the Bracks government — announced 225 billion litres of extra water for Melbourne, for Geelong, for Western Port and for South Gippsland, and on top of that another 75 billion litres of new water for farmers and another 75 billion litres of water for the environment. This announcement today — a total of 375 billion litres of new water — is on top of the 100 billion litres of water that we have already saved as a result of our water conservation program. If you look at the recent reports that have been released by the National Water Commission, you will see they demonstrate that Victoria is ahead of all other states in conserving water. With this plan we are maintaining that leadership.

Today we announced, as the Premier has said, a major 150 billion litre desalination plant, and that will be located at Wonthaggi. We will be working closely with the people in the region.

Honourable members interjecting.

Mr THWAITES — We will be very happy to work with the member for Bass. He will welcome the extra water, because of course what he is getting from the Bracks government is something that his side could never deliver. What it promised was a mini-plant — 50 gigalitres — —

Honourable members interjecting.

The SPEAKER — Order! I ask the Deputy Leader of the Opposition not to interject across the table.

Mr Mulder interjected.

The SPEAKER — Order! The member for Polwarth is warned.

Mr THWAITES — We are committing to one of the biggest desalination plants — 150 gigalitres — in the world. The best that the other side could come up with was 50 gigalitres in the wrong spot. Our government today has invested \$630 million. What was the other side promising for this? Ten million dollars — a mini — —

Honourable members interjecting.

The SPEAKER — Order! The member for Burwood and the Treasurer!

Mr THWAITES — This facility, of course, is going to be built in the right place, and that is another critical point. Our government has taken the time to get expert evidence to deliver the plant in the right place. We indicated before the election that we would do a feasibility study — —

Honourable members interjecting.

Mr THWAITES — We did. But we said that we would not — —

Honourable members interjecting.

The SPEAKER — Order! The member for Kew and the member for Scoresby!

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte is warned. When I am trying to bring the house to order it is not the time for the member for Warrandyte to enter the debate.

Mr THWAITES — Unlike those on the other side, we believe this is such an important decision that it has to be gotten right. We have done the feasibility study, and it is not appropriate to put it in Port Phillip Bay — which was the suggestion of the other side — at Werribee or, the opposition's other suggestion, in Western Port.

Honourable members interjecting.

Mr THWAITES — Members of the opposition do not like this, but what are they are suggesting is that we

should have gone ahead in Port Phillip Bay or Western Port without any proper feasibility study.

Mr Baillieu — On a point of order, Speaker, the minister is clearly struggling. I am sure the house would like him to at least tell the truth, and he is not telling the truth in that regard.

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

Mr THWAITES — Unbelievable! The feasibility study that we have undertaken has been extensive.

Ms Asher interjected.

The SPEAKER — Order! I have asked the Deputy Leader of the Opposition not to interject across the table in that manner.

Mr THWAITES — It has identified that the Wonthaggi region is the appropriate one, having taken into account environmental issues — particularly the fact that it has an ocean outfall, so it is much easier to disperse the brine. It is not a Ramsar wetland, which the site at Western Port is, and it has high-quality water. It is a very good site. The desalination plant will be connected to Melbourne's system by an 85-kilometre pipeline to Cardinia. That has an excellent by-product, in that it also enables us to use the water for Wonthaggi and Western Port.

In conclusion, I also strongly endorse the other key project announced today — the food bowl modernisation project — which is an opportunity in a lifetime to ensure we can improve infrastructure to stop losses and benefit the environment, farmers and the people in Melbourne.

Minister for Water, Environment and Climate Change: conduct

Ms ASHER (Brighton) — My question is to the Minister for Water, Environment and Climate Change. Now that he has had a chance to check his diaries, what is the total number of occasions and the total number of days he has stayed free of charge at Falls Creek, or any other government ski resort, since he has been minister for the environment?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for her question and note that I do not believe we have had a question from her on water — certainly not for a long time. She has no great interest in it. I am obviously the minister responsible for the ski areas, the alpine areas. I am a passionate supporter of our alpine areas. I will

maintain that support; I am not going to be diverted. I will continue to ensure that I involve myself in the activities of those resorts in the future, as I would expect those opposite, or any minister doing their job, would.

Ms Asher interjected.

The SPEAKER — Order! I warn the Deputy Leader of the Opposition.

Water: Victorian plan

Mr HOWARD (Ballarat East) — My question is to the Minister for Agriculture. Can the minister inform the house how the next stage of the Victorian government's water plan will secure water for irrigation and for water supply systems in rural and regional Victoria?

Mr HELPER (Minister for Agriculture) — I thank the member for Ballarat East for his question. As members on this side of the chamber know — I suspect many members of the opposition would also know it, but I suspect they will not acknowledge it — irrigation is a crucial economic driver of our agricultural and rural communities. What we need to do is secure water supplies which are essential to our rural centres. The Bracks government's announcement today will make sure that we secure water supplies for our irrigation sector as well as for our rural communities. It is a fantastic, visionary proposition that is being put by this government, one that would never have been put by the opposition. Take the Goulburn irrigation system, for example. Its nearly 1500 kilometres of irrigation channels are a crucial part of the economic infrastructure of that region. It is economic infrastructure that delivers — —

Dr Naphthine — On a point of order, Speaker, the minister is clearly reading from a document that he has brought to the table. He clearly does not understand his portfolio. He has not got a commitment to this process. I would ask you to ask him to table his written notes.

The SPEAKER — Order! Is the minister reading from a document?

Mr HELPER — No, I am referring to notes.

The SPEAKER — Order! The minister, to continue.

Mr HELPER — This is economic infrastructure that is critical to deliver wealth to communities such as Shepparton, Kyabram, Mooroopna, Murchison, Stanhope and Tatura, and I could go on. This is a region

that delivers 26 per cent of Australia's dairy industry and a region that delivers 95 per cent of Australia's tomato processing and tomato growing industry and 75 per cent of Australia's fruit and horticulture production. It is indeed a vibrant region and a region that we need to support in terms of economic infrastructure such as irrigation. But the infrastructure is ageing. The network of 1500 kilometres of channels, drains and weirs is leaking — —

Dr Naphthine — On a point of order, Speaker, the minister is clearly reading from a document. His eyes are spending 95 per cent of the time reading from a document. He is clearly reading, and I ask you to ask him to table that document.

The SPEAKER — Order! The minister has indicated that he is referring to notes and that he is not reading from a document. The minister, to continue.

Mr HELPER — I note the interest that the member for South-West Coast has in crucial issues such as water for communities. I look forward to his interjections.

The SPEAKER — Order! The minister, to answer the question.

Mr HELPER — The system's network of channels and drains is leaking and ageing, and water is evaporating from open channels. The layouts do not suit modern-day agricultural irrigation practices, and the delivery systems overall are totally outdated. It is a system that was started with the construction of the Goulburn Weir back in 1887 by the chief engineer, W. Henderson, at a cost of £90 000. I am sure W. Henderson would welcome today's announcement of the modernisation of this fantastic system and this fantastic plan that we are putting forward. A complete overhaul is needed, an overhaul that will create water for irrigation, that will create water for the environment and that will create water for Melbourne, with water savings that will be distributed fairly and water savings that will go to the heart of the economic driver of that region — the irrigation sector.

Let me come to the Hamilton pipeline, part of today's announcement. We are securing the water future of Hamilton and of our regional centres. This particular investment of \$10 million by the state will connect Hamilton to the Grampians-Wimmera-Mallee system. We will use 2 billion litres of the 20 billion litres of savings created through the Wimmera-Mallee pipeline system that was earmarked for growth, and we will deliver that for Hamilton's water security into the future.

We need to understand — and I suspect that many on the opposition benches do not understand — that vibrant rural communities are a part of vibrant rural life. If we do not have economic certainty and water security in our regional centres, we will lose out on the economic prosperity that regional Victoria is capable of producing.

Two pipeline routes for this particular project are being considered and assessed — a 47-kilometre connection to Rocklands Reservoir and a 44-kilometre connection to Moora Moora Reservoir. The project will be completed by 2010, and as I said, it will secure Hamilton's water future. I commend the government for the visionary projects it has announced today.

Minister for Water, Environment and Climate Change: conduct

Ms ASHER (Brighton) — My question is to the Minister for Water, Environment and Climate Change, who is also the Deputy Premier. How many times has the Deputy Premier stayed at government accommodation at Wilsons Promontory? When did he stay, who accompanied him, and did he pay for that accommodation?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for her question. As I indicated earlier, as the minister for the environment I am a supporter not only of our alpine areas but of our parks as well. Of course I am — that is my job! My job is about ensuring that we have the best possible parks in this country, and I believe we do.

Of course I have stayed at Wilsons Promontory, as have others, and that is absolutely appropriate. As minister I would be criticised if I did not. I would expect that any minister would do that, as would other MPs — and indeed MPs from both sides of the house have done just that.

Dr Napthine interjected.

The SPEAKER — Order! If the member for South-West Coast is giving away dollars, he can give them to the Speaker!

Climate change: Victorian water plan

Mrs MADDIGAN (Essendon) — My question is for the Minister for Water, Environment and Climate Change. Can the minister advise the house how the next stage of the Victorian government's water plan will also ensure that Victoria continues to address climate change?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for Essendon for her question. Climate change is real, it is already upon us, and that is one of the main reasons we are acting to boost our water supplies in Victoria so significantly with today's announcement.

In a sense the fact that we understand climate change, whereas those opposite are still sceptics, demonstrates the difference between the two and why it is that, compared to their proposed boost to the system of around 50 gegalitres, we are putting up 150 gegalitres in our desalination plant, plus 75 gegalitres through the modernisation project.

An honourable member interjected.

Mr THWAITES — I cannot help but address the comment about a dam — —

The SPEAKER — Order!

Mr THWAITES — I will not digress then. Six gegalitres! It was a flood mitigation dam dressed up as a dam — but we will not go there.

The CSIRO has estimated that future changes in the average annual run-off in Victoria's catchments will lead to significant decreases of up to 30 per cent in our water supply by 2030. So we all face a huge challenge with climate change. Last year our inflows to the reservoirs were the lowest ever. They were 70 per cent below the long-term average in Melbourne.

An honourable member interjected.

Mr THWAITES — Once again the interjection is 'Because we had a drought'. Opposition members still do not get it. Scratch the surface of the Liberal Party and you find they are disbelievers in climate change.

Our recent report on climate change and infrastructure singles out the water sector as being particularly vulnerable to climate change. That is why we are acting today. The next step in our water plan does address that challenge of climate change by boosting supply. But also, and this is an important point, the desalination plant and the Sugarloaf pipeline will both be carbon neutral. We recognise that pumping water along pipelines does consume energy. Similarly a desalination plant is a very large consumer of energy. It will utilise the equivalent of around 90 megawatts of energy a year. That is a substantial amount of energy. Our government is committed to offsetting in full the carbon or greenhouse emissions from that energy usage. We will be able to do that by utilising renewable energy,

probably wind energy. We already have permits in place for substantial wind energy.

Mr Wells interjected.

The SPEAKER — Order! The member for Scoresby!

Mr THWAITES — Let me be clear: this commitment today is in addition to the Victorian renewable energy target, which will mean that by 2016 instead of having 10 per cent renewable energy we will have more than that — somewhere around 11.5 per cent. This is a demonstration not only that we are preparing for the long-term future with our water supply but that we are prepared to do what is needed to reduce emissions as we get there. We are setting the example. We will deliver these projects in a carbon-neutral way. That is consistent with the approach our government has adopted because we understand climate change. We are not climate change sceptics.

Bushfires: parliamentary inquiry

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Water, Environment and Climate Change. Why have regionally based staff from Parks Victoria and the Department of Sustainability and Environment been gagged from appearing before the parliamentary inquiry into last summer's bushfires?

Mr THWAITES (Minister for Water, Environment and Climate Change) — In fact the departments are participating in this process. An extensive submission has been put to the committee. My department will ensure that the information the committee needs is provided. We will provide that information. I might say this is an inquiry that our government set up. We want it to work, and we will ensure that it does.

Water: Victorian plan

Mr HARDMAN (Seymour) — My question is to the Minister for Regional and Rural Development. I ask the minister to advise the house how the next stage of the Victorian government's water plan will contribute further towards regional economic growth and help secure regional prosperity across Victoria.

Mr BRUMBY (Minister for Regional and Rural Development) — I thank the member for Seymour for his question. If you look at the seven and a half years of the Bracks government, you see that one thing we have been committed to is growing the whole of the state. We can all remember back to those dark, terrible days

under the former Kennett government, when rail lines were closed, rail systems were sold off and investment was dragged out of regional Victoria.

Honourable members interjecting.

Mr BRUMBY — Do you know, Speaker, which government has injected investment back into provincial Victoria and back into regional Victoria? It is the Bracks government. You would have thought that after the experience of the 1990s the Liberal and National parties might have learnt something, but with every major new positive initiative we announce for regional Victoria to generate investment and jobs — things like the Regional Infrastructure Development Fund — what is the attitude of the Liberal and National parties? They oppose it.

Who opposed things like regional fast rail, with \$1 billion worth of new investment into the regions? It was the Liberal and National parties. Today we announced a \$1 billion reinvestment in the Shepparton food bowl, the Murray-Goulburn district, the biggest investment in 80 years into that region — and guess who is out there opposing it again? Surprise, surprise, it is the Liberal and National parties.

Mr Thwaites — Are they opposing it? We don't know what their position is.

Mr BRUMBY — Are you opposing it?

Honourable members interjecting.

The SPEAKER — Order! I ask the Minister for Regional and Rural Development to ignore the interjections, and I ask the Deputy Leader of the Opposition to cease the interjections across the table.

Mr BRUMBY — The plan we announced today is the right plan for the state. It is the right plan for the long term. It is a plan about the whole of the state. If you live in Hamilton, where the people are on stage 4 restrictions, as the member for Lowan would know, it is a great plan for Hamilton. If you live in Geelong, it is a great plan for Geelong. If you live in the Murray-Goulburn region, it is a great plan for that region. And if you live in Melbourne, by 2011–12 there will be 50 per cent more water coming into our supplies than presently exists. This is a plan for the whole state. We hope the Liberal and National parties will get behind it, because it is the right plan. It is the right plan for Melbourne; it is the right plan for the whole state.

I just want to talk about the food bowl modernisation project. This is a proposal which has come from the region, from the people who invest there, from the

people who live there and from the people who want to see a future in that region for the next 80 to 100 years. It is important to understand when you talk about the Murray-Goulburn system that the water that is released each year is around 3000 gigalitres: 2000 gigalitres is delivered, and 900-plus gigalitres go missing. If you put that in perspective, 900 billion litres is lost through the system each year. That is one-quarter of Eildon. It is more money, and it is more water than exists in the whole of Sydney Harbour. That is how much water is lost every year.

Mr Baillieu interjected.

Mr BRUMBY — The Leader of the Opposition says, ‘What if the flows are lower?’. They are the distribution losses that occur whether it is at full capacity or whether it is at half capacity. It is the water that is lost when you operate the system.

The proposal we announced today is strongly supported from within the region. It is strongly supported by all the local groups, including the food bowl group itself, which represents most of the big investors throughout the region, plus all the users. It is strongly supported by the catchment management authorities. It is strongly supported by the northern water irrigators. It is strongly supported by the Australian Industry Group. And do you know why? Because it is about pumping \$1 billion worth of investment into a region.

This is as visionary as the Bolte and Hamer governments that built the Thomson Dam. This decision is just as visionary, and it will add as much to the security of the state in the future as that decision did then. These savings — 225 gigalitres — from the \$1 billion we will inject will be split three ways. They are split between the irrigators, the environment and Melbourne. The beauty of this is that irrigators also have an interest in seeing this plan succeed, and the attendees at all the meetings the Minister for Water, Environment and Climate Change and I have had with groups in that area want this plan to succeed because it is about new water. It is about additional water. It is about water for growth.

The plan announced today is forward looking. It is the right solution. It is the right plan for the future. That is not to say that everybody is going to agree with it.

Honourable members interjecting.

The SPEAKER — Order! The member for Polwarth!

Mr BRUMBY — I do not know what the views of the Liberal Party and The Nationals are, but it is

somewhat ironic that those political parties are supporting the Prime Minister’s national water plan which would see water entitlements bought up and sent down the Murray River to Adelaide. That is what members opposite believe in.

Dr Napthine — On a point of order, Speaker, even allowing for interjections the minister has been speaking for a considerable length of time. He is now debating the issue, and I ask you to bring him back to answering the question and concluding his answer.

The SPEAKER — Order! The minister has been speaking for just on 5 minutes and I will continue to hear him.

Mr BRUMBY — As the Minister for Water, Environment and Climate Change has said today, if you look at this plan, you see it is a plan involving desalination, and desalination is climate-proof water. That is what it is: it is climate change-proof water. If you look at this aspect of the food bowl modernisation program, you find there are investments in savings and all new water coming out of the distribution losses. It is great for farmers, great for irrigators and great for the environment, and it meets part of Melbourne’s needs as well. I referred before to other elements involving Hamilton and Geelong. This is a plan for the whole state. It is the right plan, and I urge the Liberal Party and The Nationals to get behind what is a great plan.

DRUGS AND CRIME PREVENTION COMMITTEE

Membership

The SPEAKER — Order! I have to announce that I have received the following communication from the member for Oakleigh:

I hereby notify you of my resignation from the Drugs and Crime Prevention Committee.

ENERGY LEGISLATION AMENDMENT BILL

Introduction and first reading

Mr BATCHELOR (Minister for Energy and Resources) — I move:

That I have leave to bring in a bill for an act to amend the Electricity Industry Act 2000 and the Gas Industry Act 2001 and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of this bill.

Mr BATCHELOR (Minister for Energy and Resources) — This bill will make a number of changes — firstly, to promote generation from small, renewable energy sources by strengthening certain provisions; and secondly in relation to the gas market, to clarify the power to include dispute resolution processes in the market and system operation rules.

Motion agreed to.

Read first time.

PLANNING AND ENVIRONMENT AMENDMENT BILL

Introduction and first reading

Mr THWAITES (Minister for Water, Environment and Climate Change) — I move:

That I have leave to bring in a bill for an act to amend the Planning and Environment Act 1987, the Transfer of Land Act 1958 and the Subdivision Act 1988 and for other purposes.

Mr BAILLIEU (Leader of the Opposition) — I ask the minister to provide the house with a brief explanation of the bill.

Mr THWAITES (Minister for Water, Environment and Climate Change) — The bill will streamline the operation of the planning system. It authorises the electronic transmission of forms used when registering land transactions with Land Victoria, and it clarifies the general role of municipal councils as planning authorities to review planning schemes and initiate scheme amendments. It also makes a number of minor clarifications to other acts.

Motion agreed to.

Read first time.

SUMMARY OFFENCES AMENDMENT (UPSKIRTING) BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Summary Offences Act 1966 to create new offences dealing with the unauthorised observation or capturing of visual images of the genital or anal region of a person's body and for other purposes.

Read first time.

PETITIONS

Following petitions presented to house:

Nuclear energy: federal policy

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the commonwealth government's promotion of a nuclear industry in Australia and the strong likelihood that Victoria will be selected as a site for the construction of a nuclear power facility.

The petitioners therefore request that the Legislative Assembly of Victoria reaffirm the opposition of the Victorian government to the creation of a nuclear industry in Victoria, including the construction of a nuclear power plant.

By Dr HARKNESS (Frankston) (15 signatures)
Mr TREZISE (Geelong) (27 signatures)

Ordered that petition presented by honourable member for Frankston be considered next day on motion of Dr HARKNESS (Frankston).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 8

Mr CARLI (Brunswick) presented *Alert Digest No. 8 of 2007* on:

Gambling Regulation Amendment Bill Magistrates' Court and Coroners Acts Amendment Bill

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Auditor-General — Public Hospital Financial Performance and Sustainability — Ordered to be printed

Auditor-General — Results of Audits: Purchase of contaminated land by the Melbourne Port Corporation and Raising and collection of fees and charges by departments — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s. 32(4)(a)(iii) in relation to the Building Code of Australia 2007

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

Boroondara — C55
 Darebin — C67
 Greater Geelong — C149
 Hepburn — C39
 Hume — C81
 Moonee Valley — C67

Rural Finance Act 1988 — Direction to administer State and Commonwealth Government schemes of assistance

Statutory Rules under the following Acts:

Corporations (Ancillary Provisions) Act 2001 — SR 44
Magistrates' Court Act 1989 — SR 43
Subdivision Act 1988 — SR 45
Supreme Court Act 1986 — SR 44
Transfer of Land Act 1958 — SR 45

Subordinate Legislation Act 1994 — Ministers' exception certificates in relation to Statutory Rules 34, 43, 44.

ROYAL ASSENT

Message read advising royal assent on 12 June to:

Appropriation (Parliament 2007/2008) Bill
(Presented to the Governor by the Speaker).
State Taxation and Gambling Legislation
Amendment (Budget Measures) Bill
Statute Law Repeals Bill.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Gambling Regulation Amendment Bill
Magistrates' Court and Coroners Acts
Amendment Bill.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Victorian Communities) — I move:

That, under standing order 94 (2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 21 June 2007:

Accident Towing Services Bill
 Building Amendment (Plumbing) Bill

Crimes Amendment (DNA Database) Bill
 Magistrates' Court and Coroners Acts Amendment Bill
 State Taxation Acts Amendment Bill
 Statute Law Revision Bill.

The government business program provides for six bills for consideration and resolution this parliamentary week. The Statute Law Revision Bill has been dealt with by the upper house and comes to this chamber from the upper house for our consideration. The other five bills are commencing their journey from this chamber to go to the upper house.

For the information of members in the chamber, the government intends to deal with them today in their order on the notice paper. Hence the program will start with the State Taxation Acts Amendment Bill. I believe this list of bills under the government business program is clearly achievable, and I support the recommendation.

Mr McINTOSH (Kew) — The opposition will not oppose the government business program. It is a program that I imagine will be relatively easy to complete by the end of this week. As an observation I raise a couple of things. I am very grateful to the Leader of the House and the Premier's office for providing a regular notification of the government business program on the Thursday prior to a sitting week. It gives the opposition better time to prepare legislation reports and things like that.

There is a strong rumour that the government proposes to introduce house amendments to the Accident Towing Services Bill. The opposition will be very grateful if they could be provided to it in a timely manner for its consideration. Apart from that, the opposition will not oppose the government business program.

Mr DELAHUNTY (Lowan) — The Nationals will not oppose the government business program and, like the member for Kew, I compliment the Leader of the House. We were notified early Thursday afternoon of the government business program and we appreciate the fact that it has not changed since. In discussions at our party meeting it did not seem that these bills were very controversial or would take too much time.

We know amendments will be moved to the Accident Towing Services Bill, and since that is the second bill on the notice paper and there will not be too many speakers on the State Taxation Acts Amendment Bill, we could start debate on the Accident Towing Services Bill before dinner, which I hope will happen. The member for Rodney cannot get here today. He has ample notes and was well prepared to make a

contribution to debate on the Accident Towing Services Bill, but that has now been handballed to the member for Swan Hill, who I know has a commitment after dinner, so he would like to get his contribution to the Accident Towing Services Bill debate off the agenda. The Nationals would appreciate getting those house amendments as early as possible.

We do not have any disruption to our program this week, which unfortunately we had last week with the passing of the late Jim Plowman and the tragic train accident in Kerang. A lot of time was taken out of the business program. Not having a large business program, I believe this would be an ideal time for a ministerial statement on water so we could have an opportunity to discuss and debate the issues involving water, which are important for us in rural and regional Victoria.

Water is a finite resource, as you know, Speaker — and you are just consuming some now. At this stage that comes from eastern Victoria, but the way it is going it will come from northern Victoria.

Today we have been told that Hamilton is going to get water because of the water shortages, but we have water shortages in most of western Victoria. I am not aware, though, that there has been any consultation with water users in the Grampians Wimmera Mallee Water area, so it will be interesting to hear what they have to say about this. The Minister for Water, Environment and Climate Change said today that the water for Hamilton is coming from savings or, in other words, coming from growth. It was anticipated in the northern part of my electorate that the water would be for the growth of new industries and those types of things. I am not sure what the water is going to be used for in Hamilton apart from domestic consumers, which is understandable.

It is interesting to note that the Wimmera–Mallee pipeline is a major project, and it is fantastic to be able to report to this house that it is proceeding very well. That has been paid for one-third by the federal government, one-third by the state and one-third by the farmers and consumers in our area. They have paid for the savings, and I do not believe they have been consulted in relation to where those savings are going to go.

The reality is that water is a finite resource. It is important that these people are consulted so they can have an input. We share with and help each other in difficult times, and we are in difficult times with water. Going back to my earlier point, this week would have been a great opportunity, we believe, for the

government to bring in a ministerial statement on water, which could have been included in the government business program. With those few words I indicate that The Nationals will not be opposing the business program.

Motion agreed to.

MEMBERS STATEMENTS

Cemeteries: trust review

Mrs SHARDEY (Caulfield) — For the second time I raise the issue of the interim report on cemetery trusts by the State Services Authority (SSA). While a review was timely, given the performance by some trusts last year, the interim report draws attention to the failure of the Bracks government to communicate its expectations to the cemetery trusts under the act.

A number of cemetery trusts across Victoria have expressed deep concern that they either did not receive a copy of the interim report or were not given enough time to respond. Subsequent to these complaints the closing date for submissions was extended by two weeks to 15 June. Amazingly, the final report is expected on 30 June. It is not a lot of time for submissions to be fully considered.

While at this point accountability is an issue which most people agree should be addressed and the roles and responsibilities of trusts should be clarified by the Department of Human Services, some trusts are concerned that they will lose their capacity under a restructure to respond to the particular needs of their respective communities and that those trusts which have managed their finances in a responsible and prudent manner will lose control of their funds, to the detriment of the communities they serve.

It is to be hoped that the final report of the SSA will recognise and reflect the issues raised by the trusts in their submissions and have recommendations which provide appropriate support and transparency for the operation of cemetery trusts but which give proper recognition to those trusts which are capable of managing their own finances.

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

New South Wales storms: power restoration

Mr BATCHELOR (Minister for Energy and Resources) — I rise to thank all the Victorian electricity workers from the general areas of Broadmeadows,

Shepparton, Benalla and Gippsland, amongst others, who travelled to New South Wales to help restore power in the Hunter Valley and the Central Coast region following the recent storm disaster. The Victorian workers involved in the New South Wales storm recovery efforts were employed by Alinta, Powercor Australia and SP AusNet.

These vicious storms caused unprecedented damage to parts of New South Wales. Tragically, several people lost their lives, including three young children and their parents. Electricity workers from Victoria worked with a team of people from across New South Wales, Brisbane and Canberra. They worked in exceptionally difficult circumstances in rain and wind and in rugged terrain to help restore power to more than 200 000 homes and businesses. Thankfully they all managed to return home safely to their families for the weekend.

It is this kind of generosity and altruism that makes Victoria a great place to live and work. It says a lot about Victorians that we would move to help our neighbours in a time of crisis and in dangerous conditions. I wish to thank all these men and women for helping our neighbours in New South Wales in their time of need. No doubt, there are hundreds of thousands of people in New South Wales who would also want to thank them. These individuals are a credit to Victoria, their profession and their places of employment.

Rabbits: 1080 carrot baits

Mr WALSH (Swan Hill) — I rise to speak on behalf of the Landcare groups in my electorate. I raise again the Bracks government's persistent failure to heed the call of on-ground land managers to return to the use of 1080 carrot baits. I would like to quote from a letter from Jeff Barbary, who is the president of the Woomelang Landcare group:

From our 'on the ground' experience, we feel strongly that the use of 1080 poisoned carrots is far superior to 1080 poisoned oats in the eradication of rabbits. With a six-to-nine month rabbit-ripping program due to commence throughout the southern Mallee region, now is the time to make the decision to return to carrot baiting.

The government is losing the support of farmers in the battle to control rabbits. The previous Minister for Agriculture happily rabbitied on about the effectiveness of oat baiting as he pressured farmers to take it up. Farmers were not convinced. The truth is that 1080 oat baits are easier and cheaper for the department to distribute. Because of the cuts in staff in the Department of Primary Industries there are no longer any staff left who can mix and distribute carrots.

I ask the new Minister for Agriculture not to be a bunny on this issue and not to let the impact of rabbit eradication be damaged and undermined by a bad bureaucratic decision.

Eumemmerring Secondary College: hospitality school

Ms GRALEY (Narre Warren South) — Last week I was fortunate enough to enjoy the company of some of the up-and-coming culinary talent that is developing in my electorate. I invited students from the hospitality school of Eumemmerring Secondary College's senior campus to cater for representatives from neighbourhood houses and local government, and the young people really did us proud.

They effectively transported the whole contents of a 5-star restaurant to my little electorate office, and on a shoestring budget they delivered an absolutely fantastic three-course lunch to me and my guests. The lion's share of the preparation had been done in the kitchens back at the college by 21 year 11 and 12 students, 3 of whom had been chosen to travel with the food and serve it to the guests, which I have to say they did with tremendous professionalism and style. They looked a treat in their chef's attire.

The students involved in the preparation and cooking were Melanie Beardsworth, Leanne Bui, Ho Lum Chan, Sophie de Angelis, Krichelle Epskamp, Michelle Ewart, Samantha Humbert, Debra Jessop, Stephanie Lamont, Megan Landry-Stewart, Roberto Li, Jaimilee Marsden, Adrian Simsir, Oshun Stonehouse, Kane Van Nes, Scott Waddington, Justin Wright and Lauren Zonneveld. The three students who not only prepared but also presented to us were Karyan Ng, Kayla Papworth and David Sell. The coordinating teacher was Jen Caddy, and on the day the students were accompanied by the school support officer, Lyn Marshall.

It was a great opportunity for representatives from neighbourhood houses and the local council to see and sample what young people in a supportive and innovative school can achieve. If any of my parliamentary colleagues are in the market for some high-quality and affordable catering services, they should know that Eumemmerring Secondary College's hospitality school is definitely the place to contact.

Water: management

Mr WELLS (Scoresby) — This statement condemns the Bracks Labor government for misleading Victorians with spin and rhetoric in relation to how it is

going to pay for its future water infrastructure projects in this term of government. The Treasurer's numbers simply do not add up. The Victorian community assumed incorrectly that the state budget would provide long-term solutions to the current water crisis. However, instead of solutions the Treasurer announced a study, a further study and then another study and an examination, with no funding announced. Today we find that we have an announcement, but the funding is very unclear.

Of real concern is the manner in which the Treasurer has been telling Victorians that the budget did not provide funding for water and other infrastructure projects. In a radio interview on 3AW on 2 May Treasurer Brumby stated that:

... over the next four years there is just under \$3 billion of what we call unallocated capital. It's all paid for going forward. It's all built in.

The truth is, though, that page 45 of budget paper 2 shows very clearly that the total amount of unallocated provisions for future allocations is \$1.6 billion, not \$2.9 billion, as the Treasurer claimed. When recently questioned by the Public Accounts and Estimates Committee about the apparent \$1.3 billion shortfall in capital funding, the Treasurer referred to a Treasury formula and tried to draw it back to the same methodology that has been used under previous governments. Unfortunately, substance comes a distant second.

Italian National Day

Mr LANGUILLER (Derrimut) — On behalf of the Premier it gave me great pleasure to join the Italian Consul General, Dr Francesco De Conno, Senator Randazzo, the Honourable Marco Fedi, the member for Brunswick and the member for Melton in extending warmest greetings to everyone who attended the 2007 Italian National Day cocktail reception. Over the past 12 months Italian Victorians have reflected on the 60 years of achievement since the foundation of the Italian republic with great pride and nostalgia. As the community prepared once more to celebrate this historic anniversary, eyes turned to the future and to nurturing the longstanding ties that link Italy with the people of Australia.

Portuguese Day

Mr LANGUILLER — On behalf of Premier Bracks I welcomed the opportunity to offer my best wishes to everyone attending the Portuguese annual cultural festival to celebrate the official Portuguese Day, together with His Excellency Dr Antonio Augusto

Jorge Mendez, and the Honorary Consul of Portugal, Dr Carlos Pereira de Lemos. Historical evidence suggests that Portuguese sailors explored the coast of Australia as far back as 1542, which obviously predates the landing of the First Fleet by almost 250 years, and 300 years later the Portuguese were amongst the earliest settlers in Australia.

Vietnamese Television Association

Mr LANGUILLER — On behalf of the Premier it gave me great pleasure to extend my warmest greetings to the Vietnamese Television Association on the occasion of its 11th anniversary. I commend the work of Dr Tien Kiew, who is the director of VNTV, and its committee, which is made up of volunteers. The past few years have been a memorable period for everyone involved in VNTV.

Multicultural affairs: report 2005–06

Mr KOTSIRAS (Bulleen) — The *Victorian Government Achievements in Multicultural Affairs 2005–2006* report reveals that the Bracks government could not even meet its own target of 5 per cent advertising in ethnic media. This government likes to keep Victorians in the dark when it comes to information and to accessing services. The second alarming statistic is that only 57 per cent of Victorians now believe that multiculturalism makes life better in their area — an alarming 10 per cent drop from the previous year. This should sound alarm bells through the Department for Victorian Communities and the Victorian Multicultural Commission. Regrettably the VMC remains mute when it comes to offering constructive criticism of this government's performance. Our culturally and linguistically diverse community should be sceptical about this Premier and his government's commitment to Victoria's cultural diversity.

There is an urgent need for a comprehensive multicultural policy and a vision for the future. Unfortunately this government is full of rhetoric and short on substance. Given the number of public servants employed by this inept and lazy government and the numerous political advisers who soak up public money, you would have thought that policies and strategies celebrating the advantages of Victoria's cultural and religious diversity would have been put in place. Unless the Bracks government is committed to meeting the needs of all Victorians, they will not receive their fair share of government services. Under this lazy government, you pay more and get less.

Malalai Joya

Ms LOBATO (Gembrook) — On 21 May 2007 the Lower House of the Afghan Parliament voted to suspend Malalai Joya, the elected member for Farah Province and the youngest member of Parliament, for three years and ordered the High Court to file a case against her for making comments critical of colleagues during a television interview the previous day. A majority in the house found her guilty of violating article 70 of the Afghani legislature's rules of procedure, which forbids law-makers from criticising one another. They also directed the interior minister to restrict her movements to within the country.

Malalai Joya, who has survived four assassination attempts, speaks strongly for the people she represents. She is championed by Afghans at home and across the globe as a young woman of great integrity, courage and passion who has dedicated herself to work for a better Afghani future in which the principles of a secular democracy are allowed to flourish. In particular, hers is a courageous voice for Afghan women.

Afghanistan has embraced a democratic political structure and is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women. These conventions collectively enshrine the right of free speech and the empowerment of women. The move to remove Malalai Joya from Parliament, restrict her movements and consider legal action to silence her is in direct opposition to current Afghani government policy and international law. It is a frightening situation, to which some courageous Afghans have already responded by organising demonstrations. That courage deserves the support of people throughout the world who value the importance of secular democracies.

Lake Charlegrark: committee of management

Mr DELAHUNTY (Lowan) — This city-centric state government stands condemned for its handling of the Crown land reserve known as Lake Charlegrark. Last Sunday, along with nearly 200 others, I attended a barbecue arranged by the Friends of Lake Charlegrark. The only other parliamentarian or government official to attend was David Koch, a member for Western Victoria Region in the upper house. We were handed a petition intended for the Parliament, signed by 888 people. Unfortunately it does not meet the criteria to be tabled in Parliament, but I will give it to the minister, as I have it here today. The petitioners are requesting that he solve the fairy grass problem at Lake Charlegrark and other lakes, on Crown land and in swamps.

The background to this petition is that the entire committee of management of the Lake Charlegrark recreation reserve resigned following the Department of Primary Industries prosecution, on behalf of Parks Victoria, of a committee member of 40 years, Mr Roy Pretlove, for planting a crop in the lake bed to control fairy grass and raise money for this reserve. This action highlights how this government has turned its back on hardworking volunteers, which could threaten the existence of the lake as a recreation facility.

This is not the only lake with this type of problem. Other lakes include Green Lake, Lake Wallace, Natimuk Lake and Lake Burrumbeet. In all cases people have been unable to get an answer on their issue from agencies such as the Department of Sustainability and Environment, Parks Victoria, catchment management authorities, water authorities and the like. I am aware that Lake Natimuk and Lake Burrumbeet have been handed back to DSE to manage because of frustrations similar to those at Lake Charlegrark.

The government needs to listen to the people of western Victoria and inform them of how they can work with government, through one agency, so they can in partnership continue to provide excellent recreation facilities on Crown land and reserves.

General practitioners: bulk-billing

Dr HARKNESS (Frankston) — Health care is a vital service that all Australians should expect to have the right to access, no matter what their socioeconomic status. The Bracks government has contributed heavily to the delivery of health services, with the building and upgrading of many hospitals across Victoria, including the recent commitment of \$45 million for the upgrade of the Frankston Hospital and other excellent initiatives to ensure that all Victorians can access the best medical treatment available.

Unfortunately Australia has a federal government that does not possess the same passion for equality in the health system that the Bracks government does. Contrary to the claims made by the federal government, bulk-billing rates have dropped dramatically over the 10 years of the Howard government. In 1996 the average bulk-billing rate across Australia was 80.3 per cent. The average bulk-billing rate across Australia in 2006 was 74.7 per cent. That is a drop of a staggering 5.1 per cent over 10 years.

However, if the nationwide statistics were not shocking enough, I refer to the bulk-billing rates in the federal seat of Dunkley. In 1996 the bulk-billing rate was 77.2 per cent — below the nation's average but not too

had. However, I almost fell off my seat when I discovered that in 2006 the bulk-billing rate in Dunkley was only 61.1 per cent. For those on the other side of the house who might need some assistance with their mathematics, that is a drop of 16.1 per cent over 10 years — more than three times the decline in the national average.

The fast decline of the bulk-billing rate in Dunkley is putting significant pressure on the emergency ward at the Frankston Hospital, the second busiest hospital in Victoria. Unlike the Howard government, the Bracks government will continue to stand up for all Victorian families to allow them to access more affordable health care services in a timely manner.

Emergency services: Rosebud facility

Mr DIXON (Nepean) — I wish to encourage the Minister for Police and Emergency Services to consider funding the Rosebud joint-use facility. The proposed facility would include the Country Fire Authority, the State Emergency Service and a replacement neighbourhood house. The facility would be built on Boneo Road, Rosebud, attached to and behind the Rosebud CFA unit, which has recently been extended to facilitate full-time firefighters. The local SES unit has been drifting from one temporary home to another, and with its growing number of members and increased equipment levels, it desperately requires a permanent, purpose-built facility. The Rosebud community house operates out of a totally inadequate converted house. The staff provides a terrific range of services to the community, and that work is being restricted by their current premises.

The Mornington Peninsula Shire Council has agreed to provide the land free of charge to the state government and is happy to provide half the cost of construction of the new facility. It has also donated the land for the Country Fire Authority station extensions. The site in question is adjacent to the Rosebud police station and the Mornington Peninsula shire offices. The shire unsuccessfully applied for joint-use facility funding last year and was encouraged by the government to apply again. This is an excellent project that deserves funding from this government. The Mornington Peninsula Shire Council has done more than its share of the project. It is now time for this government to do its bit.

Education: On Track survey

Mrs MADDIGAN (Essendon) — We were very pleased on Monday morning to welcome the Minister for Skills, Education Services and Employment to Essendon Keilor College to announce the On Track

survey records for students who completed year 12 last year. May I say how well schools in Essendon and schools that Essendon residents attend did in that survey. Of those schools, Buckley Park College, Essendon Keilor College and St Bernard's College blitzed the state average for apprenticeships by 8.1 per cent. That is a great effort. Lowther Hall and Penleigh and Essendon Grammar School scored very high university entrance enrolments. Essendon Keilor College — —

Ms Duncan interjected.

Mrs MADDIGAN — I will get to St Columba's, where the member for Macedon went, shortly. Essendon Keilor College was about 3 per cent above the state average for employment placements. Of 196 students at Strathmore Secondary College, only 1 remains either not at work or in college. Of 143 students at St Columba's College, there are only 2 who are still to be placed. Of 124 students at Ave Maria College, there are no students who have not been placed. Of 1334 students in the Essendon electorate, only 15 are either not in further education or not in jobs.

What an amazing change that is in retention rates in the west. During the Kirner government years the retention rates went right up in our area; during the Kennett government years they plunged. Now they are back up again under a Labor government.

Community services: Eastern Transport Access Network

Mrs VICTORIA (Bayswater) — The Eastern Transport Access Network (ETAN) is a network of groups and organisations representing providers and users of transport in seven eastern metropolitan municipalities, including my areas of Knox and Maroondah, who are eligible for home and community care (HACC) funding. Sadly this valuable service will cease to exist on 1 July, due to its funding having been withdrawn by the Labor government.

The purpose of setting this network up some six years ago was to develop policies, procedures and operational guidelines in support of HACC-funded transport for frail aged and younger people with disabilities and their carers in my area. It helped plan and prioritise strategies in response to their needs. Put simply, it meant a more coordinated use of transport for those who rely on it most. The Department of Human Services started the program, and while its support was strong, so too was the service. If more funding had been injected, the group may have been able to better attain the targets set for it. Funding was not given for operational

development support. In a sector where man-hours are already so restricted, it would have made sense to send support into the field rather than expect members to come to ETAN.

There has been some talk of a pilot program with similar aims being undertaken by Scope. My sincerest hope is that this will not replicate the work already undertaken by the dedicated team behind ETAN. I hope its expertise will be sought and that a new provider of a coordinated transport network will study ETAN's six years of research to make transport in the east more user friendly and more accessible.

Litter: cigarette butts

Mr TREZISE (Geelong) — This morning I had the pleasure of launching the 'Don't be a tosser — bin your butts' campaign in Geelong. It was a big morning in Geelong, given the water announcements that were also made.

As this house is aware, on 1 July all pubs and clubs in Victoria will become smoke free. That is terrific news for patrons and staff alike. However, it is estimated that with a 10 per cent increase in smokers migrating outside for a puff, we will see an additional 900 000 butts being littered each year. Even more staggering, given that figure, is the estimate that nearly 2 billion butts will be littered every year across Victoria. Given those figures, it is also important to understand that butts contain acetate and plastic. Therefore they are toxic, do not break down and are a major environmental issue, especially for our waterways, bays and rivers.

A goal of the campaign is to reduce cigarette butt litter by 6 per cent, from 56 per cent of all litter to 50 per cent, by changing smokers littering behaviour. This is a good campaign — and as I said, I was pleased to launch it today in Geelong.

Water: nursery industry

Mrs FYFFE (Evelyn) — Today total water storage is 28.4 per cent. At the same time two years ago, in 2005, total storage was 52.3 per cent. At the same time last year, 2006, total storage was 48.3 per cent. There is roughly 20 per cent less water today than there was at the same time last year, and 30 per cent less than there was at the same time two years ago.

Today's announcement of a water desalination plant, whilst welcome, does nothing about the fact that, unless we have a hell of a lot of rain, at current usage rates Melbourne will be out of drinkable water before the desalination plant comes into operation. This

government has sat on its hands for seven long years; it has done nothing. Indecision and wavering by the Premier and internal fighting between the Treasurer and the Minister for Water, Environment and Climate Change about whose project would get up first has resulted in Melburnians facing an anxious future, waiting and hoping the heavens will open.

In the Yarra Ranges we have 70 per cent of the state's commercial nursery industry, which involves the production of stock for retail nurseries. We also have 30 per cent of the state's cut flower industry. They face ruin if stage 4 water restrictions are brought in. The Victorian nursery industry alone employs 11 000 people. The numbers employed in allied businesses, including landscape designers, maintenance businesses and other garden-linked businesses, reach into the thousands. If these industries fail due to a lack of access to water, it will be difficult for the nursery industry to bounce back. Many would have to leave and try to find employment elsewhere.

Yvonne Nobes

Mr BROOKS (Bundoora) — I wish to highlight the many years of community work done by Yvonne Nobes of Greensborough, who recently retired from the Diamond Valley Learning Centre committee after some 32 years. The Diamond Valley Learning Centre is an adult community education centre which is widely respected for its educational and community activities.

Yvonne's commitment to the centre over the years has been extraordinary. She was part of the work group, which was the decision-making body for the learning centre before it was incorporated in 1984. She went on to serve on the committee of management from 1984 until her retirement earlier this year, including eight years as president, two years as vice-president and five years as its public officer. Yvonne was also the facilitator of the Exploring Women's Issues group, where she organised guest speakers and discussions every Wednesday of the term for 28 years. She has also been the catering coordinator of the centre's celebration day for over 20 years, as well as various other events and venues. Yvonne acted as Santa Claus for the centre's child-care Christmas party for over 40 years, which is a wonderful indication of her generosity and versatility.

Yvonne's record of achievement and contribution to the success of the Diamond Valley Learning Centre is immense; however, her community activity has extended further than that, especially driven by her passion for theatre and music. Yvonne was a comedy show writer, which led to her forming the BBC Theatre

Chorus 18 years ago. The chorus is a group of 20 musicians who perform old-time favourites in nursing homes and aged-care facilities throughout the region. Amazingly it has performed to over 25 000 people in this time. It is with a real sense of pride that I thank Yvonne for her contributions to our community. I am honoured to have this opportunity to highlight her work and fine achievements.

Mildura: defibrillators

Mr CRISP (Mildura) — I have been contacted by a Mildura cardiologist who has proposed a project that has the capacity to save lives in Mildura. The proposal is to have automatic external defibrillators at venues where large numbers of people gather — for instance, sporting venues, shopping centres, schools and clubs. Automatic defibrillators can be used by people with little training, and can save the lives of those suffering sudden cardiac events. In our district there have been a few deaths in young and seemingly healthy athletes on the sporting oval. They could have been saved by this device.

The cardiologist, Dr Alan Soward, informs me that Mildura cardiology is taking part in an international trial of automatic defibrillators, which involves 111 patients in my electorate. Half of the group have home automatic defibrillators to use in the event of an emergency. The trial is due to finish later this year. Should Mildura be able to proceed with the installation of automatic defibrillators in critical mass areas, with input from the council and other stakeholders, such a pilot project would make our district unique. After the trial has finished and the results are known, should only one life have been saved, then surely the effort will have been worthwhile. I support this project to install automatic defibrillators in critical areas and ask that the government also support it for its innovation and obvious health benefits.

Bendigo: violent crime

Mr McINTOSH (Kew) — A couple of weeks ago the *Bendigo Advertiser* highlighted the unacceptable levels of violent crime and antisocial behaviour which are plaguing Bendigo. On 30 May the *Bendigo Advertiser* editorialised:

A series of ugly brawls and attacks in Bendigo during recent weekends have left the city's reputation as bruised and battered as the victims of those assaults.

Almost every weekend in the past month has been marred by a brutal bashing in the central business district.

On the same day Inspector Paul Newman was reported as saying that he was concerned by the string of assaults

and the problem of violence in central Bendigo. Inspector Newman stated that the problem is 'not getting any better'. These were prophetic words indeed; the very next weekend the *Bendigo Advertiser* reported that the city had suffered 'the worst weekend of antisocial behaviour in recent months'.

According to the latest published Victoria Police statistics, overall crime in Bendigo has increased by only 3.7 per cent, yet the number of crimes against the person increased by a massive 27.6 per cent last year. We should all be profoundly concerned at the apparent increase in antisocial behaviour in Bendigo. While I commend the local police on trying to crack down on such antisocial behaviour, what is lacking is a demonstrated commitment from the Bracks government to deal with the violent crime and antisocial behaviour that is plaguing many other cities and towns across Victoria.

Calder Freeway: funding

Mr SEITZ (Keilor) — The Howard government stands condemned for ignoring and discriminating against the people of the outer west. The outer west and the Calder Freeway need funding now. Under its Roads to Recovery program the Howard government has steadfastly ignored the outer west. The outer west section of the Calder Freeway needs upgrading and development. It needs overpasses for the safety of people in the area who use it to commute to the city. The area's population growth rate is phenomenal. The works cannot wait.

The federal minister indicated that the issue will not be dealt with until the next Roads to Recovery program is negotiated, which is some three or four years away. That is far too long for that area to wait for improvements. There will be more fatalities unless the federal government acts now and makes the funds available for the vital project of upgrading the Calder Freeway around Calder Park Drive, Kings Road, Sunshine Avenue and the bridge across the Maribymong River.

As the state government has now improved the Bulla intersection with the Tullamarine Freeway, it is now up to the federal government to provide the funds to improve that section of the Calder Freeway and stop it from being the lengthy car park it now is due to the federal government not providing funding. I therefore call on the federal government to make the money available now.

Bernie Pearson

Ms DUNCAN (Macedon) — I pay tribute to the life of Bernie Pearson, who passed away suddenly on 26 May at the age of 67. I, along with the member for Yan Yean, the member for Kororoit and approximately 800 friends and family, paid my respects and mourned the loss of Bernie in Lancefield earlier this month. There was a guard of honour by Country Fire Authority offices and volunteers, many of whom have known Bernie for many years. They have done the hard yards with Bernie right up until this year's fire season, when Bernie again volunteered and travelled to Gippsland to represent the Springfield CFA.

Bernie and I recently had the pleasure of attending the opening of the brand-new Springfield CFA station. Bernie can take considerable credit for this new station and also for the new Clarkefield CFA station. Bernie was the inspiration behind the design of these two stations, playing a critical role in developing the blueprint for wildfire stations, which is a huge improvement on the previous design for what were more aptly described as sheds than stations. Bernie was an office-holder of long standing in the Victorian Rural Fire Brigades Association, where he represented the interests of volunteers. He played a similar role as a member of the army, where he also supported the interests of those around him. Bernie Pearson was one of those people who are always so positive about life, a bit of a larrikin. He is survived by his three daughters and son, and he joins his wife Elwyn, who passed away less than 12 months ago. As a community and as individuals we are richer for having known Bernie Pearson. May he rest in peace.

Tinternvale Primary School: mini-fete

Mr HODGETT (Kilsyth) — I rise to congratulate Tinternvale Primary School on its mini-fete, held on Thursday, 7 June. The mini-fete came about as a result of the level 2 students studying a unit on community and coming up with the idea of holding a mini-fete to raise money for the school community. They should be commended for their efforts in raising around \$1800.

STATE TAXATION ACTS AMENDMENT BILL

Second reading

**Debate resumed from 23 May; motion of
Mr BRUMBY (Treasurer).**

Mr WELLS (Scoresby) — I rise to join the debate on the State Taxation Acts Amendment Bill and say from the outset that the Liberal Party will be supporting this bill. There are a number of reasons why we are supporting this bill, but can I, firstly, thank the Treasurer for the briefing and follow-ups. I understand there is great excitement from the other side that we are supporting this bill. The bill clarifies ownership of assets such as land held in trust and provides that trustees are responsible for land tax and relevant stamp duties where applicable. This means that the State Revenue Office (SRO) will not need to prove ownership of associations of individual unit holders, because the trustee will be responsible for those payments.

The purpose of the bill is to make the minor administrative amendments required to clarify and improve the operation of the Duties Act 2000 and the Taxation Administration Act 1997 in relation to the assessment of land-rich stamp duty; clarification of what is a demonstrator vehicle for the assessment of motor vehicle transfer duty; and clarification of 'voluntary disclosure' in terms of the application of automatic penalty tax reductions. The main provisions, as I mentioned, clarify the current land-rich provisions of the Duties Act 2000, introduced in 2004, and it is important to address what that means. A document from the SRO under the heading 'Land rich acquisitions' states:

Acquisitions of certain interests in land-rich land-holders are chargeable with duty at the rates applicable to land transfers. A land-rich land-holder is either a private company, a private unit trust scheme or a wholesale unit trust scheme that has land-holdings in Victoria with an unencumbered value of \$1 000 000 or more, and its land-holdings in all places, whether within or outside Australia, comprises 60 per cent or more of the unencumbered value of all its property. Land-rich duty is not payable on interests acquired in public companies or public unit trust schemes, regardless of the values of those entities' land-holdings. A person that has made a relevant acquisition in a land-rich land-holder is required to complete and lodge an acquisition statement and pay the duty payable within three months of the date of the relevant acquisition.

That is an important definition to have on the record. One of the reasons we are supporting this bill is that the land-rich provisions are essentially an anti-avoidance measure. They relate to those provisions which target property ownership arrangements which are designed to significantly reduce or more usually eliminate the stamp duty payable when properties or interests in property are purchased or ownership is transferred through a trust, usually a unit trust. The land-rich provisions charge duty on certain acquisitions of shares and units in companies and unit trust schemes, called land-holders, which own substantial land or other

valuable property holdings, at the same rate as for a direct transfer of property. The aim is to prevent a person, a group of persons or a company from avoiding the payment of land transfer stamp duty through the acquisition of small parcels of unit trust shares which in aggregate are greater than the 20 per cent significant interest threshold used to assess whether duty is payable.

These amendments were required due to the differing interpretation of the provisions in recent case law, particularly in relation to the status of trustees, and I will come back to that in a minute. We have been advised by the Treasurer's office that no loss of revenue occurred as a result of the case-law interpretations. However, clarification was deemed necessary to overcome potential problems and the avoidance of payment of tax. The bill's amendments mean that the trustees will be deemed to be responsible for stamp duty liability. There is no longer a need for the SRO to do an examination to determine who should pay the land tax or stamp duty.

The bill also covers demonstrator vehicle provisions and clarifies the definition of what a demonstrator vehicle is by referring to the everyday term 'demonstrator' as opposed to the previously used description in section 230(2)(a) of the Duties Act 2000:

- (ii) the use of the motor vehicle for the purpose of the sale of another motor vehicle of the same class ...

The feedback that we have had on this particular amendment is that the car dealerships are pleased with that.

The third part of this bill is the voluntary disclosure for penalty tax reduction provisions. It clarifies the term 'the taxpayer voluntarily discloses', so there is no ambiguity as to the meaning of the word 'discloses', interpreting sections 31(1) and 31(2) of the Taxation Administration Act 1997. It prevents a taxpayer who claims to have disclosed information benefiting from a penalty tax reduction for a tax default when in fact they have done nothing to assist in the disclosure, and the information is only discovered following an investigation or when an audit is concluded. In other words, if someone has genuinely made a mistake, they can make application to the SRO and acknowledge that, but it is a bit rich for someone to 'cough up' or bring forward information once an investigation has already started and then expect that there should be a reduction in the penalty. That is another reason why the Liberal Party is supporting this bill.

It also clarifies that a taxpayer who has lodged a return electronically but who has not actually paid the amount

is not able to subsequently benefit down the track from a penalty reduction. The SRO has to have received the payment. This closes a loophole which a few taxpayers have been exploiting by lodging returns on time but delaying payments and benefiting later from a penalty reduction.

I mentioned earlier that one of the reasons for this bill being brought in is a number of changes as a result of a court case. The case was in relation to the *Commissioner of State Revenue v. Karingal 2 Holdings Pty Ltd*, a case where the Supreme Court agreed with the unit holders that they were not responsible for the land tax or the stamp duty. The SRO appealed to the High Court, and the High Court agreed with the Supreme Court that unit holders in a property were not responsible because they did not have equity in that land. Judgement was handed down on 28 September 2005. The case related to shopping centres known as the Glen shopping centre at Glen Waverley, Keilor Downs Plaza at Keilor Downs, the Cranbourne Park shopping centre at Cranbourne and the Mildura Centre Plaza at Mildura. They were registered as a trustee under the trust deeds constituting what have been identified as unit trusts.

The commissioner relied upon ownership of issued units in these unit trusts and in unit trusts established on similar terms in which the first trust owns issued units. The suggestion was made in argument for the commissioner that in issuing the assessments reliance had been placed upon ownership of units for ease of collection of the revenue. Further down the judgement states that it is upon the operation of the definition of 'owner' that the outcome of the litigation largely turns and that the commissioner cannot prevail without success on that point. Section 52 of the act obliges trustees to make returns and to be assessed as if beneficially entitled to the trust land.

Point 12 of the judgement says that the result was that the Court of Appeal (a) upheld the holding of Justice Nettle that a unit holder with less than 100 per cent of the total issued units at the relevant date was not the owner of an estate of freehold in possession within the meaning of the statutory definition, and (b), set aside the holding of Justice Nettle with respect to the ownership of 100 per cent of issued units in a unit trust and instead held that in such a case the statutory definition was satisfied, and that this was also so where the land in question was vested in the trustee of a unit trust in which the first trust held the issued units. The last situation was described in submissions as a 'sub-trust'.

This case meant, as I said before, that if land was owned — and in this case it was the Glen or other shopping centres — by unit trust holders, then they were not going to be responsible for land tax or stamp duty, and this would have created an enormous problem for the protection of revenue in this state. The rates of land tax and stamp duties will be another argument in the political sphere, and this court case is the reason why we have had this legislation brought forward.

To summarise the High Court case I refer to a Blake Dawson Waldron document, which says:

The High Court has handed down its decision in *CPT Custodian Pty Ltd v. Commissioner of State Revenue; Commissioner of State Revenue v. Karingal 2 Holdings Pty Ltd* ... on appeal from that earlier Karingal 2 decision. This case concerned whether the beneficiaries of land-holding trusts were taxable as 'owners' of the land held by trust under the Land Tax Act 1958.

...

The High Court decided in favour of the taxpayers in holding that a unit holder in a unit trust that, directly or indirectly, holds land, is not liable to pay land tax if the unit trust deed provides that the trust property be applied, in part, to pay the trustee's and manager's fees. This is because the unit holder does not have an entitlement to land for an estate of freehold in possession such as to make that unit holder subject to land tax as an 'owner' of the land under the Land Tax Act ...

That makes it very clear that in that particular case the land tax was not going to be paid by the unit holders. The document continues:

The High Court considered that, for a unit holder to be taxed as an owner of the land, its entitlement under the trust deed must be absolute such that it (whether alone or jointly with other absolutely entitled unit holders) could direct the trustee to transfer the legal interest in the land to it, and thereby defeat the trust, in accordance with the principle —

and it goes on.

Regarding the situation of the car demonstrator, we have made some phone calls to car dealers in our area, and it is our understanding that the car dealers agree with this change to the legislation. It is designed to make very clear what a car demonstrator is, as I mentioned in my opening remarks. It is clear from section 231(1) of the Duties Act 2000. Previously there were some concerns about how you would define what a demonstrator vehicle is.

Finally, in regard to voluntary disclosure, as we have said previously, if there is a genuine mistake and you do the right thing by the State Revenue Office and come forward with information prior to an investigation or a penalty notice, then there will be a reduced penalty. But if you wait until the investigation starts or until you receive a penalty notice, then it is a bit unfair to say, 'I

need to have a reduction in my penalty' when you have not been upfront about the mistake in the first place. On that note, the Liberal Party supports the bill and wishes it a speedy passage.

Dr SYKES (Benalla) — I thank the Acting Speaker for the opportunity to join the debate and make a contribution to the debate on the State Taxation Acts Amendment Bill on behalf of The Nationals. I would like to commence by thanking the minister's staff and the departmental staff for briefing me not once but twice to make sure I understood the subtleties of the changes which are intended in the bill.

The member for Scoresby has given a good coverage of the content of the bill. I would like to just briefly summarise, and I start by saying that the purpose of the bill is to amend the Duties Act 2000 to clarify the land-rich duty provisions and the motor vehicle duty provisions and also to amend the Taxation Administration Act 1997 with respect to penalty tax deductions. The background to this bill is that the current land-rich provisions were introduced back in 2004. They resulted from a significant review that identified arrangements being contrived to change the ownership of high-value city, suburban and regional properties, or any part interest in them, without attracting payment of duty that such ownership changes should attract. It was believed at the time that the extent of the avoidance of this duty could exceed \$50 million per annum.

Since the introduction of the legislation, that leakage of duty has been stopped, and this amendment is being put in place to tighten up the wording of the existing legislation to ensure that what is currently accepted interpretation and administration by the state taxation office is soundly based from a legal perspective. It is my understanding from the briefing — this was outlined at some length by the member for Scoresby — that this tightening up was precipitated to a large degree by two separate rulings in relation to what constitutes a beneficial interest in unit trusts, with one ruling suggesting that unit trust holders had no beneficial interest and a separate ruling suggesting that trustees may have no beneficial interest. This generated the concern that it may be possible to run the argument that neither unit holders nor trustees had a beneficial interest and therefore there was no need for the duty to be paid in these transfer situations.

Clause 5 seeks to address that by making it quite clear that, if in future a trustee holds an interest, then it is deemed to be a beneficial interest and therefore will incur duty. The other part of clause 5 is in favour of investors in that it separates out a trustee:

(2AB) A trustee who holds or acquires an interest in a land rich landholder is to be treated as a separate person in respect of each trust of which the trustee is a trustee and the personal capacity of the trustee, if any ...

So it is keeping the investments separate. I know from my personal experience that you can have an interest in a number of business arrangements but they are separate entities. This ensures that those separate entities are treated separately from a duty payment perspective.

On the other hand, clause 6 provides for the aggregation of interests by a person or an associated person or any other person in an associated transaction. Where a number of interests are accumulated on the same day, they are treated as one from the point of view of a land tax duty payment requirement. The second part of clause 6 allows for the aggregation of interests accumulated over a period of up to three years. The reason for clarifying both those points was that there was a feeling that it was possible that it could be argued under the previous legislation that only the last acquired interest may have needed to have duty paid on it. These subclauses clarify that it is an aggregation.

Importantly, again — and I think with a sense of fairness — the value of the property when being judged for the assessment of duty is taken at the time of purchase, which clearly in many cases, if the property was purchased two or three years ago, is likely to be a lesser amount than the price on the final acquisition. Those provisions are looking to enable the setting of duties based on aggregation, but again there is a sense of fairness in the way the legislation has been pulled together and is to be administered.

As the member for Scoresby mentioned, the second part of the legislation relates to demonstrator vehicles. That is very much a clarification, again fitting in with what is accepted industry practice. The member for Murray Valley, who has some knowledge of the car industry, is one of the many people who would welcome this tidying up and clarification of the definition.

Part 3 of the bill relates to the Taxation Administration Act 1997. As again mentioned by the member for Scoresby, it is seeking to ensure that if there is going to be a benefit to people who cooperate with an investigation by the State Revenue Office, that has to have been genuine cooperation, not a little game being played where, for example, they may lodge a return electronically but then fail to actually put the cheque in the mail. I know from a previous experience how these things can be worked.

A person I was dealing with was involved in a legal dispute with a person who made an agreement with him to buy a property but then did not pay for the property. When it went to the court of law the judge ruled that, whilst there had been an agreement to buy the property, there had not been an agreement to pay for the property. The law at times being an ass, this tidying up of the wording should eliminate that sort of event. We will have the situation where people who are genuinely cooperating with investigations will have that cooperation recognised, but people who are seeking to just work the system will not benefit from that recognition.

In summary, The Nationals will certainly not be opposing this legislation. We see it as tightening up the existing legislation to enable the current administration of the legislation to be continued with confidence. Given that it is revenue neutral and not a sneaky way of generating more income for the state, we are happy to not oppose the legislation.

Mr DONNELLAN (Narre Warren North) — I welcome the support of both The Nationals and the Liberal Party for the State Taxation Acts Amendment Bill. It amends the Duties Act 2000, providing clarification in relation to land-rich provisions following recent decisions of VCAT (the Victorian Civil and Administrative Tribunal) and the High Court. The land-rich provisions relate to land transfer conveyancing duty, which all states and territories in Australia have. Victoria initially introduced such provisions in 1987.

The purpose of the land-rich provisions was to close a loophole in the legislation at the time whereby duty was avoided through the use of companies and trusts to effect transfers of high-value real property. Instead of directly acquiring the real property of a company or trust, parties would indirectly acquire the real property or an interest in the property by acquiring some or all of the shares or units in the relevant company or trust. They could include a private company, a private unit trust or a wholesale unit trust. To remove the duty benefit, the provisions operate to impose the same duty that would be payable on a direct acquisition of real property to an indirect acquisition effected through the acquisition of shares or units in a relevant company or trust.

Specifically the provisions apply to acquisitions of interests — that is, shares or units — in land-rich land-holders. A land-rich land-holder is a private company, private unit trust scheme or wholesale unit trust scheme that has land-holdings in Victoria of \$1 million or more and whose land-holdings in all

places, whether within or outside Australia, comprise some 60 per cent or more of the value of the property. I note with interest that as a result of some of these changes the way that Victoria, Queensland and New South Wales apply the land-rich provisions will generally be brought into line, which I am sure will be very much welcomed by the business community. Further, the legislation removes a loophole that is unfair for those of us who as individuals pay land conveyancing duty, so that those who try to use certain structures to avoid such tax will not be able to do so.

The bill also deals with the Taxation Administration Act 1997, amending the penalty tax provisions by clarifying the original intent of the automatic tax reduction. The purpose of the exercise is to reward voluntary disclosures of information by a taxpayer to ensure that the disclosure actually is voluntary and is not made because the taxpayer may feel under threat or otherwise. Further, an amendment is required to ensure the automatic reduction in penalty tax for those taxpayers who lodge returns but fail to pay the tax and for those who are required to pay tax by return but fail to lodge those returns. The inclusion of the word 'voluntary' in the Taxation Administration Act will ensure that those who voluntarily disclose information will receive the reduction available.

The State Revenue Office applies a tax penalty reduction of 80 per cent to all disclosures of information in the absence of a formal investigation, even if the disclosures were brought on by an inquiry of the SRO. Clearly such positive responses from people when they are asked by the SRO save it an enormous amount of time and the need to actually undertake an inquiry. The small number of taxpayers who do no more than permit the SRO to conduct an investigation without hindrance will no longer automatically receive the 20 per cent reduction in the penalty. Only those who willingly provide information and assist the SRO during such an investigation will receive that reduction.

Mr Mulder interjected.

Mr DONNELLAN — In big font?

Mr Mulder interjected.

Mr DONNELLAN — I am doing very well. Thank you very much for something very specific.

In instances where taxpayers are required to lodge monthly returns and pay associated tax by a certain date but fail to pay the tax, they will receive no reduction in penalty tax, as they have not cooperated.

Further, as mentioned previously by other members, there will be amendments to eliminate any confusion surrounding the exemption provided for demonstrator vehicles by replacing the term 'the use of the motor vehicle for the purpose of the sale of another motor vehicle of the same class' with 'the use of the vehicle as a demonstrator vehicle'. As mentioned previously, this bill will assist in bringing into line our application of land-rich duties with those of New South Wales and Queensland, which I think is something we have done recently with regard to payroll tax. That has been very well received by many business people because at the end of the day it makes life a lot easier. I believe this bill is well supported by all members of the house, and I commend it to the house.

Mr STENSHOLT (Burwood) — I was expecting some support from the other side of the house, but there is obviously not a lot of opposition interest in state taxation. Are we the only party that really takes taxation seriously?

Mr Walsh interjected.

Mr STENSHOLT — We have cut \$3 billion worth of tax under the Bracks government. We have cut a number of taxes. We now have the lowest number of taxes of all the states. That is why I am always happy to talk about state taxation, even when it includes amendments to the Duties Act or indeed to the Taxation Administration Act. I remember the dim, dark seven years of the Kennett government.

That government did cut one tax — I remember that: it was worth \$1 million — whereas we have cut quite a number of taxes, including the duty on marketable and unmarketable securities and also duties on mortgages. We took the lead on that and we also took the lead in reducing the duty on leased or rented goods. The previous speaker has already mentioned the cuts to payroll tax and also to land tax. We remember how the threshold was lowered under the previous government to \$85 000. We have raised that threshold some four times now; and, of course, we have cut the top rate from 5 per cent to — I think it is well and truly down to — 3 per cent. From memory I think it is going to 2.5 per cent, although I do not have the details in front of me.

Certainly we are a government that takes taxation seriously. I am delighted that the Liberal Party is supporting this bill. I was hoping The Nationals would be a little more forthcoming; its spokesman has just said that The Nationals will not oppose it. We should support the closure of any loopholes, particularly in the land-rich provisions of the bill, and especially in regard

to large-scale properties. As the previous member said, they are normally applied to properties valued at over \$1 million, so we are dealing with large-scale land in this regard. It is very important that members from all sides of this Parliament — and it has been recognised by previous speakers — support the integrity of our taxation base, because that tax then goes towards building and maintaining our schools and our hospitals, paying the police, the nurses, the doctors, the teachers and indeed the people in the Department of Treasury and Finance as well. The State Revenue Office (SRO) does a very good job of supporting the government of the day.

Mr Donnellan interjected.

Mr STENSHOLT — Of course it pays the politicians too. We understand that, but we are merely the servants of the people, and we should always remind ourselves of that.

Mr Mulder interjected.

Mr STENSHOLT — It is very important that we have self-understanding in this house and we do not seek to overreach ourselves.

In regard to the land-rich provisions it has always been the policy intent that the interests of trustees should be subject to land-rich duty, and this is the case here particularly in regard to clause 6, which provides clarification regarding the relevant acquisition and the proportion of value represented by the interests being charged land-rich duty. It makes it very clear that the charging provision applies to all relevant acquisitions of interest, including those made within three years preceding the relevant acquisition. This is the policy intent, and the bill serves to reinforce that. There is a small amendment in relation to demonstrator vehicles in order to eliminate confusion and to use the right term so that the exemption applies to demonstrator vehicles in order that dealers can carry on their business. This amendment clarifies the wording.

Members have also talked about the Taxation Administration Act, including the term ‘voluntary’ in regard to an automatic reduction in penalty tax to reward disclosures of information which assist the SRO. If you are a taxpayer who initiates disclosure before an investigation, you are obviously saving the SRO money because it does not need to undertake a formal investigation, and therefore you will receive quite a large reduction in penalty tax. When people cooperate in an appropriate manner during an investigation there is a smaller reduction in penalty tax. Where people do not cooperate and try to make it hard

for the SRO in its investigations then the full force of the penalty tax will apply. The amendment to the act serves to ensure that a fair thing is done by people who play fairly and pay their back taxes.

As I said before, I am delighted to support this taxation amendment bill which provides some clarifications, some of which are to relatively minor matters. We need to make these clarifications from time to time. It is very important that members in this house ensure the integrity of the tax base. I am delighted to remind the house that this government takes the management of our taxation very seriously. We are making sure we apply those taxes. We even heard today that taxes are going to be applied to large-scale water projects. We think it is only appropriate that a government has vision, and the Bracks government certainly has a vision to make sure we reduce the taxation burden as appropriate, particularly on business. We have done that again and again. As I have already mentioned, the taxation burden throughout the state has been reduced by some \$3 billion, which is good for business, good for jobs and good for the whole of Victoria. As we can see, unemployment has been going down steadily. We have also seen great investment in the building industry in Victoria. Investment has been over \$1 billion for probably 60 or 70 months in a row — we have almost forgotten. The reduction in payroll tax has encouraged business in Victoria.

The last clause of the bill provides for the automatic repeal of this amending bill. It is good to see that the Scrutiny of Acts and Regulations Committee has done its job and suggested this repeal on the anniversary of its commencement. But, of course, just to reassure the house, this does not in any way affect the operation of the amendments made by this bill. If members are not too sure about this provision, I suggest they look at section 15(1) of the Interpretation of Legislation Act 1984. I commend the bill to the house.

Ms THOMSON (Footscray) — As we have heard, the State Taxation Acts Amendment Bill is one which ensures clarification and ensures that the intent of the government is being met. It is derived from decisions made by the Victorian Civil and Administrative Tribunal and by the courts. It is appropriate that the act is fixed as soon as possible, and that is why it is before the house at this time. The government is intent on ensuring that our taxation regime is fair on everyone. That is why it is important that the legislation is right, that those who should be paying taxes are paying taxes and that there is clarity and an understanding of people’s obligations to pay those taxes. That is why this legislation is before us. It clears up and amends the

Duties Act and the provisions relating to motor car duties.

It is important, when we look at our taxation regime, to recognise that it is not just about cutting taxes, which this government has done in an extraordinary way, whether it be cutting payroll tax to ensure that we have the second lowest rate in Australia or consecutively cutting land tax to ensure we put balance into the land tax regime. Stamp duty on property has also been cut, and motor vehicle duty has been cut as well. Duty on non-residential leases has been abolished, and financial institutions duty has also been abolished. Duty on quoted marketable securities has been abolished, as has duty on unquoted marketable securities. Then there is the cut in the duty on mortgages, which has made Victoria one of the most affordable places to buy a home as property markets across the country boom. The bank accounts debit tax has been abolished. Business rental duty has been abolished, which is really important to small business. These measures have made a big difference to a whole range of small businesses. They are very important initiatives by this government. We will have seen payroll tax go from 5.75 per cent when we got into government to 5 per cent by 1 July next year.

All this has been done while recognising and realising that you have to have a taxation regime that is fair and reasonable. Yes, it raises revenue, but governments cannot function without revenue. We could not build the schools we are going to build and we could not go through a massive renewal of the infrastructure of our school system if it were not for the state taxes that we raise. We would not be able to build the roads that we build. We would not be able to have the infrastructure in place to ensure that businesses can do business. One of the reasons Victoria is so attractive as an investment destination point for business is that we have the infrastructure to support that business activity. It is also vitally important that we have the skills so that people are employable and can provide the kind of workforce for the future that will ensure further investment is made by industry to create the jobs of the future. You cannot do that without a fair and reasonable taxation system to ensure we are skilling our people for the future.

We have done a lot to totally revitalise this state's economy. One of the measures we have had at our disposal in that revitalisation is our state taxation system. I am very proud to have been part of a government that has consecutively cut taxes and has understood and taken into account the needs of business, but in a way which has been balanced against the services it needs to provide to the community. This

government has had a very balanced approach to providing adequate services to those of our citizens who need them while providing the infrastructure for growth. We have heard about the billions of dollars that have been put into infrastructure in this state, not just in the last budget but in the seven budgets prior to the one we recently passed through this place.

I commend this bill to the Parliament. It is about tidying up legislation based on decisions that have been made in the past. But we need to constantly ensure that those who should be paying duties and taxes are paying them and that no-one is in a position of misinterpreting legislation because we have been less than clear. As soon as courts make decisions which cloud the legislative intent of the government, it is important that it be clarified and rectified so that the legislative regime in relation to taxation is as clear as possible. We do not want any businesses inadvertently being hit for not paying taxes or not being clear about their tax requirements. It is appropriate that we fix that, and it is appropriate that this bill be before the house. I commend the bill to the house.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the State Taxation Acts Amendment Bill. I am always pleased to speak on taxation bills in this house. This government has a very good record in terms of its good use of public funds and the infrastructure and services it is delivering. I think business has welcomed the way we have gone about reforming the taxation system in Victoria, significantly reducing the impost on businesses and making the system overall clearer and easier to follow.

I am very pleased to see that the Liberal Party and The Nationals are not opposing this bill. It is a bit of a shame that more of their members are not bothering to get up and speak on this bill. They are probably quite ashamed that in their time on the Treasury benches they did not bother to make any significant reform. As the member for Burwood said before, only one small reform was made to the taxation regime in the time of the Kennett government.

As for the amending provisions in this bill, part 2 makes amendments to the Duties Act 2000 to clarify the land-rich provisions. This is an important thing to do following recent decisions by the Victorian Civil and Administrative Tribunal and the High Court of Australia which could have led to some unintended consequences for business in this state. It is important that this bill makes those changes. Part 3 of the bill amends the Taxation Administration Act 1997 with regard to penalty tax reductions which reward disclosures of information by a taxpayer that are truly

voluntary. Additionally an amendment is made to deny the automatic reduction in penalty tax to those taxpayers who are required to pay tax by return and fail to lodge returns or who lodge returns without paying the associated tax.

In accordance with the recommendations of the Scrutiny of Acts and Regulations Committee of this Parliament, all amending bills now contain automatic repeal provisions. This bill does that as well. That means that this amending act will be automatically repealed on the first anniversary of the day on which all of its provisions come into operation.

As the member for Narre Warren North said, this bill brings Victoria into line with New South Wales and Queensland. It is important to do that, because many businesses operate in a number of jurisdictions, particularly along the eastern seaboard. I think that will be an important outcome of this bill.

As previous speakers have said, this government has been committed to reducing tax. There have been \$3 billion worth of reductions in state taxes and charges, which is certainly adding to the competitiveness of business in this state. We see the booming mining and resource economies of Western Australia and Queensland, but we compare very well with them. The Treasurer and Minister for Regional and Rural Development has made the house aware of how the state of Victoria has outpaced every other state in terms of home building approvals.

I am certainly seeing that in my electorate in those burgeoning growth corridors of South Morang, Mernda, Doreen and, of course, Epping North. With that enormous growth, you need to make significant investment in infrastructure, and that is where we use the products of state taxation. My community can certainly see that investment going into those growth corridors. I draw the attention of the house in particular to the many road infrastructure projects that have gone into that area: the duplication of Cooper Street; the extension of Edgars Road, making it possible for the Craigieburn bypass to be extended; and the duplication of Plenty Road. These road infrastructure projects have meant that the north was the best place for the state to make an investment with the relocation of Melbourne's wholesale fruit and vegetable market. The market serves the whole of Victoria. Some 70 per cent of our road freight comes down the Hume Freeway, and it will be easy to drop off produce at the new market site.

New and evolving communities also need other things: roads, jobs, but also schools, and we have massive investment in schools. I currently sit on two planning

committees, and have sat on one previously, for new schools: the Epping North East Primary School, which is due to open next year; the Laurimar primary school at Doreen North, which will open the year after next; the Mill Park Lakes P-9 school which opened a day early in February this year; and also the special development school, the second campus of which will open next year.

It is quite clear that people in my community are able to see where the state government spends the product of state taxation. I remind the house that we are the only state to have as yet fully implemented the GST agreement. One of the taxes that we have abolished under that GST agreement is payroll tax, which is now the second lowest in Australia; there have been three reductions in land tax. Stamp duty on properties has been cut; motor vehicle duty has been cut; the duty on non-residential leases has been abolished; financial institutions duty has been abolished; the duty on quotable market securities has been abolished; the duty on mortgages has been abolished, which is of great assistance given that banks are writing record business in mortgages for those homes in my electorate which are being built, as I have mentioned; and the bank accounts debit tax has also been abolished, as has business rental duty.

The payroll tax rates have been reduced from 5.75 per cent to 5.05 per cent, and as of 1 July 2008 it will reduce further to 5 per cent. Those on the other side, given that they upped the land tax threshold, might make a lot of noise about it now, but they are really envious that we are the ones who have actually delivered reductions in that tax from 5 per cent to just 2.5 per cent. As I say, that is now the lowest land tax rate in the country and, as the Treasurer has said in this house before, you cannot get lower than low.

Regarding the taxation settings by this government, we have got the runs on the board and Victoria is a fantastic place to invest. The business community acknowledges that we have made the taxation system clearer and easier to follow. I also remind the house that the GST that this state receives is not a very good deal. Those on the other side, rather than being silent on this bill, should actually stand up and speak up for Victoria, bring their friends in Canberra to account and ask them why Victoria does not get a better deal, given that we get only 88 cents in the dollar. With those remarks, I commend the bill to the house and wish it a speedy passage.

Mr SEITZ (Keilor) — I rise to support the State Taxation Acts Amendment Bill and support the Treasurer in bringing in this bill. Since the Treasurer

has had this portfolio he has developed a very responsible regime in taxation, and he is continually reducing state taxes, which is a novelty in itself. Therefore I have great pleasure in supporting this bill, because again it is not about increasing taxes. What the bill endeavours to do — it is only a small bill — is close some of the loopholes and clarify the interpretation for our legal fraternity and those people who are land rich who can afford to use the legal fraternity and accountants to interpret the English language in a different way, not in the intent of the original bill that was introduced into legislation and signed off by the Governor in Council for this state.

I refer the house to part 1 of the bill. Clause 1 outlines the purpose of the bill and clause 2 provides for the proposed act to commence operation on the day on which it receives royal assent. In part 2 the bill makes amendments to the Duties Act 2000. Again it is a minor issue and it explains the reasons. Clause 3 provides for the repeal of the definition of 'entitled' in section 3(1) of the act as the definition is superfluous and could lead to confusion when interpreting the land-rich duty provisions. That is actually the main part or guts of this bill so that the legislation cannot be misinterpreted and change the intent or meaning of the Parliament, the minister and the Governor in Council after the bill is given royal assent.

Human nature being what it is, companies, public trustees and trust companies have an interpretation, and of course they are there to maximise the incomes and earnings of the people they represent rather than the money they spend on taxes. However, I believe this legislation goes a long way towards explaining the interpretation and closing the loophole. It will mean that the Victorian Civil and Administrative Tribunal and other jurisdictions will understand the clear intent of Parliament.

For these reasons I commend the bill to the house. It is an important bill that makes sure we have an even distribution of people paying taxes, especially people who can afford to pay taxes and should be paying their fair share. We know from the papers that company directors and other people living in Toorak sometimes do not pay any taxes and that the working-class people living in my electorate in Keilor pay the maximum amount of taxes, because they cannot afford to employ clever accountants to do the bookkeeping for them.

I again commend the bill to the house because it clarifies the situation and brings equality to the question of who is paying taxes so that it includes not just the people in my electorate but people in the upper

echelons who have property — and it will ensure that those people cannot avoid paying stamp duty.

Mr ANDREWS (Minister for Consumer Affairs) — I thank the members for Scoresby, Narre Warren North, Benalla, Burwood, Footscray, Yan Yean and Keilor for their contributions to the debate. I particularly acknowledge the support of the Liberal Party and The Nationals for this sensible set of arrangements that will ensure certainty and the ongoing utility of our tax arrangements in Victoria. It is further evidence of the government's fundamental commitment to sound financial management and of the diligent approach we have to those important issues.

The government's intent in an ongoing way is not only to reduce the burden on business but also to ensure that we do all we can to see that business grows and jobs grow. The obvious benefits of that to the Victorian community are clear to all honourable members. These are a sensible set of changes and further evidence of the government's diligent approach to these issues. I commend the amendments to the house and wish them a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

ACCIDENT TOWING SERVICES BILL

Second reading

Debate resumed from 19 April; motion of Mr PALLAS (Minister for Roads and Ports).

Government amendments circulated by Mr PALLAS (Minister for Roads and Ports) pursuant to standing orders.

Opposition amendments circulated by Mr MULDER (Polwarth) pursuant to standing orders.

Mr MULDER (Polwarth) — The house has been waiting for the Accident Towing Services Bill for some weeks. It has been bumped off on a couple of occasions. On one occasion it was to be debated at the same time as a water bill. It was interesting that within a parliamentary sitting week we had two lots of authorised officer legislation introduced. It is amazing how much the government loves authorised officers. Bills that introduce authorised officers are often debated

and passed in this place. In one week we had the introduction of the water cops, who will look over your back fence or wander through your front yard to see whether you have a sprinkler running at the wrong time. The bill before the house provides for authorised officers who will have the power to enter and search tow trucks for compliance purposes and for the purposes of obtaining evidence of contravention.

As I said, the government loves authorised officers. It would be interesting to go back over the legislation that has been passed by this place since the Bracks Labor government came to office to see the number of new powers that have been provided to authorised officers in this state. I think we could have a march past Parliament of authorised officers. They could probably start at the Trades Hall, where most of them originate. Perhaps they could wear different uniforms or different sashes or different coloured hats and could salute members standing on the front steps as they went past. It would give us an understanding of where all these people come from, whom they work for and whether we are getting value for money. It is extraordinary that we have another bill being debated in this place that introduces more authorised officers with search powers.

I will speak to the amendments proposed by the Liberal Party and to the minister's house amendments. It is extraordinary that we can go through the process of having had a working party on which the government has been working with the tow-truck industry for some time — the minister responsible for the legislation, who is at the table, and the former Minister for Transport would also have had a lot to do with this bill — yet when the bill is debated in the Parliament house amendments have to be introduced and circulated. Many of the house amendments are about correcting errors and deal with issues that should have been dealt with before this. Obviously the minister did not properly inform the parliamentary draftsman about the changes, so mistakes have been made.

Some of the house amendments propose changes to clause 28 to deal with mistakes or confusion in terms of the way the bill has been drafted. The minister's amendment 1 inserts a new heading, 'Nature of and dealings with tow truck licences'. Amendment 2 inserts '(1)' before 'A'. I understand that amendment 3 relates to concerns raised by the Victorian Automobile Chamber of Commerce (VACC). Amendment 4, which amends clause 105, replicates the Liberal Party's amendment. Under the bill VicRoads would have 90 days to approve the accreditation of a tow-truck driver, but that is now being amended to 30 days. Amendment 5 addresses concerns raised by the Victorian Automobile Chamber of Commerce.

It is extraordinary that these amendments have come before the house because of issues raised by industry. The VACC has been working with the government on this bill, yet when it is about to be debated in Parliament representatives from the VACC say that a number of clauses have not been discussed with them. That points to the fact that the minister has no idea of commercial reality and of what some of the provisions in this bill do.

I refer to the commencement date of the bill. Under 'Commencement', clause 2(2) states:

Subject to subsection (3), the remaining provisions of this Act come into operation on a day to be proclaimed.

Subclause (3) states:

If a provision of this act referred to in subsection (2) does not come into operation before 1 January 2009, it comes into operation on that day.

This is about giving the minister the time to prepare the regulations and the accreditation process for the tow-truck industry. I understand that he is a new minister and is not too quick out of the box, but allowing him until 1 January 2009 to get his act together in terms of the accreditation process for the tow-truck industry and to prepare the regulations seems to be quite extraordinary. The government has been working with the industry for a long time, yet the bill has turned up in Parliament with this extraordinary lead-in time to enable the minister to get his act together and to come up with the regulations and the accreditation regime. It once again entails a massive raft of regulation for the industry.

I was somewhat surprised to see this bill come before the Parliament because I am not aware of any issues that have been brought before the opposition in relation to the tow-truck industry. It has had a somewhat colourful history in the past — we know that. Going back to my very early days, I would have to say this industry was what you would call colourful to say the least — It was very colourful. If you visited your local panel shop, particularly in regional areas, and got back to where the rubbing-down area was, you would usually find a couple of off-duty policemen rubbing down cars. For anybody who lived on a corner — I am telling you, it is true — where there was a high accident rate, spotters' commissions were paid if you rang a tow-truck operator.

It was not uncommon for the ute that belonged to the tow-truck business to beat the ambulance and the police to the accident scene, usually having broken every road rule in the book to get there, and quite often the tow truck itself would also beat the ambulance and the

police car to that location. As I say, spotters fees were paid. The result was that quite often which particular company would get there depended on who rang first. If there was someone on the other side of the road ringing another company, then you usually had a dispute over who was going to get the vehicle on the day. We know that there were issues in relation to people who were trapped in vehicles and people who had been injured being, I suppose, encouraged to sign their vehicles over to certain operators. It became extremely dangerous and was terribly unfair on people who were involved in accidents. Something had to be done about it.

The Liberal Party worked very hard on the allocation system for the tow-truck industry, and it has worked extremely well. It operates in the metropolitan area down to the Mornington Peninsula and under an informal arrangement in the Geelong area. As I understand it, the metropolitan system under which vehicles are allocated is operated by the Royal Automobile Club of Victoria. It has taken away the issue of people being harassed and tow-truck operators and their drivers rushing to accident scenes. It has worked very well. That system is the reason why you do not see complaints coming to members of Parliament. The industry has really tightened up its act and is respected in the community now, unlike the situation I outlined previously.

I guess the issue that concerns the Liberal Party is why, given that that is the situation, we have gone down the path of regulation and having a whole raft of accreditation for this industry. I think it is a simple matter of the government becoming accreditation crazy. We saw it with the rail industry, where it wanted to accredit all the rail industry and operators. It then moved to the taxi industry, where it got to the point of accrediting a taxi licence-holder who could be sitting in an apartment on the Gold Coast — he had to be accredited. Now it has moved down the path of accrediting the towing industry. I am not sure who is next in the accreditation process, but it is very burdensome in adding costs to businesses, and given the history of this industry you would have to question why the government has gone down this path.

There are 1589 tow trucks operating in Victoria. There are 725 accident-towing licences, 39 heavy-towing licences and 880 trade-towing licences operating in Victoria as we speak. I would like the minister, in summing up, to give us his rationale for tow-truck accident allocations as of January 2006. Looking through the list, I notice that there seems to be a significant variation between the jobs allocated, the average jobs per truck and the number of trucks. I ask

the minister, in his summing up — or any other members who are prepared to speak on this bill — to give us an indication of how this variation occurs.

I see that Armstrong Towing had 10 trucks and 120 jobs allocated, with an average of 10 jobs per truck. If you look at some others, they seem to be somewhat different — Melbourne Towing Service had 39 trucks and 250 jobs allocated, with 6.41 average jobs per truck. It just seems to me that some of the figures are somewhat different, depending on which operators you are looking at. The minister may be able to give us some indication as to what is behind that.

Mr Pallas interjected.

Mr MULDER — In response time? It could be response time.

One issue that struck me with this bill is the deregulation of trade towing. I think what has happened here is that, in the government's haste to grab hold of this industry and wrap it up in an accreditation process and a whole host of additional regulation, it had to be seen to be doing something with the industry in terms of deregulation. The government is always on about this issue of cutting red tape and freeing up business. It has looked at trade towing and said that this is perhaps an area in which it could do something. In relation to the removal of trade-towing licences, the VACC rightly raised the issue that it could result in trade towers turning up at an accident scene. There is nothing in this bill that would prevent that happening.

Another issue I would like to raise is that this will mean that someone who drives a trade-towing vehicle has nothing more than the requirement to have a licence to drive a vehicle of that size. The rationale behind the removal of trade-towing licences is that the government deems that the driver of a trade-tow truck will be dealing with people in the community who are not in a vulnerable position. There will be young women and perhaps elderly people whose cars break down on a road late at night who are going to be serviced by a trade tower who has nothing more than a licence. I have some concerns in that I believe people whose vehicles break down, particularly late at night and particularly younger women, are vulnerable.

Another issue that I wish to raise in relation to trade towing is clearway towing which takes place in and around the metropolitan area of Melbourne. A driver of a trade-towing vehicle, who does not have to go through any accreditation process, will quite often find themselves in a volatile position when they are about to load a vehicle on the back of a trade-tow truck and the

owner turns up. It could become a quite hostile situation. I put it to the minister and to the government that that could prove to be a problem for them as we move forward. We would like to monitor the issue of a trade tower not having accreditation running into problems when dealing with a clearway and, as I say, also turning up at an accident scene. It could happen, particularly if that accident occurs very close to a panel shop that has a trade-towing licence. They are two issues that we would need to monitor.

There is one amendment in particular that I think clearly demonstrates the government's lack of understanding of commercial reality. A person who wishes to be an accredited tow-truck driver will have to fill out an application. That form will go to VicRoads, and VicRoads will get 90 days to consider whether or not it is prepared to accredit that particular person to drive a tow truck. In reality who is going to wait around for three months for a job? They would be gone.

What our amendment does — and I note the minister has copied that amendment — is reduce the time for that to be undertaken to a 30-day period. I would even question in this day and age in the world of computers and with the ability to transfer information very quickly why something like that could not take place within seven days, given that if a person knocks on your door, someone who is looking for a job and wants a job and is ready to start up, you will have to say, 'I'm sorry, but we can't do this for at least a month'. That is what the amendment will do, but I think VicRoads and the government should look at whether it is possible to take that back to an even shorter time frame.

I raise that particularly because this bill allows for a driver to have their accreditation removed under an immediate suspension notice. If a driver is charged with an offence listed in clause 1 of schedule 2 or an offence listed in clauses 2 or 3 of schedule 2, VicRoads will have the ability to suspend accreditation. Clause 128(3) provides that VicRoads must serve on the person an immediate suspension notice. This could leave a business operator in a position of having no-one to operate a tow truck for them and could have a real impact on their business. Under the current provisions of this bill, should that occur and the company wished to have another driver accredited, it would have to wait three months for that to take place. I find that to be quite extraordinary.

There were some other issues raised by the VACC. One refers to the obligations of repairers. In our discussions the VACC suggested that these provisions are not even required, because when someone signs up with an insurance company to provide insurance for their motor

vehicle they actually agree, under the provisions within those contracts, that the insurance company should act as their agent in terms of having repairs carried out. The only issue I would raise there is that a lot of people drive vehicles that are not insured. Many people drive their vehicles without insurance, and quite often younger people in particular will have an older car that has what we call bump for bump, whereby any damage that is done to the other vehicle will be covered under an insurance policy and will be fixed up but their car may not be covered. This means that a repairer could take that vehicle away from an accident site and perhaps even start repairs on it without getting the permission of the owner.

Then, of course, you have a dispute in which the smash repair operator says, 'Both vehicles have been brought to our panel shop. We have started to do work on the one that is insured. We assumed that you would want the same carried out on your own vehicle'. No quotes are given and the driver becomes involved in a significant dispute. So although I understand the concern that the VACC has, I think if we remove that provision there will be a loophole for a smash repair operator to start carrying out a repair on a vehicle for somebody who does not have insurance.

The VACC has also raised issues about penalty units. It referred to what it says are extraordinarily high penalties for what in some cases could simply be an administration error, whereby following a changeover of staff someone had not referred an amendment or notification to VicRoads about a change in the status of that particular business. The penalties seem to be extraordinarily high. One would imagine with those sorts of issues if an accreditation process were in place the matter would be addressed through an accreditation audit.

Usually with most of the quality management systems that I have had to deal with over many years — I have worked as a quality systems auditor in the quality assurance industry — if you find a breach or a non-conformance, you notify the company that there is non-conformance and you give it a certain amount of time to deal with that particular matter. In other words the accreditation process is about the continual improvement of that business and working with the people in that business. Looking at these provisions, it seems that that is not going to be the case and that someone will get whacked with a massive fine first up due to what could perhaps be the failure of someone in the business to keep an appropriate record.

The VACC raised issues in relation to clause 72, which provides VicRoads with the ability to impose

conditions on operator accreditation for the purpose of limiting a tow operator to a particular geographical area in such situations that it claims were never raised during the consultation process. Again you would have thought that if the government had gone down this path of working with an industry working party and had then introduced clauses into the bill that had not been the subject of discussion with the industry, the industry would have every right to raise these concerns.

Another issue raised by the VACC is the matter of reasonable towing fees. Reference to reasonable towing fees appears to have been dropped in the bill.

Previously there was a reference to towing operators charge-out rates outside the allocation area. The VACC says that given the diverse issues that impact on the cost of towing throughout regional Victoria there has never been any attempt to regulate these fees. The industry is trusting the new minister to continue to only regulate fees in the allocation system, with a reference to reasonable fees for non-allocation areas in future gazetted schedules of rates.

I doubt very much that, if we had a Liberal government, we would have this bill before the house. I believe the industry has performed exceptionally well in recent years. Any improvements to the industry should be matters of negotiation perhaps with the minister and the minister's department. I am concerned about this new raft of regulation that has been wrapped around an industry that has not in the past demonstrated that there is a problem with it. If you take it back a step further, quite obviously you could have looked at the issue of accreditation, but the allocation system sorted out a huge number of problems that the industry had. It is highly competitive.

I have had a number of discussions with the panel shops in my area, and they continually talk about the fact that they get screwed, and screwed hard and often, by the insurance industry and by the allocation of rates to carry out certain levels of repair and that they struggle to make a decent hourly rate.

An honourable member interjected.

Mr MULDER — The rub-down is all right. They are doing it themselves now.

As I say, the industry has had a chequered and colourful history, but at this point in time it seems to me to be performing well. We will monitor what happens with the implementation in 2009 — the minister will still be around then — because that gives him plenty of time to work out an accreditation process and some regulations.

He has given himself heaps of breathing space in this regard.

The Liberal Party will not be opposing the legislation, and it supports the proposed amendments. As I pointed out before, some of them just correct simple mistakes, while others deal with provisions that, out of pure laziness, were not included in the bill. The minister has picked up on the Liberal Party's amendment that reduces from 90 days to 30 days the provision relating to the accreditation of a driver. We support the amendments.

Mr WALSH (Swan Hill) — The Accident Towing Services Bill gives accident towing services their own act of Parliament rather than being covered by a number of acts of Parliament. As a consequence there are amendments relating to the Infringement Act 2006, the Melbourne City Link Act 1995, the Police Regulation Act 1958, the Road Safety Act 1986 and the Transport Act 1983. The purpose of the bill is to promote the safe, efficient and timely provision of accident towing services and other related services. We probably should include the statement that it is about promoting the continued safe, efficient and timely provision of accident towing services.

We all know that accident towing services have been regulated for quite a while, and compared to the days prior to regulation in 1983, they have functioned quite well. Those of us who have been around long enough remember the pre-1983 times, when tow trucks were forced off the road as they raced to accident scenes, competing with each other for the work, and there were stand-up fights between operators to get signatures on bits of paper so that they could win the business. We remember the intimidation and harassment of victims at the scene — accident victims have enough on their minds without having to worry about conflicts between tow-truck operators who want their towing business — and how those particular tow-truck people then got in the way of the police and other emergency services people who were trying to do their duty at the sites and assist people who were quite often critically injured.

It is interesting to read that there are 72 000 accident tows per year in Victoria. That is obviously quite a large number and something that probably not many of us can relate to until we do the research on it. Those tows are carried out by 764 accident tow operators right across Victoria. The Nationals will not be opposing the bill and will not be opposing the house amendments. I am assured by our spokesman on this area, the member for Rodney, that he promoted the accreditation amendment changing the 90 days back to 30 days, but the member for Polwarth obviously believes he thought

of it. I am sure the member for Rodney must have told him.

An honourable member interjected.

Mr WALSH — Yes, great minds think alike, and success has many fathers. But failure seems to be an orphan, does it not?

Mr Hudson interjected.

Mr WALSH — Touché! Last year the Victorian Automobile Chamber of Commerce had a dinner in my electorate for the motor trades industry, and that involved a good discussion around the table of the issues affecting the motor trade and panel beating and tow-truck operations. The principal tow-truck operator in Swan Hill was at the function. We got talking about the issues that impacted on the industry.

One of the things I do when I am at one of these functions is run a question-and-answer session around the table, asking, for example, ‘What would you do if you were Premier for the day?’. Apart from the fact that some of the attendees at this function wanted the job and some did not, the key issue that came out from the panel shop owners and the tow operators in Swan Hill was third-party comprehensive insurance. They spoke of instances where someone had been involved in a collision, usually a two-car accident where they had been run into by someone else. They were usually the innocent victim and the owner of the better car in the accident. After having their car towed to the panel shop and getting a quote for the work, they went back to the driver of the offending vehicle, only to find — lo and behold! — that the driver of the other vehicle did not have any third-party insurance. Then it became a real nightmare for the person who had their car damaged in the accident, because they had to go to their own insurance company in order to be covered for the repair of their vehicle, and in doing so they ran the risk of losing their no-claim bonus while having to pay the excess amount on the claim.

One of the things that came out of the discussion among the group of people from that industry was that they wanted some form of compulsory third-party comprehensive insurance put on people — —

Mr Pallas interjected.

Mr WALSH — This goes to the issue of people’s rights and responsibilities — that is, if you own a motor car, you have a responsibility to have it registered and to pay third-party insurance, which currently provides for Transport Accident Commission funds for people who are injured in accidents. But you also have a

responsibility, if you have an accident, to be accountable for the damage that your vehicle causes to another person’s vehicle.

We have the situation where people who have an accident but who do not have third-party comprehensive insurance, who have no real assets to speak of in their own name — they do not own a house, for instance — and whose car is not worth very much money, so potentially it has to be written off because of the accident, can just walk away, leaving the innocent and possibly injured third party with a car that has to be fixed at their expense or at the expense of their insurance company, with all the ramifications that go with that. While we have the pleasure of having the minister at the table, and seeing that he is responsible for some of these areas, it might be an opportunity to feed the issue into the system so we can think about how it might be addressed in the future.

As I said, the bill is about promoting the safe, efficient and timely provision of accident towing services and other related services. It licenses tow-truck operators that provide towing services, it accredits the operators of accident-towing services and business managers of depots from which towing services are provided, and it accredits tow-truck drivers when driving licensed tow trucks or providing towing services.

I note that there is a conundrum about bureaucracy and red tape versus making sure the people who deliver services are fit to do so. History will show over time whether this bill has the balance right. When people have had an accident, they are vulnerable to pressures and stresses. We need to make sure that people who deliver services to these victims — people who tow their cars — are accredited to do it and will do the job well. I noted with interest the comments of the previous speaker about authorised officers. We seem to be generating a plethora of officers as we pass legislation over the years, but there is again this conundrum about making sure we have appropriate people to do the necessary work.

The Nationals will not be opposing this legislation and will certainly not be opposing the amendments put forward by the government. We wish the bill a speedy passage.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the Accident Towing Services Bill. It is a really good bill, because it separates out from the Transport Act the regulation and accreditation of towing services.

We heard quite a bit of nonsense from the member for Polwarth about how we are introducing a regime which requires a whole lot of new inspectors and enforcement powers. Basically what we are doing under this bill is transferring the regulation and accreditation scheme from the Transport Act to a separate accident towing services act. One of the major improvements — we need to focus on those — is that we are bringing depots and depot managers into the regime. That is entirely appropriate, because when people who are involved in accidents, road trauma or breakdowns go to pick up their car or recover their personal effects, the person they are likely to be dealing with is the depot manager. It is entirely appropriate that the depot manager be a fit and proper person to be in the industry — that is, that they have integrity, are honest and do not have a criminal record. I do not understand the objections of the member for Polwarth.

Another improvement is that operators will be required, as part of the accreditation scheme, to provide complaints information to VicRoads. That is important, because if we are going to accredit and regulate the industry, we need to know what complaints are being lodged against tow-truck drivers and operators, and we need to know what the nature of those complaints are. There will not be a new army of inspectors; we will have in place the tried-and-true regulatory and accreditation regime that has served us well.

I think we should note that it was the Cain government that introduced that scheme and got rid of many of the appalling practices we used to see when the industry was unregulated. In those times up to 10 tow trucks would rush to the scene of an accident, causing traffic delays and congestion and perhaps even creating the potential for another accident. We saw conflicts between competing tow-truck drivers. It seemed the major qualifications for the job were that you had the biggest and fastest tow truck and the largest and most intimidating driver, who could put off other drivers from taking the job, even if they had arrived there first. They could certainly intimidate traumatised drivers into signing up with them. There were appalling abuses and instances of harassment at the time. There are stories of tow-truck drivers being armed with weapons like baseball bats. A major qualification for the job seemed to be that you were particularly thuggish and brutal and were able to intimidate people into using your service.

There are lots of bad stories. One of the ones I have been told is of a driver being injured in an accident in Geelong 20 years ago, and the ambulance that had been called to the scene was prevented from leaving by a tow-truck driver inside the ambulance until the driver, injured as they were, signed up with the tow-truck firm.

That is what this legislation was designed to prevent, and that is what it has done. It has removed malpractice and the criminal element.

It is interesting to look at what happened in 1993, when the Kennett government had a brief flirtation with deregulation. It decided that drivers would no longer require accreditation. The criminal element got back into the industry, along with appalling practices. Very quickly, in 1995, the government re-regulated the industry. It is fair to say that this side of the house has stood consistently for proper regulation of the industry and the other side has occasionally flirted with the idea that we should go back to some form of deregulation.

The member for Polwarth talked about house amendments and put forward some amendments. All I can say is that he has been driving in the slow lane, because a day ago, following consultation with the industry, the minister tabled a number of house amendments designed to address some of the concerns that have been raised. There was a view that under the bill a tow-truck licence could be assigned. Members should bear in mind that the bill replicates provisions from the Transport Act, under which a tow-truck licence could not be assigned. However, the minister has, just in case, quite sensibly said he would introduce an additional clause to make it absolutely clear that under the new legislation tow-truck licences cannot be assigned except under very limited circumstances.

That is important, because what has happened in the taxi industry, where taxi licences have been assignable, in my view has introduced a number of undesirable features. You have a limited market for tow-truck licences and also for taxi licences, and what we have seen is that taxi licences, which were originally handed out to the industry, have become assignable, and that has seen an escalation and a spiralling in the price of those licences, which in turn has seen people who own licences then assign them to operators or drivers. But they want a rate of return, so that value is extracted out of the drivers and the operators, and in many instances it drives down the wages of taxidrivers. This is a sensible amendment by the minister to make sure that under no circumstances will these licences be assigned.

Then the member for Polwarth introduced a silly little amendment to reduce the statutory maximum time in which VicRoads must consider driver accreditation applications from 90 days to 30 days. The minister had already circulated an amendment, but that was not enough for the member for Polwarth. He had to go through the charade of putting forward his amendment, which just duplicates what the minister is doing. I suppose it took up some time in his contribution to the

debate, but I really cannot understand what the purpose of the amendment is when the minister had already sensibly put forward an amendment to make sure that driver accreditation applications are considered on time.

Finally we had from the member for Polwarth the rather absurd suggestion that somehow by deregulating trade towing we would create a situation in which a trade-tow truck could turn up at an accident scene and collect an accident-towing job — a totally absurd situation. If the member for Polwarth had read the act, the member for Polwarth would understand that the only people who can take an accident tow are accredited accident-towing services. The only way you can get that job allocated to you is through the accident-towing number allocation scheme.

If you go and pick up a car with your tow truck without having an allocated number, that is an offence under the act: you are guilty of an offence under the act, you can be charged under the act and you will be subject to the penalty provisions. Here we have the member for Polwarth creating this charade of a straw problem that does not exist. He has not read the act, has not had a look at the provisions and does not seem to understand that trade towers cannot pick up an accident job because they have not got an accident number.

This is a sensible bill. It continues the fine tradition of Labor governments in properly regulating the accident-towing industry. It brings depot managers within the framework of the act and makes sure that complaints are handled properly. I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I was not in the chamber when the member for Polwarth spoke, but I heard what the member for Bentleigh said about the allocation of accident-towing numbers, and I am wondering what happens in country Victoria — —

An honourable member interjected.

Mr DELAHUNTY — That is correct. It is first in, best dressed in that case. Most importantly we like to make sure that we have towing services to assist not only the people involved in accidents but also the ambulance officers and that we make provision to get the traffic moving again quickly.

I want to speak on behalf of the Lowan electorate on this important Accident Towing Services Bill. This is a separate bill, whereas previously we had to operate under several acts, and we in the Lowan electorate support this. More importantly we support the fact that the bill promotes the timely provision of accident-towing services in a safe and efficient manner.

We have a plethora of roads and long distances between a lot of towns. We also have the difficulty of providing these services, whether for large vehicles or cars, in a cost-effective way. These people are private operators who do not get any subsidies from the government. The bill covers the provision of a feedback process to look at the managers, operators and drivers to see how they are working and to try to get a better service. All of us are looking for continuous improvement.

The minister responsible for this bill, the Minister for Roads and Ports, is at the table. We know that we would not have so many accidents on country roads if we spent money on country roads. Reports by the Royal Automobile Club of Victoria and others have highlighted that, if you spend money on country roads, you save country lives. No doubt if you spent money on country roads, you would minimise the number of accidents that happen on country roads, particularly class C roads, of which there are many and which are 100 per cent funded by the state. I recently spoke about class C roads such as the Cavendish–Dunkeld road, the Nigretta Road intersection on the Glenelg Highway, which does need money spent on it, and the Glenthompson–Ararat road. We need to make sure these roads are brought up to a good standard so that we do not have so many accidents and we therefore minimise the requirement for towing services.

The bill covers the accreditation of operators, managers and tow-truck drivers, whether in their driving role or in the provision of accident-towing services. When arriving at an accident scene one has an important role. Thankfully I have not been involved in driving to many accidents. The police, the State Emergency Service, other emergency services such as ambulances and the like, and tow-truck operators must work together, firstly, to make sure that people involved in accidents are treated as soon as possible and in a safe manner so that they can get them off to a hospital, if need be, to receive appropriate services.

I want to mention again that the area of country Victoria that I represent is the only area in the state that does not have an air ambulance helicopter — and I note that the Minister for Health has just arrived at the table. I again emphasise that when we talk about services for country Victoria, whether it be towing services or ambulance services, we need to make sure we have an air ambulance to service the road accidents and other accidents that happen in country Victoria. As I have said many times, the area I represent includes the Western Highway, which is the second busiest highway for the carriage of freight in Victoria. Unfortunately we have a lot of truck accidents along that road. We need

to provide towing services, but importantly we need ambulance services, including an air ambulance helicopter.

In my area a lot of excellent work is done not only by Rural Ambulance Victoria but also by voluntary ambulance staff, who provide an important resource for country Victoria. They need to be able to work with the tow-truck operators, and we need to make sure that the tow-truck operators are up to the mark in relation to the provision of timely and adequate services and importantly that they work with the emergency service providers.

I know that the focus of this bill is on providing better services for people involved in accidents, and the people of the Lowan electorate would obviously support that intention. I also know that concerns have been raised by the member for Swan Hill — he took over as spokesman on the bill from the member for Rodney, who unfortunately is unable to be here today — and other members of the party about problems with people who have accidents and who have third-party property insurance but are not covered for damage to the other person's car.

The Nationals think the government should look at this issue again to see whether third-party insurance should be extended to cover the other person's car, because it is an expensive item. We need to make sure that we provide adequate resources so that people's vehicles can be towed away from accidents and importantly so that their cars can be repaired. When the insurance process is commenced often it is discovered that these people are not covered. The Nationals think that is a blight on our efficient road and transport network, and we ask the government to look again at this proposal.

With those few words I indicate that, like my colleagues in The Nationals, I will not be opposing this legislation. It is good to see a separate bill covering towing services in Victoria. I know that it is a major issue and that there have been a lot of problems in the metropolitan area, but we have similar problems in country Victoria in having our electorates provided with efficient and timely services.

Mr CARLI (Brunswick) — It is with great pleasure that I rise in support of the Accident Towing Services Bill. This bill is part of a continuing reform process that has been undertaken by the Bracks government in the area of tow trucks, as well as in other areas of the transport industry.

Its genesis lies in the McQuillen report of 2001. The McQuillen report was a response to the national

competition policy and to the National Competition Council, which asked the Victorian government to review its legislation and regulations to see whether deregulation should occur in the context of this industry. Its findings were essentially that there was a good public policy reason to maintain the allocation system that, as previous members have indicated, was introduced in 1983 because of particular behavioural problems associated with the industry in relation to accidents in the metropolitan area.

I suppose that is essentially a reference to the baseball bats that were often carried by tow-truck drivers in the late 1970s and early 1980s and the competition for the business of vulnerable people who had had accidents. Good public policy said that there was no need to deregulate the accident-towing industry, although there was an argument to deregulate the trade-towing industry, where there was no similarly good public policy reason, where there were no similarly vulnerable groups and where the issue of competition was important.

Out of that report came a reform process that involved 14 endorsed areas of tow-truck reform. A tow-truck reform implementation working group was established, which I was very pleased to chair. It was a very amiable group involving the industry and the Victorian Taxi and Tow Truck Directorate. I must say that the directorate did a fantastic job in working with the industry to implement those reforms. The result of those reforms is found in this bill, and that includes the issue of accreditation and the deregulation of trade towing. I want to thank all those who were involved in that implementation process, including the Victorian Automobile Chamber of Commerce, the tow-truck industry and of course the Victorian Taxi and Tow Truck Directorate. I thank in particular Jeff Dalman from the directorate, who did a fantastic job, but I also thank all the other people who were involved in the process, because they also did a terrific job.

The member for Polwarth said that the current government is accreditation crazy. He said that even the tow-truck industry has been accredited — as if the industry should not be accredited. The reason accreditation is supported by the tow-truck industry and by this government is that it is about good practice. It is about essentially codifying what constitutes good practice in the tow-truck industry. That is why the industry supports it. It does not create more red tape but instead ensures that operators, managers and drivers all take responsibility for what they do to ensure that there is good practice and that this is a better industry.

There is nothing crazy about accreditation. When we look at what constitutes accreditation in the tow-truck industry we see that it involves good practices like recording the handling of complaints against tow-truck operators. It involves the provision of information about complaints, if they are requested by VicRoads. It is about ensuring that tow-truck drivers at accident scenes have good procedures to deal with vulnerable people in delicate situations. It is about ensuring that we have fit and proper probity tests, the results of which are transferred to the accreditation system, that certain categories of people who have been convicted of committing certain criminal acts — that is, category 1 acts — are excluded, and that there is justification for allowing into the industry people who come under other categories. It is essentially about an accreditation scheme under which tow-truck operators, depot managers and tow-truck drivers try to ensure that there is a high level of good character, good standards and good practices in the industry.

There is nothing at all crazy about this system. It is about ensuring that the industry has good practices. The industry believes in it, as does the state government. The opposition does not believe in it, and its members say that the government has gone accreditation crazy, so in turn they are saying that members of the tow-truck industry have gone accreditation crazy. I can say that that is a complete nonsense and that this is very good for the industry. Basically it is giving the public confidence about the industry. In the metropolitan area there is an allocation system and the industry is heavily regulated. The Royal Automobile Club of Victoria has the contract to make the allocation using its computer system to ensure that all accident tow-truck providers have a share of the accidents.

More importantly, it is also about providers outside the metropolitan area, where there is no allocation system and it is deregulated. There is not a lot of competition, so it is really important that we have good standards and practices. It is not as if there are a lot of companies in country Victoria competing for the jobs. If you allow for deregulation, in the city it is far too competitive and in the past the response in the industry was some very poor behavioural practices, with people carrying baseball bats inside tow trucks. That does not happen anymore, nor should it. For country areas the scheme is about raising and ensuring standards to protect consumers.

We must remember that the consumers we are dealing with are people in extraordinarily vulnerable situations, in that the tow truck arrives immediately after an accident. It is very important that people know that the correct procedure will be followed by the tow-truck

driver and that they are fully aware that the standards and the character of those providing the service are of the highest quality, so that in that vulnerable situation they are able to have a level of confidence. That is the reason for the accreditation system. It is not creating any more red tape and regulation. It will ensure that people in every element of the industry take responsibility and can be audited for that responsibility. In many ways the scheme takes away a lot of the regulation and, as it ensures that they take responsibility, it removes the opportunity for tow-truck drivers and operators with big sticks to be chasing people.

Trade towing has been an area of contention in the tow-truck industry. As I said, from our reading of the McQuillen report and our understanding of the industry, there is no public policy rationale for maintaining controls over trade towing. It is an area which deserves a level of competition. It does not deal with people in vulnerable situations, and as the sorts of behavioural problems that we had before the allocation system was established have not been experienced in the trade-towing area, a level of deregulation can be applied. Clearly there are interests that would prefer to have the area regulated, but as I said, at the end of the day and bearing in mind the principles of national competition policy, it is all a question of good public policy. The allocation system and the regulation of accident towing are good public policy. No similar argument can be made for trade towing.

It is a very comprehensive reform package, with 14 reforms. The bill essentially makes the last two. Although there has obviously been a move in the accreditation area before this legislation was introduced, the bill enshrines the package in law. While the process has taken time, it has been a very important and cooperative process with an industry that the rest of Australia looks to. When I was the Parliamentary Secretary for Transport we had people come from all the other states to visit Victoria because we maintained an accident-towing system that did not have the problems that were experienced in other states. We had the allocation system and a level of regulation, and the other states did not.

Our advice consistently was, 'Follow the Victorian example. You get a better service and better behaviour. It does not cost the consumers any more money, but they are confident, and you can be confident that there will be a level of standards, care and procedures that you do not see in other large cities in Australia'. I wish this bill a swift passage.

Mr STENSHOLT (Burwood) — I am pleased to speak on the Accident Towing Services Bill. The bill is comprehensive and, as other speakers have said, provides an up-to-date framework for towing services in Victoria. I commend the Minister for Roads and Ports on this bill. I am sure that members of the public feel that our roads are very much in safe hands. That is a very important aspect. Safety is seen as very important by the public. In Victoria we are very lucky, as the minister mentioned in the second-reading speech, that our road safety performance is the best in Australia. Between 2001 and 2006 we had a reduction in fatalities of just over 24 per cent, which is the highest in Australia. The one closest to us is South Australia, and then the figures fall away. In Queensland there has been an increase in the number of road fatalities over that period, which is sad to see.

Safety is very important, and one of the objectives of the bill is to have an accent on safety to give the public an assurance that services are delivered in the context of the best safety instruments. Sometimes an accident results in death, as I have mentioned in referring to our road fatalities, and accidents often result in injury. Even when there is no injury, it is very much a time of great stress to the people involved. The towing service is one of the means of assisting people in that time of need.

The bill also has an accent on better management. One of its key features is the transfer to VicRoads of the arrangements for towing services. As has been mentioned by other speakers, there is also a movement towards less regulation and red tape, particularly in towing services that are provided when there is not an accident but there is trade towing and people are moving vehicles between one spot and another. In terms of good management, the bill also provides an up-to-date accreditation regime.

Members should also accept the need for timely provision of services that are needed in times of accident or breakdown. Many members may have experienced an accident or a car breakdown when they would have very much welcomed the assistance of a towing operator. I remember that during the 1999 election campaign I needed the services of a towing operator. My car broke down because the drive shaft snapped.

Ms Beattie — Because it was overworked!

Mr STENSHOLT — It was definitely overworked, and it snapped. I had to push my car off the tramlines on Toorak Road. Thank goodness for the Royal Automobile Club of Victoria. A tow truck took it away. I ended up going to a place called Rent-a-Bomb, and I

had one for the next couple of weeks to get by until my car was repaired. It could be said that it was a minor incident, but it illustrates that it is very important to have an assurance that any assistance comes in a timely manner. The bill emphasises also that we must ensure that the people providing towing services are properly accredited and, as it says in the objects of the bill, are of appropriate character, technically competent to provide the services and act with integrity in providing them.

We all know stories about the exploits of tow-truck operators when the industry was unregulated. Quite frankly it was a bit like *The Sopranos*, and members might have seen similar television series. But that was the reality here in Victoria. Up to 10 tow trucks would zoom in on an accident scene and would fight each other for business. Often they used baseball bats to hit each other rather than trying to get the poor person in the accident to choose them. I remember tow trucks going at high speed down the road. You would see them zipping past, causing road congestion, traffic delays and, indeed, accidents. I often used to see the operators on the television. This was before 1983 — and of course during the Kennett era we once again had a period of deregulation.

Rather than there being good regulation in the industry, we saw conflicts occurring between competing tow trucks. This was competition at its worst, let me tell you, with physical violence and the use of weapons, and the harassment of accident victims who were forced to sign forms while they were injured. Then, of course, you never knew which repairer your car went to. It could be dragged off and taken to Johnny's place or Freddie's place, or whomever the operator had a bit of a deal with. There are lots of stories, and I am sure other members have similar ones.

There have been a number of reviews of the towing services industry in recent years, including a review by KPMG in 1999, the McQuillen report, which was mentioned by the previous speaker, and a review by the Allen Consulting Group. They said that the existing regulations have been good for the industry and that they were necessary to address the unique problems which were observed when there was deregulation in the capital city. The intention of the bill is to modernise the framework, including the licensing system and the allocation system, and to make sure it is preserved. The bill introduces a contemporary accreditation regime to provide assurances in this regard, as can be seen in its various elements.

I should mention in particular that moving the administration of this to VicRoads is a good move, because VicRoads is very accessible right around

Victoria. It will enable this to move in sync with VicRoads' other systems in terms of road safety and road management. I commend that move. There will also be increased economies of scale, and I am sure the minister is very much in favour of that. There will be a greater number of authorised officers available to enforce the accident towing laws, and people will be able to access the complaint mechanisms of VicRoads in regard to towing operators, and that is outlined in the bill. Through VicRoads people will be able to make complaints more easily around the state.

I am also pleased that accreditation and licensing arrangements for tow-truck operators and depot managers are set out in the bill. They are in positions of responsibility, and it is important to make sure they are trusted by the community, because accident victims are highly vulnerable given the situations in which they find themselves. High standards are therefore necessary, and I am very pleased that the accreditation and probity standards have been upgraded. You need to have a balance in this regard between high standards of operation and fairness for the people undertaking the business. I think that is pretty important. This bill also has some elements which will cut red tape.

The ACTING SPEAKER (Mrs Fyffe) — Order!
The member's time has expired!

Mr TREZISE (Geelong) — I am also very pleased to speak in support of the Accident Towing Services Bill, because it again reflects the Bracks government's commitment to road safety in this state. The accident towing industry is an industry that provides a service that is vital to the safety of drivers right across Victoria, especially those who find themselves in the unfortunate situation of having had an accident. As a member of the Road Safety Committee over the last seven years that I have been in this Parliament, I have met with members of the industry a number of times. It is fair to say that the industry is good and reliable, but that has perhaps not always been the case, which a number of members have alluded to in their contributions tonight.

As members in this house would appreciate, especially those who have been involved in accidents as I have, road accidents are a traumatic experience for all affected, not only those involved directly but also those who are first on the scene as they travel along. To be driving along and then in a split second be involved in trauma is a very unpleasant experience indeed. I recall travelling up to Parliament one afternoon about six years ago. There was a van on the side of the Melbourne road and I watched as another car ploughed into the back of it. One person was killed as a result. To be one of the first on the scene and to be dragging

people out of a van is a very traumatic experience. So we are talking about not only the people directly involved in an accident but also those who come across the scene. Hence the importance of ensuring that we run an effective, efficient, reliable and honest towing service in this state.

I am of the firm opinion that Victoria has a good and honest towing service. The people I know who are involved in the industry — there are not many, but I know a couple — are reliable. They are proud of the service they provide, and above all they are honest. Of course, there is always room for improvement. Hence the bill before us takes important and effective steps forward to improve both accident and trade-towing services in Victoria.

In supporting this bill I also take the time to commend the Minister for Roads and Ports, who is at the table, on ensuring that consultation has taken place. Again, this bill reflects the Bracks government's commitment to consult with all the stakeholders within various industries. The minister has consulted effectively and widely with the various stakeholders within the industry, from the tow-truck operators to the Royal Automobile Club of Victoria, Victoria Police and a number of the unions that are involved. I commend the minister for the work he has done in bringing this bill before us.

In addressing some of the initiatives in the bill, I support wholeheartedly the commitment to retain the existing regulatory framework. I think it would be fair to say, and a number of speakers have mentioned it tonight, that the industry has had a pretty chequered history or an unsavoury reputation, and probably deservedly so. A number of stories have been told tonight of that unsavoury background — I heard the member for Polwarth alluding to problems in Geelong and Colac in the years prior to regulation — but regulation put a check on that back in the early 1990s. The industry was then deregulated again, and unfortunately I think it is fair to say that it slipped back into some poor performances. Hence the importance of the regulations before us tonight. I think the regulations are good, and I think the improvements put forward in this bill are also good.

A major initiative in the bill is that of accreditation and probity checks for people working or wanting to work in the industry in Victoria. The accreditation initiative will ensure that a person who wants to work as a tow-truck driver or, for example, as a depot manager has the skills, the ability and the credentials to provide an effective, efficient and reliable service to the people they service. The benefits of this accreditation are

obvious. It will ensure that customers and Victorian motorists are serviced by, as I said, a reliable and effective towing service.

As a member of the Road Safety Committee for the past seven years I am well aware of the importance of having a good towing service in Victoria, a towing service that people can trust, especially vulnerable drivers. I have a young daughter who will be driving in the next six or seven months and she would have no idea about towing services and how they operate. Unfortunately from my experience in trying to teach her to drive, she may need to use a towing service before she knows it! Hopefully, touch wood, she will not. However, there are vulnerable road users, especially elderly people and younger people who do not understand the industry and who take what is presented to them. Therefore it is important that we as a state put in place a reliable and effective towing service. I think this bill goes a long way in ensuring we provide such a service to the people of Victoria. This is a good bill. I again commend the Minister for Roads and Ports — a very good minister — for the work he has done in bringing this bill together over the past six months.

Honourable members interjecting.

Mr TREZISE — It is easy for the opposition and the shadow minister to criticise people, because that is what they have done for the last seven years — knock the government. They still have not worked out why they are on that side of the house and why we are on this side of the house. We will continue to be on this side while we bring in bills and initiatives such as those before us tonight. I again commend the minister at the table for the work he has done in bringing this bill before us tonight. It is good legislation and I therefore wish it a speedy passage through this house.

Mr EREN (Lara) — I totally agree with the previous speaker, my good friend the member for Geelong — we do indeed have a great minister at the table in the Minister for Roads and Ports. As a long-time member of the parliamentary Road Safety Committee, and now its chair, I have often spoken about the importance of road safety and how road trauma devastates our community. In a related matter I will speak about the accident towing industry and the bill before us today, the Accident Towing Services Bill.

The bill has been designed to put road users' safety first. That is a very important thing to remember — whatever we do in this chamber we must ensure that our roads are safer. The times when members of the public deal with towing services are when they are most

vulnerable. At best it could be when they have been in a bingle, or a fender bender as some would call it — something that has not harmed anyone but has caused damage to their car. At the other end of the scale it could be a high-speed crash involving fatalities. These incidents require professionalism from those dealing with them, such as towing companies. Therefore we need to give them the credit they deserve. Road accidents are very traumatic for those involved, and it is important that we ensure we provide the safest and most efficient service possible. For the first time there will be a separate piece of legislation dealing with towing services. Previously provisions relating to accident towing services came under the Transport Act 1983. There are many good reasons for this bill and I will outline some of them in my contribution today.

First of all this bill will formalise the transfer of regulatory responsibility for the towing industry from the director of public transport to VicRoads. This makes sense, as VicRoads deals with day-to-day traffic management around major road accidents. The bill will also see the towing industry deregulated, as we believe the towing sector can continue its high level of service to the community without the need for messy red tape. There was a bit of a finder's fee for people who called and reported accidents — they would get \$50 or \$60 or whatever — and a number of calls would be made because people were eager to get the finder's fee. You would see a number of tow trucks coming in and trying to get the job and that in itself caused some issues in relation to traffic. This bill will mean tow-truck drivers will not need a special licence and it will therefore cut an unnecessary cost on business. However, that does not mean there will be a drop in the quality of service. When this bill is passed it will make it a lot more efficient and a lot more professional in terms of the service that is being provided.

As I said, we saw in the past many problems relating to the towing industry. Prior to previous legislative changes the competitive nature of the industry led to significant numbers of tow trucks converging on accident scenes. We as a government need to make sure that this sort of problem ceases to exist. Hopefully this legislation will go a long way towards preventing incidents such as that. Accident towing will remain tightly regulated to ensure people in the industry are of appropriate character and can provide the necessary service and care to accident victims.

A modern accreditation scheme will be introduced for accident towing operators, depot managers and drivers, focusing on customer service for road accident victims. It will also ensure that towing operators, depot managers and tow-truck drivers are of suitable

character. It will require operators, as part of the accreditation regime, to provide complaints information to VicRoads to facilitate improved industry monitoring, policy development and compliance. Having said all that, I fully support the bill before the house and hope it has a speedy passage.

Mr LANGUILLER (Derrimut) — It is my pleasure to rise tonight in support of the Accident Towing Services Bill. I wish to put on the record that the members on this side concur that we do have a good minister in the Minister for Roads and Ports. It is a good bill, and it is based on good policy. This is good legislation which stands alone. But the other matter I wish to quite genuinely commend the minister and his office on relates to the statement of compatibility in light of the Charter of Human Rights and Responsibilities.

As a member of the Scrutiny of Acts and Regulations Committee, and I think the member for Brunswick would concur if he were here — in fact we have had a discussion — I can say that this is the most comprehensive statement the committee has seen. It is a very good statement. We ought to be very proud of the charter. As members would be aware, every piece of legislation now needs to be seen in light of the charter. I commend the work done in relation to the charter, because it goes comprehensively through the legislation in relation to freedom of movement, issues of privacy — which I place on record — freedom of expression, property rights, freedom from self-incrimination, freedom of movement and so on. It concludes by saying:

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because, while it does restrict human rights, the restrictions are reasonable and demonstrably justified in accordance with the criteria set out in section 7(2) of the charter.

It is an excellent statement that makes our job in the Scrutiny of Acts and Regulations Committee a very good job and one that we ought to be particularly proud of in Victoria, which leads the way.

The principal purpose of the legislation is to provide for safe, efficient and timely accident towing in Victoria. The bill will promote safe, efficient, timely provision of services and ensure that persons who are providing accident-towing services are of appropriate character, that they are technically competent to provide the services and that they act with integrity and in a manner that is safe, timely, efficient and law abiding.

This is very good legislation. It continues with the regulatory framework that we have had for 20 years. It

is important that we place on record that in fact it was a Labor government that introduced the regime some 20 years ago. Those of us who are old enough recall the earlier days when the streets were very much a jungle and where issues of harassment were reported. There was an industry of tow-truck drivers who were not up to doing a good job and providing a good service. This is a good industry that has come a long way, and it has been supported further by governments of other persuasions. I totally concur with my colleagues when they say that, if you want to look at a good industry anywhere in the world, but certainly in Australia, and if you want to look at a good regulatory framework and a good regime in terms of the requirements that are expected of operators, drivers and depot managers, you should look to Victoria.

We need to remember that the key elements of the framework are a quota on licences for accident-towing and heavy-accident towing operators and as-of-right licences for trade towing, with centralised allocation of accident-towing jobs in the Melbourne controlled area. I think that is what dealt with a lot of those past practices when it was a matter of who called the tow-truck company first and who arrived first. In those days, following what inevitably was a very traumatising time for the accident victims, they had to confront arguments amongst the tow-truck drivers in order to determine who was going to get the job. This legislation provides a very good regime. It provides service quality regulation which includes probity checks for licence-holders and tow-truck drivers, depot services requirements, record keeping, vehicle specifications and maintenance requirements.

It is good that we now put this regime in the hands of VicRoads. It is excellent that we collect data and that there will be reports in relation to the 72 000 accidents that occur in Victoria each year, because it will provide the basis for future improvements to the framework, the regime, the regulation and indeed the accreditation. Some time in the future we should be able to look into the data to identify areas where there ought to be improvements, whether they relate to the regime that regulates the industry or whether they relate to the accreditation of the tow-truck companies, the depot managers or the drivers. This confirms that the best policy is one that is based on fact, evidence and scientific analysis of the sector and not necessarily, as might happen from time to time, on what may be popular or what may be sexy at the time, so to speak.

This is a good piece of legislation that we all ought to be proud of, and I am particularly happy that it stands in its own right. I think it is a good message. It is a bill that has been agreed to and has been arrived at in

consultation with stakeholders over a considerable period of time. In addition to the work done by the minister, it is pertinent to also commend the work done by the member for Brunswick, who at the time chaired the committee, consulted with the sector and worked through the many challenges and issues that confronted a complex sector, as it always has been. But we have come a long way, and we ought to be particularly proud of the fact that we now have, I believe, the best system in Australia.

I briefly refer to the issues of accreditation. It is an important area, because accreditation will determine that depot managers, tow-truck drivers or operators have a demonstrable ability and that they have proper credentials. The public is entitled to be confident of those who work on our roads and streets to provide services, whether they are tow-truck drivers or bus drivers or taxidrivers — and incidentally in all of those areas we have come a long way and made very significant improvements because we have decided to work with the industry and work with the sector — and this accreditation will provide that level of confidence to users and to the public in relation to people that work in the industry.

We ought to say that the industry is a very good industry. It is an industry that has worked with all governments. That is particularly so going back to the time when the original legislation was introduced, when the industry worked with the government, the community and all sorts of other stakeholders, and consequently it has come a long way. That is commendable, and it is particularly evident in Victoria. It again shows how, around and across many jurisdictions, when we sit down and work with the sector, the government and the authorities — in this case particularly with VicRoads — we can make improvements in the way services are provided.

I think it is terrific that VicRoads will have responsibility for the industry. VicRoads is a body that the community is well aware of, that the community can work with and that it understands. It has offices all around the state and users will be confident in coming forward, should they be required to lodge a complaint or make inquiries about what may or may not have happened in the event of an accident. VicRoads generally understands the community and is able to collect data very efficiently. I am confident that the government, VicRoads and the sector will collect the data for ongoing improvements to what is a very good piece of legislation.

Mr PERERA (Cranbourne) — I rise to speak in favour of the Accident Towing Services Bill. The prime

focus of the bill is to improve the regulatory framework of the accident towing industry and remove unnecessary regulations in the trade-towing sector, which makes real sense. As we know, there are currently about 72 000 accident tows per year undertaken by around 764 tow trucks, so the tow-truck industry is sizeable in Victoria. Having an accident is a terrible thing. It is a time of distress and inconvenience. It is a time when people are very vulnerable. This will be addressed through a new accreditation system. The bill introduces a probity check to help protect accident victims who are vulnerable and run the risk of falling prey to drivers who may have previously committed a serious criminal offence. It will also protect victims' vehicles and their possessions from potential mistreatment by the depot operators or managers.

The legislation will ensure that towing operators and managers are of suitable character and competent to tow damaged vehicles from the accident scene. The bill sends the important message to the community that the government will act to protect vulnerable accident victims. The unfortunate part of the industry is that for tow-truck operators and depot managers, victims are unlikely to be repeat customers, and there is a fixed price for the job. Therefore there is a tendency to reduce the service to increase profits. That is why the bill introduces a complaint-handling system. The bill requires the operators to maintain a complaint-handling system and report this information to VicRoads, which will take over the administration of the industry from the public transport division of the Department of Infrastructure.

The bill will allow operators to respond to customer services and will allow VicRoads to address issues with new policy initiatives. VicRoads is a brand name that everyone knows because it has offices throughout Victoria. The industry will benefit from greater access to VicRoads existing resources in road management and road safety. The bill also removes the regulation of trade towing which covers breakdowns, non-accidents and other trade activities. This will lower the cost of operations and enable small operators to come into the market. It will further increase competition in the trade-towing industry. The trade-towing industry is competitive, so it would regulate itself to a certain extent. It is good that red tape for the towing industry will be removed and the bill will improve the regulatory framework to protect accident victims. I commend the bill to the house.

Ms BEATTIE (Yuroke) — Listening to the contributions that have been made takes me back to the bad old days where you would often see sometimes up to 10 tow trucks converge on an accident and often

harass people who were in a very vulnerable position. I support the bill, which is very large in size. I commend the Minister for Roads and Ports who has been listening to the debate. I also commend him for the work done and introducing a bill with 239 clauses covering almost 200 pages.

For the first time we will have a stand-alone bill with terrific objectives. They provide for the safe, efficient and timely provision of accident towing services and related services. They will ensure that people who are providing the services are of appropriate character and are technically competent to provide those services, and when providing these services act with integrity and in a manner that is safe, timely and law-abiding at a time when people are very vulnerable. I am pleased to say that the current chair of the Road Safety Committee has spoken on the bill, as has the previous chair of that committee. The member for Brunswick, who chaired the round-table inquiry into the accident towing industry, has also spoken on the bill.

I well recall my husband telling me that when his family lived in Bulla Road, North Essendon, near the Essendon Airport, when that road was one of the main linkages to the north, he, his sister and his younger brother would sit by the front window with the phone beside them connected by a long cord, because there were no mobile phones, waiting for an accident to happen and getting a spotters fee to supplement their pocket money over the school holidays — and they would ring different tow-truck operators so they could all claim the spotters fee. That is not a very good thing for young people to do, but such was the industry at the time. We have heard stories about baseball bats, but my recollection is that it was a tyre lever under the front seat that was the favoured mode of dispute resolution at that time. We now have an industry that is settled and orderly. This bill replaces the towing services framework, including the licensing system and the allocation scheme.

I want to talk a bit about making VicRoads the responsible authority for the industry. It is ideal that the accident towing industry is under VicRoads. Every person knows that should they need to sort out something regarding VicRoads there is a local VicRoads office — indeed they are all over the state and often in municipal offices. People will feel comfortable talking about services or making complaints about services in a VicRoads office. I am pleased that VicRoads will have that responsibility. It introduces an accreditation regime to provide that towing operators and depot managers are of a suitable character. You cannot get in a tow truck and go to an accident scene without proper qualifications. In the area

I represent there is the old Hume Highway and now the Craigieburn bypass, which has alleviated the number of accidents in that area. When the old Hume Highway was being used there were many accidents of a very serious nature. The last thing you want with all that road trauma going on are fights breaking out among tow-truck operators.

I want to talk about the cost to the state of road deaths and serious trauma. It seems every time this government introduces some new legislation to lessen the road toll, it gets accused of revenue raising. I have to say the numbers speak for themselves. The reduction in the road toll is a very significant factor. The role that cameras and extra policing play in reducing the road toll cannot be ignored. Speed cameras are not revenue raisers. We hope we do not raise a cent from them. It is not mandatory to speed; it is optional. If you speed, it is your foot on the accelerator, no-one else's. You cannot blame anybody else. If people understood the trauma not only from road deaths but from serious accidents that take place, they would never oppose all those schemes to reduce the road toll.

Having said that, I just want to talk about the circulated amendments and the attention this minister has paid to them. I will be supporting the amendments that have been proposed. There is also an amendment that has been circulated by the shadow minister. I have not heard one person from the other side come into this house to support their shadow minister and that amendment. It is only a small amendment, but I just find that absolutely appalling — that nobody from the opposition would come in and speak on the shadow minister's amendment. I am just perplexed as to whether the other side is sincere in the moving of the amendment.

As I said, this is a good bill. It comes after a review of the towing services framework. There have been a number of reviews. There was the KPMG review in 1999, the McQuillen review in 2001 and the Allen Consulting review in 2004. This bill comes in having gone through a lot of consultation with stakeholders. One of the things we clearly have not touched upon was the use of commissions. In the old days when damaged vehicles were hawked around various smash repairers to see who would give the tow-truck operator the highest commission, at some smash repair places particularly in West Melbourne you would see a whole lot of cars and tow trucks lined up presumably seeking the highest commission.

This is a good bill. Another good thing about it is that it creates jobs. My information from VicRoads is that it will create about 7.5 additional full-time positions to

perform the regulatory functions under the Transport Act. We have a good bill which not only fulfils what it sets out to do to bring regulation into the industry and replace the old framework but now creates jobs. I commend the bill to the house; it is an outstanding bill.

Sitting suspended 6.29 p.m. until 8.02 p.m.

Mr SEITZ (Keilor) — I rise to support the Accident Towing Services Bill. I commend the minister for bringing this bill into the house, because it is about the maturity and growing up of the towing industry, the panel beating industry and the whole motor accident industry that has evolved over the years.

We heard speakers before the dinner break talking about the towing industry when it was unregulated. It was under the Cain government that regulations were introduced. We had licences and permits, and if you had a country licence, you could not bring a tow truck into the city, and vice versa. We heard about the struggles they had. It was a rough, ragtag industry, from the panel beaters to the tow-truck industry, which has come a long way in improving and lifting its image and maturity.

It is as if, as the quality of the cars has improved, so too has the towing industry, albeit that sometimes members of the industry have had to be dragged kicking and screaming under the control of regulations. That has benefited the industry as well as our community and society. It is a welcome step forward that we are debating a bill that is stand-alone legislation rather than being attached to other legislation. Putting it under VicRoads is another step forward, because it means that VicRoads will have responsibility for all road transport in the state of Victoria. It is a fitting organisation for this bill to be housed under, particularly when we are talking about having a whole regime of administration — including accreditation and registration people.

If we are going to have accreditation not only for the manager of the depot and the drivers but the whole service industry, somebody is going to have to administer the whole affair. I think VicRoads is a very wise and good choice, because it has the ability and the officers to do the job, and it has demonstrated that over the years by providing services to the car industry in particular. For this reason I commend the minister on bringing in this bill and on putting it before the house for debate.

Because the industry has matured, we are taking some of the regulations away, yet there will be other regulations which have been there in the past and which

will be improved. People will have to demonstrate that they are of good character in order to work in the industry. There will be penalties which will have to be enforced by VicRoads if people breach the regulations, and if there are serious breaches of the regulations, people will lose their accreditation to operate a tow truck or a depot altogether. We are taking a very significant step forward tonight.

I notice that we do not have anybody from the tow-truck industry sitting in the gallery protesting, as I remember happening in the Cain government days when we first started to regulate the industry and get some control and education into the system. As I said, the industry was reluctant at the time, and I think that shows that the decision in those days was the right one and that it needed government intervention. It needed the program that has brought us to the situation where today we can see that the industry is responsible, and it will continue to be responsible under the legislation that is before us today.

Again, this is a step forward in the maturing of the industry. I know that the insurance companies have a lot to say in lobbying, particularly about the tow-truck industry and the connection it has with the panel beaters. From personal experience, the way the processes operate today shows that the industry is mature. As we heard earlier on, there were spotters fees, and whoever got the business touted the smashed cars from one panel beater to another to see who paid the highest commissions, and they made a living out of it. When we came to the point of despatching tow trucks to reported accidents in designated areas, that brought the whole thing back to a better level in terms of providing services to the people who had had the accidents.

It is always traumatic when you have a car accident — whether or not it is a major accident, and whether or not you are hurt. Only this March it happened to me. I had stopped at the traffic lights and a car ran into the back of mine. The car was a write-off. It happened through no fault of mine, but I was knocked out and lost consciousness for a minute or so. The driver who hit me came over and was concerned. It was a shock and a trauma for me, and it still is today. I was driving, doing the right thing. I stopped at the traffic lights and my car got smashed. But the attitude of the tow-truck drivers and the others who attended at the scene was a caring one. They were interested in me as a person, and their soothing and calm approach made it a lot easier to overcome.

The biggest thing for me was that I was not in my car. It was my daughter-in-law's car, and I was concerned

about what she was going to say when she heard that I had written off her car. I was driving it to her place, because she had left it at my place overnight. So I had extra trauma because of that. I said to the tow-truck driver, 'I'll be in trouble with the family now'. He was very responsive and very caring in taking the car to the panel beater. He wanted to know what insurance company we were with, and when we had established that he took the car to one of the panel beaters accredited by the insurance company that covered the vehicle. None of those things happened in the past. I know those things did not happen in my younger days, so I was pleasantly surprised by his mature attitude rather than someone just saying, 'I've got a business to run. I've got the fee for this tow, and that's the end of the situation'.

This bill takes a further step in that direction. It is about the type of education that needs to continue so that the industry progresses, because without it we can only go backwards. As we said in debating the taxation bill earlier today, whenever there is an opportunity to make a quick buck, somebody will take it. We need a good organisation to manage and supervise the whole process of accrediting the managers of the depots and the drivers. The improvement in the standard of tow trucks has been tremendous. That has gone a long way in improving the whole process of the industry.

I will finish by saying that nowadays you would not consider it a last option to undertake an apprenticeship to become a panel beater, because it is an interesting job. The workshops are tidy; the trucks — the outside image seen by the public — are neat and tidy; and the waiting rooms are comfortable, with most providing a cafe bar. The whole industry has improved tremendously over the years. I commend the minister for bringing the bill into the house and I wish the bill a speedy passage.

Mr LANGDON (Ivanhoe) — I wish to add my contribution to the Accident Towing Services Bill.

Honourable members interjecting.

Mr LANGDON — I was leading up to that. Everyone else on this side of the house seems to be congratulating the Minister for Roads and Ports; of course I would not deny that chorus of approval as well. Parting from the bill just briefly, I thank the minister for coming out to my electorate recently and opening and switching on lights at a pedestrian crossing. But turning back to the bill —

Mr Nardella interjected.

Mr LANGDON — I could connect it to the bill, because before the set of lights was installed there were a lot of accidents in that shopping centre, and tow trucks were needed. Tow trucks are an important part of our industry, and certainly this government is doing things to regulate them and effectively promote safe, efficient and timely provision of accident towing services and other related services. That is important. Someone just asked me whether I could speak about my experiences with tow trucks. I must admit that I have never had to call one.

Mr Nardella — You have only got 10 minutes, mate.

Mr LANGDON — I have never had to call a tow truck, so my contribution in that context will be brief. Perhaps I keep my cars better maintained. Perhaps also from being part of the Road Safety Committee since 1996 I am a bit more careful about the roads and what we do. Touch wood, I have not been involved in a serious accident where I have needed a tow truck. I am not personally experienced in calling a tow truck.

However, I must admit that as a kid I used to go down to the corner of two local residential streets and pick up stuff left over after collisions. Tow trucks were called then. This bill mentions the character of who we should get to be in charge of tow trucks. As a kid the characters I saw in charge of picking up some of those cars left a bit more to be desired than they do today. This will deregulate the tow-truck sector, which is the necessary factor here. Obviously the regulations we have had have been a bit unnecessary.

The bill modernises the accreditation scheme for towing operators, managers and tow-truck drivers to ensure that these persons are of appropriate character. It imposes service standards to facilitate and improve quality of service. If you were in a car accident and you were distressed because of that accident, you would not want to be unnecessarily hassled by tow-truck drivers. You would want those people to be of the right character. This bill is one of the many ways that the government is doing something to achieve that. One of the things I am very pleased about, again being part of the Road Safety Committee, is that many of the bills that we bring in are to do with road accidents and the road.

As I said, this is a brief contribution. As Government Whip one tends to keep one's contribution brief to allow other members to speak. I commend the bill to the house, and I thank the minister for bringing it in.

Mr NARDELLA (Melton) — I also want to congratulate the Minister for Roads and Ports. The legislation before the house is terrific and contrasts to the types of legislation that the Kennett coalition government used to put together in its seven long, dark years. Did the member for Ivanhoe mention the seven, long dark years?

The bill is important, because it continues the reforms within the tow-truck industry. Reforms are important: they reduce the regulation. This is one of the things that the member for Polwarth did not understand. It is a bit hard when you are in opposition and you are basically lazy, because you have to read and understand, and this is a bit beyond some of the members on the other side. The legislation reduces regulation, especially with regard to the trade-towing area of the industry. They are mainly commercial business transactions, and it is a mature industry where those negotiations can occur without any of the pressure that other honourable members have talked about in their contributions.

I want to pick up a couple of points by the member for Polwarth. He spoke about inspectors. He asked a rhetorical question about how many inspectors has the Bracks Labor government put in place, but he will never answer it because that would mean he would have to go and do some work. It is beyond the opposition and beyond the member for Polwarth to do that work, to answer his own rhetorical question.

The government has consulted with the industry to put in place these reforms. On this side of the house we welcome the reforms. I went through the period of time in opposition when the Kennett government took away the regulations, where it went back to the dog-eat-dog situation in the tow-truck industry. We fought that in opposition. Finally the Kennett government relented, worked out that the industry does need regulation, especially for very vulnerable people. I support the bill before the house.

Mr PALLAS (Minister for Roads and Ports) — I want to thank all members for their contributions to the debate on this bill. I also want to go to first principles around the basic proposition of the bill. This is about light-handed and enlightened regulation. It is about making sure that we establish a stand-alone Accident Towing Services Act that provides a contemporary framework for accident towing services.

The objectives of the bill are to promote the safe, efficient and timely provision of accident towing services. They are about ensuring that people who are providing those accident towing services are of appropriate character, that they are technically

competent to perform the work that they are charged with and that, when providing those services, they act with integrity and in a manner that is safe, timely and efficient. We recognise that they are in a position of trust because of the circumstances in which they pursue their trade. They deal with some of the most vulnerable people in our community — those who are caught in circumstances not of their making and are in many cases distressed, either physically or as a consequence of what is, in any circumstance, a traumatic event.

The bill replaces the existing Towing Services Act within the framework of the Transport Act 1983; confers the necessary powers and functions on VicRoads and facilitates the transfer of responsibilities from the director of public transport to VicRoads; and finally, introduces a contemporary accreditation regime to ensure that towing operators, depot managers and tow-truck drivers are of suitable character. As part of the accreditation regime operators are required to provide complaint monitoring to VicRoads. This process of ongoing monitoring will provide a capacity for government to use appropriately soft-handed regulation. We will be able to monitor the manner in which the regulation is operating and whether the system requires further refinement. It will provide for improved enforcement powers and sanctions and will reflect changes that were made, essentially, after industry consultation that has been going on for quite some time — beginning, I think, as early as 2005.

The review of the Transport Act 1983 has been the subject of a number of government analyses. The basic regulatory framework for towing services in the Transport Act has remained fundamentally unchanged for about 23 years, except for a brief period of deregulation in the early 1990s, which was followed by re-regulation around 1995. People's experiences with the deregulated system showed that the industry required government to intervene by introducing enlightened regulation for the purposes of avoiding the more unsavoury aspects of the industry and the way that competition, in tooth-and-claw terms, would otherwise occur.

Mr K. Smith interjected.

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

Mr PALLAS — These problems occurred frequently — and no doubt the member for Bass would consider them to just be examples of the operation of the market. We saw a number of tow trucks converge on one accident, with drivers then resorting to the law

of the jungle to ascertain who should take responsibility for it.

Mr K. Smith interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Bass should assist the Chair and not encourage interjections.

Mr PALLAS — Conflicts involving violent incidents and physical intimidation often occurred between competing tow-truck drivers at accident scenes. A number of speakers this evening have discussed the preferred instruments of persuasion — baseball bats, knuckledusters and, I believe, tyre levers.

Honourable members interjecting.

Mr PALLAS — Once again, I am sure members of the opposition would say it was simply the market operating as it should, but members on this side of the chamber see this as unsavoury and unacceptable. The most unsavoury aspect of those times was the abuse and harassment of accident victims at the scene and the requirement for those accident victims to sign authorities.

Mr Mulder interjected.

The SPEAKER — Order! The member for Polwarth! Members do not need to assist the Minister for Roads and Ports.

Mr PALLAS — I will now turn to some of the specific contributions from members, starting with the member opposite, the member for Polwarth. The member expressed some concern about the concept of authorised officers. I take the member to the clause of the bill that deals with authorised or appointed officers, clause 178.

Mr Mulder interjected.

Mr PALLAS — Page 481 of — —

Mr Mulder interjected.

Mr PALLAS — It was so good we printed it a few times.

The clause empowers VicRoads to appoint authorised officers under the act. It also provides that a person authorised under part 9 of the Road Safety Act may be an authorised officer for the purposes of enforcement. This means it is not necessarily the case that having authorised officers means multiplying the number of officers.

An honourable member interjected.

Mr PALLAS — We on this side of the chamber make the assumption that we administer efficiently and well; those on the other side of the chamber might have an alternative view.

We heard from the member for Polwarth that the tow-truck industry has no current problems and that it has tightened up its act. We know from the contribution of the member for Keilor — who has great longevity in this chamber — that the industry did not tighten up its own act and that the government needed to intervene. Not all sections of the industry — —

Mr Mulder interjected.

Mr PALLAS — No, but the important thing for us to recognise is that government intervention in terms of the regulation of the industry has led to a massive improvement in the way the industry operates.

In terms of the timing of accreditation — the 90-day issue that was also raised by the member for Polwarth — I indicate that as a consequence of the contributions from the parties, it is the government's intention to support the change to 30 days. But unlike those opposite would, we will be putting in place a provision that allows for the restitution or rectification of a defective application, and therefore further time. Otherwise, if you simply provide a hard and fast 30 days and the applicant fails to make adequate remedy within that 30 days, they fall over the precipice and their application process necessarily has to start again — once again, light-handed and enlightened regulation by this government. The member for Swan Hill supported the bill and, like the member for Polwarth, laid claim to the 30-day amendment, but of course we all know that those great ideas only came from this side of the chamber.

I turn briefly to a question that was asked by the member for Polwarth about the accident towing allocations. He was concerned about how those allocations operate and the disparity in terms of numbers and particular allocations. Essentially the overall number of towing allocations per accident truck per month is about eight to nine right across the state in terms of the allocation area. Variations in monthly towing allocations can occur based on tow depot allocations and the number of accidents in the local area — for example, Kilsyth-based tow depots have large allocations and catchment areas for all accident tows.

With respect to Melbourne there are a lot more operations and therefore a greater level of competition,

so the allocations can in fact be smaller. All allocations are published on a Department of Infrastructure website to ensure transparency of the allocation system, and a roster operates to ensure that there is equitable distribution of towing allocations where there are competing tow trucks based within a 30-minute attendance time. That 30-minute attendance time in some cases physically constrains the response. The initial answer I gave to the member for Polwarth during the debate, that it was essentially a function of the response times, is in part correct.

I turn briefly to the contribution to the debate from the member for Brunswick. I pay tribute to the member for Brunswick because of the work that he has done both on the Road Safety Committee and more broadly as the Parliamentary Secretary for Transport. One thing he indicated was that the industry supports these changes, and he is correct. As the regulatory regime has matured the industry has come to the point where it recognises that there is an appropriate level of regulation, and this level of regulation is it. I have met with the Victorian Automobile Chamber of Commerce, and the reason the industry supports this form of regulation is that it gives confidence to the industry and a capacity for the licence allocations to have some integrity and therefore some value into the long term.

The other point the member for Brunswick made is that there is a broad recognition of the quality of the regulation of the system across all states and territories. That is not atypical for Victoria, because we are seen as a leader in terms of road safety, and this is an integral part of a broader road safety approach. But he is entirely correct to say that this is recognised to be of value, and it demonstrates that the sorts of practices that occurred here historically still occur in some states and that the system we have in place is appropriate.

The member for Burwood said that safety is important to the public and that in his view safety is at the heart of this bill. He is correct.

Mr K. Smith — Your time is up.

Mr PALLAS — In those circumstances I move quickly to conclude. This bill establishes the first stand-alone accident towing services act and provides a modern and secure platform for better performance in the towing industry. It continues and improves on a proven regulatory framework which has supported the accident towing industry by bringing criminal and undesirable practices in the industry under control, protected crash victims and helped to enable road accident scenes to be cleared safely and efficiently.

The bill also seeks to assist the industry to improve its performance by introducing a targeted accreditation scheme to ensure that complaints systems are introduced, thereby encouraging accident towing participants to become more focused on providing better customer service. Victoria is the national leader in best practice regulation. Examples include our third wave of national reform proposal at the Council of Australian Governments and our ongoing commitment to reducing the regulatory burden on business. The bill provides further evidence of this by regulating only to the extent necessary to address market failures in accident towing and to provide wider public benefits such as protecting accident victims and improving road safety and traffic management.

I would like to thank all members for their contributions to the debate. I would like to thank my department, VicRoads and the Victorian Taxi Directorate for their diligence and perseverance over the many months that went into bringing this bill to this point. I would like to take the opportunity to thank the Victorian Automobile Chamber of Commerce for its extensive input into the consultation process, especially the contribution of Darren Curry from that organisation. I would also like to thank the Royal Automobile Club of Victoria and Victoria Police for their very valuable input during the development of the bill. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Consideration in detail

Clauses 1 to 27 agreed to.

Heading to clause 28

Mr PALLAS (Minister for Roads and Ports) — I move:

1. Heading to clause 28, omit all words and expressions and insert —

“28 Nature of and dealings with tow truck licences”.

I indicate that the intention behind the amendment is to ensure that there is an appropriate mechanism by which we can ensure that tow trucks and licensing are appropriately regulated, and it adds clarity to subsequent amendments.

Mr MULDER (Polwarth) — I have a question for the minister in relation to the change in the heading from ‘Tow truck licence to be property’ to ‘Nature of and dealings with tow truck licences’. Does that impact

on the fact that a tow-truck licence is not considered to be property under a particular clause?

Mr PALLAS (Minister for Roads and Ports) — To clarify, the intention is to resolve any uncertainty. It is the government's view that the bill in its original form does not create a proprietary right. It is, however, our desire to ensure that in order to avoid any uncertainty the provision of a licence and its dispossession, other than in terms consistent with the bill, does not create a proprietary right.

Amendment agreed to; amended heading agreed to.

Clause 28

Mr PALLAS (Minister for Roads and Ports) — I move:

2. Clause 28, line 28, before "A" insert "(1)".
3. Clause 28, after line 30 insert —
 - “(2) Despite subsection (1), the holder of a tow truck licence is not entitled to transfer the licence held by that person or any of the holder's rights under the licence to another person, whether by way of assignment, lease or any other means.
 - (3) Subsection (2) does not apply to a transfer of a tow truck licence under this Part.”.

Mr MULDER (Polwarth) — I think these amendments may relate to an issue that I raised with the department at the briefing about whether or not a licence can be leased to another party — for example, if the holder of a licence decides to retire from his business activities for some reason and then leases a licence down. We have seen this happen with other types of licensing arrangements around the state and in other states when persons who may even live out of the country lease a licence to somebody within the country who then on-leases it, and you have somebody at the tail end in what you would call fairly extraordinary circumstances trying to make a living out of it. Is that the reason for amendment 3? Is it because you cannot lease the licence and it has to stay in the hands of and be operated by the person or the identity the licence is issued to?

Mr PALLAS (Minister for Roads and Ports) — I can confirm that that is the intention behind amendment 3. It seeks to make it clear that the holder of a tow-truck licence has no entitlement to transfer the licence held by that person or any other of the holder's rights under the licence to any other person by way of assignment or lease or by any other means, other than in terms consistent with proposed section 28(1). This is basically about clarifying that it is a proprietary right

that is regulated by the terms and the requirements within the broad parameter of the legislation. It is not a right that can be divested, other than in entire consistency with the previous provisions.

Mr K. SMITH (Bass) — In respect of what the minister has just said, does this mean that the holder of a tow-truck licence is not entitled to sell that licence to somebody?

Mr PALLAS (Minister for Roads and Ports) — What it does demonstrate is that the dispossession, or the transfer, of the licence must be done in a way that is consistent with the operation of the legislation in broad terms. It clarifies that a licence forms part of the property of the holder of the licence and may be dealt with accordingly. Essentially that means they are not entitled to transfer the licence owned by that person, or any other of the holder's rights under the licence, whether by assignment, lease or otherwise, other than as specified in provisions relating to the transfer of a tow-truck licence under this part of the bill. Essentially they can transfer the licence as a proprietary right in circumstances where it is transferred to a person who is similarly accredited under the scheme of the legislation.

Amendments agreed to; amended clause agreed to; clauses 29 to 104 agreed to.

Clause 105

Mr PALLAS (Minister for Roads and Ports) — I move:

4. Clause 105, line 32, omit "90" and insert "30".
5. Clause 105, page 82, line 4, after "application" insert "if VicRoads requires the applicant to supply further information or things".

Mr MULDER (Polwarth) — Firstly, I acknowledge the fact that the minister was prepared to pick up the Liberal Party's amendment to this bill. This is shown in the house amendments that the government brought in. It is common sense to say that someone having to wait for 90 days for VicRoads to respond to an accreditation is totally absurd, given the ability nowadays to deal with matters through electronic transfer and so forth. The issue I raise relates to clause 105. If VicRoads requires the applicant to supply further information or things, does this mean that after 30 days another 30 days is triggered, and what example can the minister provide us with in terms of further information about things that would not be included in an original application?

Mr PALLAS (Minister for Roads and Ports) — I should indicate that the two amendments, when read

together, actually do provide greater flexibility in terms of VicRoads' capacity. If an application, for example, were in a defective form, it would be inappropriate for VicRoads to be able to process that application, but it would have no choice if in effect there was nothing but a drop-dead date of 30 days, or 90 days for that matter. So the requirement is that VicRoads does have a capacity, as per amendment 5, to require the applicant to supply further information or things. To give the member a broad example of the sorts of things that may be required, if he goes to the provisions in part 4 of the bill entitled 'Driver accreditation' — —

Mr Mulder — What page is that?

Mr PALLAS — It is page 78, the beginning of part 4. VicRoads does have a capacity under clause 99 to accredit persons to drive licensed tow trucks, and that accreditation allows for VicRoads, under clause 101, to ensure that a person may apply to VicRoads for the grant or renewal of that accreditation. But in the process of making an application covered by clause 102 of the provision an applicant under this clause must make it in a manner and form determined by VicRoads. They have to include certain information such as the name and address of the applicant. The application must be accompanied by a fee and any information or thing required by VicRoads.

Those matters will be picked up broadly in the regulatory processes, which, of course, as we have indicated, will take some time and will be the subject of dialogue with the industry as we move forward. The broad purpose of these provisions is to make it clear that applicants have certain obligations, and if they make an application in a form that is essentially unable to be processed we provide VicRoads with the capacity to require further information.

Turning to clause 103, it provides that VicRoads may then require further information from an applicant, such as any information it reasonably requires in order to assess the application; the verification, in the manner and form prescribed by VicRoads, of the information or thing supplied — that is, certification of documentation that may have been provided; that the application is signed or that a signature can be appropriately provided; or the supply of a photograph or image. These are essentially administrative matters that are required to avoid the failure of an application within 30 days because of the non-provision of the material. The application process does not of itself render void the application. Indeed it enables VicRoads to seek the information as it is required to under the act and still not require a new and fresh application.

Mr DELAHUNTY (Lowan) — Just on this matter of VicRoads dealing with applications, can I get an assurance from the minister that the VicRoads regional offices will also be able to deal with these types of applications and give assistance, not as happens with giving overdimensional permits and things like the relocation of houses, which used to be done by regional offices and now under this government are being centralised? Even though those matters have been raised in this Parliament, we still have not had them resolved. Will this be another example of that, so that when country tow-truck operators are wanting their applications processed they will have to go through the centralised bureaucracy, without any input from the regional office?

Mr PALLAS (Minister for Roads and Ports) — Those are matters ultimately for the administration of the act and for VicRoads in the discharge of its responsibilities under the act. I can say that certainly the aim would be that essentially it should process in a timely manner. That is what these amendments seek it to do. It may well be that physical attendance is not required for the purposes of processing such applications. Nonetheless, now VicRoads is charged with managing this process under a time line. I take on notice the observations of the member for Lowan and will have discussions with VicRoads on whether there is a requirement for physical attendance. Ultimately it will be a question of service provision. The key to what the member for Lowan has raised is that there is a service provider that avoids the unnecessary obligation of attendance at a far-removed physical location. I will endeavour to ensure that that is the case.

Mr MULDER (Polwarth) — I seek clarification from the minister on the amendments and his earlier explanation. Does this mean that if, for instance, somebody fails to sign a document or provide a photograph that automatically triggers a second 30-day application, or can VicRoads decide to deal with the matter within that original 30 days?

Mr PALLAS (Minister for Roads and Ports) — The language in clause 103 includes 'may' and is therefore not directory. Additionally the provisions aim to provide a timely service, and therefore it is the intention that VicRoads would deal with these matters in as expeditious a form as is possible. That is the intent of these amendments and the broad scheme of the bill. Certainly the use of the discretionary language is about avoiding a defective application requiring a new application. Therefore the intent of the legislation is to avoid defective applications failing for want of the provision of adequate material, not to create an

administrative barrier to the timely dealing with applications.

Mr K. SMITH (Bass) — The minister did not answer the question: does it trigger another 30 days for them to act on the application?

Mr PALLAS (Minister for Roads and Ports) — I will answer the question as directly and simply as I can. The word ‘may’ does not require a 30-day process. If it did, the clause would use directory language. To infer that with a defective application there is no obligation to process, clear language would be required that says that VicRoads ‘must’ require a new application. The application is not unable to be processed within the time lines. I simply refer the member to processes that are applied by VicRoads when defective registrations and licences are put up. VicRoads officers do have a discretion in how they process them. They are conscious of the need to provide a timely service, and they go about it diligently and responsibly. This legislation does not prohibit that practice continuing.

Mr DELAHUNTY (Lowan) — On behalf of The Nationals, we welcome the change to this. It is a good thing. I know that the Liberal Party was keen on it, as was the Victorian Automobile Chamber of Commerce, so we are keen to see these amendments go through. I want to reinforce that for country Victorians we want to make sure that VicRoads regional offices play an important role, as they did yesterday and many years ago. They have been highly recognised for the good work they have done in country Victoria. I do not want this minister to have on his CV that he was closing down regional offices. Whether it be in relation to dealing with applications for these types of things or other things, I want to reinforce that we have concerns about some of the services coming out of regional offices.

With those few words I indicate that we welcome the change from 90 days to 30 days, but we want to make sure that regional offices can assist the tow-truck operators and other people, such as those looking for overdimensional permits.

Amendments agreed to; amended clause agreed to; clauses 106 to 239 agreed to; schedules 1 to 3 agreed to.

Bill agreed to with amendments.

Remaining stages

Passed remaining stages.

BUILDING AMENDMENT (PLUMBING) BILL

Second reading

Debate resumed from 19 April; motion of Mr CAMERON (Minister for Police and Emergency Services).

Mr CLARK (Box Hill) — The Building Amendment (Plumbing) Bill 2007 makes a series of miscellaneous amendments to the Building Act 1993 in relation to plumbing. It is a bill that the opposition supports, principally because of the benefits provided by two of the major changes it makes. However, there are a number of points of concern that arise from some of the other amendments in the bill, and I will raise those during the course of my remarks and hope they can be addressed during the debate.

I should say at the outset that the statement of compatibility under the Charter of Human Rights and Responsibilities which has been tabled in relation to this bill demonstrates yet again the convoluted consequences of that charter. The statement in relation to section 13 of the charter goes to considerable lengths to address the question of whether section 13 might be infringed by the bill in relation to out-of-hours entry into premises and the right to privacy. It is notable that the statement makes it clear that the changes made by the bill cannot be unlawful because they are contained in legislation, which is obviously true. But it also makes it clear that the charter is of little benefit in protecting people from unlawful interference in their privacy when an act of Parliament does, by definition, make that interference lawful. The only real potential protection in the charter is in relation to whether or not entry is arbitrary, and the statement of compatibility goes to some lengths to try to demonstrate that what is contained in the bill is not arbitrary. Again I make the point that the government’s approach to the charter is quite piecemeal.

Considerable effort is put into demonstrating compliance in relation to this bill. In relation to bills such as the infertility treatment legislation that we debated some time ago, the issue was simply ducked by the false assertion that that bill had no impact on human rights. This continues to bear out the opposition’s belief that the charter is enormously convoluted and complex and has little practical benefit in delivering real improvements to human rights or the protection of Victorian citizens from the greatest threat they face to their human rights, which is impositions on them by government.

In relation to the provisions of this bill, I should say that clause 1, which sets out the purposes, is less than fulsome in its disclosure of what the bill is about. Indeed one almost suspects that it is disingenuous in the sense that it seems to go out of its way not to disclose some of the most significant changes that are being made by the bill. The first of the purposes listed in the bill is to enable the regulations made under part 12 of the act to incorporate the Plumbing Code of Australia. The act that the bill refers to is, of course, the Building Act 1993. This is a provision of the bill that the opposition certainly supports, because it achieves greater uniformity and because the plumbing code is then picked up by reference to the Building Act, so when there are updates to the building code they will automatically apply to plumbers as well.

That provision has been generally supported by those with whom the opposition has consulted as, similarly, has been the second major purpose of the bill, which is to enable registered plumbers to carry out specialist plumbing work on behalf of licensed plumbers. It will operate with the registered plumber working under the supervision of the licensed plumber and without the need for further qualifications. To that extent it will simplify regulation and introduce greater flexibility into the industry, and those groups with whom we have consulted do not see problems with that and are supportive of it.

The third purpose listed in clause 1, and it is not elaborated on in the explanatory memorandum, is 'to provide for certain restrictions and obligations relating to plumbers'. Under that bland description some very significant changes are being made by the bill. They alter the licensing regime mechanisms and provisions in a number of respects. They impose a five-day time limit within which a certificate of compliance needs to be provided by a building practitioner to a property owner. They revamp the provisions relating to the issuing of infringement notices, and they also provide for inspections of plumbing works on properties by compliance auditors outside the hours of 8.00 a.m. to 6.00 p.m.

In relation to those particular provisions, obviously when a compliance certificate is issued that certificate needs to end up in the hands of the owner of the premises. However, we raise the issue of whether the five-day time period imposed on the building practitioner to provide that certificate to the owner is reasonable and necessary. Clearly there is a balancing of considerations between wanting to ensure that the certificate quickly gets into the hands of the owner and guaranteeing that unreasonable obligations are not imposed on building practitioners.

When you get away from the theory and the bureaucratic world of those who drafted this legislation, you realise that building practitioners have a lot of things to do, a lot of paperwork to process and a lot of jobs on the go at once, particularly in the current buoyant economic times that have been created by the commonwealth government. In between satisfying their clients by getting homes constructed and new bathrooms and kitchens installed, as well as a range of other things, they have a heap of paperwork they need to do, and they are likely to end up sitting at their desks on a Saturday or a Sunday evening, completing the paperwork and getting the certificates out. They are not even given a week to pass these certificates on; they are given five days. They are on pretty tight time lines, and we simply ask, and we will be interested in the government's views on this, whether or not a five-day period is a bit unreasonable when you look at the real world and the different demands that are imposed on building practitioners.

In relation to infringement notices, a substituted division is being inserted in place of section 221ZZZE of the existing act that provides for the issue of plumbing infringement notices. I think it is worth making the point that the infringement notices that can be issued may be served not just on plumbers but on any person that the authorised officer has reason to believe has committed a prescribed offence. So subject to what has been prescribed as an offence, this has the capacity for infringement notices or on-the-spot fines to be issued to ordinary citizens — to non-plumbers — for anything that might constitute a prescribed offence. When we give these powers to inspectors we always have to bear in mind that ease of administration and flexibility and practicability of enforcement — and therefore, hopefully, effective enforcement — need to be balanced against protecting the rights and interests of citizens against potential abuse and the arbitrary and capricious exercise of power.

Referring back to the Charter of Human Rights and Responsibilities, if this charter were truly and sensibly focused on providing real protection for citizens against intrusion by government, it may well be that this issue, as much as the issue of after-hours visits, would have been addressed under the charter and in the statement of compatibility in deciding whether or not the delegation of quite sweeping powers to plumbing inspectors was a reasonable exercise.

The next aspect that is being changed by this particular purpose of the bill, as I mentioned earlier, relates to after-hours inspections. It is to make it clear that outside the hours of 8.00 a.m. to 6.00 p.m. a compliance auditor is entitled to enter a residence with the consent of the

occupier of that residence. The objective of this change, which seems reasonable on its face, is to allow these inspections to be carried out at a more convenient time than is currently permitted. It is worth emphasising that inspections outside the hours of 8.00 a.m. to 6.00 p.m. can only be carried out with the written consent of the occupier. The statement of compatibility says:

The appointment is made by the auditor or authorised officer at such time as is mutually agreeable with the owner or occupier.

However, it needs to be borne in mind that the owner and the occupier may not be the sole parties involved in this issue, because the legislation provides that the authorised officer or compliance auditor has the power to require the plumber concerned to be present at the time of the inspection. That is contained in section 221ZZZA(3)(e) of the principal act. That has two potential implications. The first is, from the point of view of the plumber, that the plumber may be instructed by the auditor to attend outside normal working hours. It may well suit the auditor, and the homeowner may be happy, to have the inspection take place at 8 o'clock in the evening, but the plumber with family and other responsibilities may not be so enthused at the idea of being dragged back to the job at 8 o'clock in the evening, particularly as he might be required to be attending to some of the paperwork requirements under this legislation or to a wide range of other matters connected with his business. That is the potential downside from the plumber's point of view.

From the householder's point of view — and I will be very interested to hear the government's response on this point — who bears the cost when a plumber is required to attend an out-of-hours inspection? Does the plumber have a right to bill the client if he is required to attend an after-hours inspection? Is that prohibited by the legislation? Is the legislation silent on that point? Does the legislation envisage that the plumber will be entitled to bill the owner? If that is the case, then the owner consenting, at the request of a compliance auditor, to an after-hours inspection needs to be aware that that may well have a cost implication for the client. It is not a cost-free provision, and how it is going to operate in practice needs to be considered carefully. Of course it does have its potential advantages. In these days of long working hours and two-income families it may not be convenient for householders to be at home between 8.00 a.m. and 6.00 p.m. and it may well be advantageous for inspections to take place outside those hours, as long as the matters I have referred to are addressed both in legislation and in practice.

It is perhaps worth making the observation that, as far as I can see, neither the existing legislation nor the bill

draws a distinction between working days and non-working days, particularly weekends and public holidays, when it provides for inspections between 8.00 a.m. and 6.00 p.m. As I read it, under both the existing act and the bill a compliance auditor would be able to turn up at 8.01 a.m. on a Sunday to conduct an inspection and could require a plumber to come along at that hour on that day. Again, that is something that needs to be considered both in drafting and in practice.

The reason for having inspections is, as the statement of compatibility sets out, to be part of a regime under which a minimum of 5 per cent of all plumbing work carried out in Victoria is inspected by the Plumbing Industry Commission, as well as where a claim of defective plumbing work by an owner or an occupier has been lodged. The integrity of that regime is vital for public confidence in plumbing in Victoria. The public needs to be assured that a sizeable sample — and the figure of 5 per cent has been decided upon — is inspected as an incentive and that there is an audit mechanism to ensure that all plumbing work is carried out to very high standards.

Clearly the public needs to have confidence that that level of 5 per cent inspections is occurring, that it is occurring on a truly random basis so that any plumber is liable to have his or her work inspected, and that the sample is effectively and fairly stratified to catch a wide range of different types of plumbing work so that the audit potential is there to act as a disincentive to poor work — or conversely, as an incentive to a high standard of work across all forms of plumbing in Victoria. It is very important that the Plumbing Industry Commission is able to demonstrate that that is occurring and that it is fully accountable to the public for the way those inspections are conducted and reported on and how any defective work encountered is dealt with.

Similarly, when complaints about defective plumbing are received they need to be logged both when telephone calls are received and when written correspondence is directed to the commission. When the public raises concerns in any form, be it a casual inquiry, an oral complaint or a written letter, that must be recognised as a complaint and be followed up and acted on appropriately. The public, and particularly those members of the public who lodge complaints, must have confidence in both the competence and the integrity of the commission. That is absolutely vital for a high-standard plumbing industry in Victoria.

The fourth purpose of the bill is to expand, as is stated in the bill, regulation-making powers, particularly in relation to plumbing work. That description of the

purpose is another part of clause 1 with which I express some dissatisfaction. Clearly the changes to regulation-making powers in a bill entitled the Building Amendment (Plumbing) Bill can be expected to relate to plumbing work. But the most significant aspect of the changes to regulation-making powers is not for plumbing in itself, it is in relation to products used in plumbing. To be frank, I would have expected that the purposes clause of the bill would have made that clear.

If we look at clause 17 we see that subclause (1) inserts reference to 'products' after the word 'construction' in relation to regulation-making powers. A new paragraph (ab) is inserted into section 221ZZZV(1) of the Building Act. It refers to:

the accreditation, certification or authorisation of materials or products in relation to plumbing work, including the labelling, marking or testing of those materials or products ...

The question this house needs to address is not just the wording of these amendments but how they are intended to be exercised in practice. The opposition's understanding is the intention is to use these changes to the regulations to require that plumbers use products with an Australian standards approval when conducting all work. In principle one can hardly take exception to the proposition that Australian standards should be complied with not only in the work but with the products that are used.

The question that has to be addressed is not so much in terms of meeting the standards but in terms of the accreditation procedures and the regulatory burden of those accreditation procedures for products to actually receive an approval under Australian standards. Will the consequence of the way these regulations are drafted mean that products which in fact meet Australian standards but which have not been submitted and obtained regulatory approval will be excluded from use in plumbing, and if so what effect will that have both on the cost of plumbing to consumers and also on businesses which may make products that comply with the standards but which find the process of submission of their products to obtain approval is quite onerous?

It may well be that after weighing these factors, the conclusion is drawn that, notwithstanding the potential cost impacts, ensuring a high standard of work requires that only products that have received Australian standards approval may be used, but as with all regulation, it is not cost free and is likely to add to the cost of works carried out. The question that always has to be asked is: is the gain in terms of greater standards sufficient to justify that cost? That is something that needs always to be borne in mind when these sorts of regulations are made.

Overall, as I said at the outset, the opposition supports this bill, because it believes the major changes about incorporating reference to the plumbing code in the Building Act and allowing registered plumbers to carry out certain forms of specialist work under the supervision of a licensed plumber are worthwhile initiatives. Nonetheless, the various matters that I have raised as concerns are significant, and I hope they will be further considered and addressed during the course of the debate and in the way in which the legislation is implemented.

Mrs POWELL (Shepparton) — I am pleased to speak on the Building Amendment (Plumbing) Bill on behalf of The Nationals and also to advise that The Nationals will not be opposing this legislation. The amendments requested in this bill are quite sensible and are to modernise the existing regulatory framework and improve the operation of the plumbing regulations to reflect what is happening now in the plumbing industry and what are current plumbing practices. It is also to enable registered plumbers to carry out specialised plumbing work on behalf of licensed plumbers, under the supervision of a licensed plumber, and to enable the regulations made under part 12A of the Building Act to incorporate the Plumbing Code of Australia.

Victoria's plumbing regulatory system was established under part 12A of the Building Act 1993 to ensure that safety, health and appropriate regulations are complied with. Part 12A of the Building Act deals with the licensing and registering of plumbers in Victoria. It also deals with the specialist work of each of those, whether they be licensed or registered, and it deals with the compliance they must work under. It also deals with the work they are authorised to carry out. Part 12A also deals with the monitoring, compliance and competency of plumbers and the plumbing work.

The plumbing industry is well regulated at the moment, and we see very little shoddy workmanship. One of the issues is that we need to ensure that we protect consumers against shoddy workmanship, but we also should not make the regulations the industry has to comply with too onerous or make the red tape too much of a burden. Often those small businesses are plumbers. They may have been apprentices who have completed their training and then gone out on their own and started their own businesses. It might be mum and dad running a business, and we have to make sure that we do not burden them with too much red tape.

All plumbing work in Victoria must comply with part 12A of the Building Act and the Plumbing Regulations 1998. In Victoria anyone who carries out plumbing work must be licensed or registered with the

Plumbing Industry Commission. Licensed plumbers are different to registered plumbers. Licensed plumbers and registered plumbers must be licensed by the Plumbing Industry Commission, and licensed plumbers have to have the appropriate skills, the appropriate qualifications and the appropriate level of insurance. This is particularly important when consumers are dealing with licensed plumbers. It ensures that, if there is some workmanship that is defective or does not comply, they have some sort of protection against that workmanship and some comeback when the work has to be redone.

Licensed plumbers also have to issue compliance certificates to the consumer of the plumbing work. If there are any complaints, those complaints must be made to the Plumbing Industry Commission, which can inspect that work and make sure that the plumbing done on the house or the building meets Australian standards and meets the standards we all expect of plumbers. They provide a specialist service, just like electricians, and it is very important, particularly for people who have new homes, to be sure that the plumbing in their homes is adequate.

I spoke to a number of stakeholders in Shepparton to find out what they thought about this piece of legislation and how it would affect their industry. I spoke to Fatima Shepherd of Shepherd GNS Plumbing in Shepparton. They are licensed plumbers and also asbestos removers. Their comments were that the changes would be good for the industry. There is a shortage of registered or licensed plumbers, particularly in country Victoria, and that needs to be addressed. They also said that the shortage of plumbers adds to lengthy delays in the building industry. If you are building a new home, it may take you a number of weeks longer to be able to get a licensed or registered plumber.

GNS employs three apprentices and two school-based apprentices, and it is terrific that we are getting young people into the industry to make sure that we have enough plumbers to service the housing industry. As we know, the housing industry is expanding at the moment, with people wanting to build their dream, their first home, and hopefully they will be able to have professional plumbers to fit out their homes.

We also heard that it is now fashionable to become a tradie. I know that many years ago it was usually people who were not good with their heads and were only good with their hands who became tradespeople. I think we now understand that there really is a good career opportunity as a tradesperson. It is not only people who are good with their hands who are

becoming tradespeople; we have a lot of very intelligent and skilled people who are becoming tradespeople. It is a very profitable business, and anyone who has hired a plumber lately will know that it is actually quite expensive to hire a tradesperson at the moment because it is such a good career to get into. GNS Plumbing told me that recently it had to spend \$3000 just to advertise for a plumber.

I also spoke to Asher Judah, the executive of policy and research at the Master Builders Association, who said that the association is quite comfortable with the changes in the bill.

Concerns were raised about the right to privacy under section 13 of the Charter of Human Rights and Responsibilities Act. These concerns are also set out in the statement of compatibility. The response in the statement and in the bill alleviates that concern. It allows inspection of work and after-hours access to dwellings. At the moment we have access for inspections between the hours of 8.00 a.m. and 6.00 p.m. Clause 13 amends the act to enable a compliance auditor to enter any residence or land on which a residence is situated outside the hours of 8.00 a.m. to 6.00 p.m. There was a concern with the human rights charter that there would be a breach of privacy. At the moment they have to give 24 hours notice, whereas in the new legislation they will need support from the consumer to come onto the land, which must be in writing. So there must be written consent. The authorised officer or the compliance officer must also tell the occupier of the house the purpose of the inspection before gaining consent. We believe there are some safeguards in the bill.

There will be a lot of benefits for householders having those inspections after hours or outside the hours of 8.00 a.m. to 6.00 p.m. Many people are now working outside the home and some people would like the inspection audits on weekends, particularly if they need the plumber with them. That is a good part of the bill because with the normal office hours a lot of inspectors are complying with that and the bill will now recognise that practice.

A number of people have raised with me the issue of plumbing and connection fees to rainwater tanks which can be quite costly. A number of constituents have also made me aware that new homeowners who have received their building permits after 30 June 2005 are not eligible for the rainwater rebate. My office checked with the department which made the rules, and it could not tell us why there was this cut-off date so that new homes after 30 June 2005 would not get the rebate. My office contacted the Department of Sustainability and

Environment, the responsible department for the rebate scheme, and while we were told it is the case that they are the guidelines and that these homeowners are not eligible, no-one could explain why. My office made a number of phone calls to the Department of Sustainability and Environment to find out the reason for that cut-off date.

My office contacted the office of the Minister for Water, Environment and Climate Change, which also could not explain why there was a cut-off date. Fitting a rainwater tank to a property is not mandatory under the 5-star building standard so when people choose to fit a tank to their new home to conserve water they are not eligible. It is important to note that a lot of the money they get for those tanks are on the size of the tank and plumbers tell me it is quite costly to connect the water from the rainwater tank to the septic or laundry system. They say that it should not be just on the size of the tank and that the plumbing fee should be taken into consideration as well.

I also urge the government to review the anomaly which pays a rebate to people in households serviced by a reticulated water system, which is not available to people living outside those areas serviced by a reticulated water system. It means that people who want to put in a rainwater tank but who live in an area that is not on a reticulated system will not be eligible for the rebate service. Not only do they have to buy the water tank, which is quite costly depending on the size, but they have to pay the service fee and the connection fee that the plumbers charge to connect houses up to the water system. The Nationals hope the amendments in this bill will support the plumbing industry and not be to onerous, but also they will protect consumers. I wish the bill a speedy passage.

Ms BEATTIE (Yuroke) — I have pleasure in rising to speak on the Building Amendment (Plumbing) Bill. The five main purposes of the bill are to amend the Building Act 1993 to enable the regulations under part 12A of that act to incorporate the Plumbing Code of Australia; to enable registered plumbers to carry out specialised plumbing work on behalf of licensed plumbers; to provide for certain restrictions and obligations relating to plumbers; to expand the regulation-making powers particularly in relation to plumbing work; and to make other amendments to improve the operation of the act.

The background to the bill is that in 2004 the National Plumbing Regulators Forum developed the Plumbing Code of Australia on behalf of the commonwealth government and each state and territory government. The plumbing code is performance based, allowing

innovative solutions but also providing a set of technical provisions for achieving greater consistency across all states and territories. We all know how important it is to have those regulations as uniform as possible. The current provisions of the act would require a specific amendment to be made to the regulations each time an incorporated document is amended. This would be inefficient as each time the plumbing code is amended there would be a hiatus period during which the provisions would not apply in Victoria.

I want to advise the house of the difference between a registered plumber and a licensed plumber. Currently a registered plumber, who is not insured, cannot undertake specialised plumbing work. A licensed plumber must be insured and is therefore able to issue compliance certificates and undertake specialised plumbing work such as metal roofing and back-flow monitoring under part 12A of the Building Act. We all know that metal roofing is becoming more popular. It is obviously cheaper to have a metal roof rather than a tiled roof and many people are looking to that as a cost saving, particularly in the growth areas where there are a lot of first home buyers and money is often the issue. It provides for the amendment of part 12A of the act to permit appropriately qualified and experienced registered plumbers to carry out that work but always under the direction of a licensed plumber. The member for Shepparton touched on how hard it is to get a plumber and that their businesses can be quite lucrative.

I want to address some issues raised by the opposition. I refer to the issue raised that five days is not a reasonable period and the issue of who bears the cost of out-of-hours inspections. In relation to out-of-hours costs, no extra charge would apply because the auditor would audit the plumbing. Regarding the five-day issue, where an occupancy permit is required to be obtained, a building practitioner is required to supply a copy within five days of it being obtained. This was ineffective because a building surveyor could not issue an occupancy permit until after sighting the compliance certificate, which would then require the owner to have the compliance certificate before applying for the occupancy permit, which would be putting the cart before the horse. I think that addresses those two issues.

Many people have been consulted in putting the amendments together. They are seen as efficient amendments and should decrease the cost in some areas. The Plumbing Industry Commission is a member of the National Plumbing Regulators Forum, which is responsible for the development and maintenance of the Plumbing Code of Australia and more generally for the promotion of a consistent regulatory approach to

plumbing matters. Other jurisdictions that have already adopted the plumbing code include Queensland, Tasmania, South Australia and the Australian Capital Territory. As I said before, the benefits of the code speak for themselves.

I would like to touch on the issue of registered plumbers doing plumbing work. A licensed plumber is able to issue a compliance certificate where the work is over \$500. For most gasfitting work, cooling tower work and below-ground sanitary drains, a licensed plumber must have the required insurance. Of course it is absolutely necessary that they have that insurance. However, a registered plumber is not required to have insurance and therefore is not able to issue a compliance certificate. Where the work requires the issue of a compliance certificate, a registered plumber may undertake such work only under the supervision of a licensed plumber. This should have a positive impact on costs and drive them down. Indeed it should make it a bit easier to get work done quickly. It should help the flow of work, if you will pardon the pun.

There are four types of specialised plumbing work. Gasfitting allows the holder to install, service and commission type B gas appliances. We all know that it is very important to have the right qualifications, particularly when you are handling gas, which can be highly dangerous. Another type of work involves residential and domestic fire sprinkler systems. It allows the holder of that certificate to install, alter or repair life-saving automatic fire-sprinkling systems in residential buildings. Then there is gas conversion and back-flow prevention work.

Many speakers have raised the issue of coming in out of hours — before 8.00 a.m. and after 6.00 p.m. I am sure all members of this house will know of some of the dramas involved in getting tradespeople to their house when they work very odd hours. Being able, if requested, to provide that out-of-hours service not only is a desirable thing but is to be commended.

I would like to congratulate the Plumbing Industry Commission and the commissioner on doing a fine job. Many stakeholders have been consulted. Certainly the plumbers union had no difficulty with these amendments and indeed was supportive of them. I think we have addressed all the problems that have been raised by the opposition, and it is good to see that both the Liberal Party and The Nationals are supporting this bill. This is a good bill that is quite detailed and mechanical in its nature. It is another example of the Bracks government legislating for the common good.

Mrs VICTORIA (Bayswater) — I rise to support the Building Amendment (Plumbing) Bill 2007, as colleagues of mine have done before me. There are many aspects of this bill which are worth applauding and are about bringing the industry up to speed. I have consulted many plumbers in the Bayswater electorate. In fact I sent out a letter to all the plumbers in the electorate. I had quite a few phone calls, and some plumbers came into the office to tell me what they thought was good and what they thought was bad or contentious about this legislation. Several sent representations by mail, and I even had some specialist plumbers come in, including those who specialise in back-flow prevention. One particular man by the name of Peter, who is a back-flow specialist, basically said there was not too much wrong with this legislation.

There will be some instances where this will be good, in that it might save some small-to-medium-sized businesses some money. At the moment each person who comes in as a licensed plumber has to be paid as a licensed plumber. Because of the new amendments, a lot of people will be able to take on just registration rather than the added expense of licensing. From a plumbing point of view, they thought this was particularly good.

It may well save some small-to-medium-sized businesses quite a few thousand dollars. But it may end up costing the consumer when, for example, many plumbers want to do extra odd jobs on the weekend. Because they will now need to be licensed to do those, they will need to go further than just having registration. The cost of some of those little odd jobs may indeed go up. Plumbing compliance certificates will need to be provided by builders within five days of their work being completed. This may well place undue pressure on some of the smaller building firms. Some of our plumbers have said that that may well be a slight hindrance within the building industry.

I believe it is quite progressive to have built into this the requirement to use products that comply with Australian standards. In fact I have just experienced an instance that leads me to believe that this type of legislation might also be good in the electrical trades. I hope that is perhaps something that can be introduced into the agenda later in the year. I had cause to change a light fitting in a room and found that in fact —

Mr K. Smith — Are you licensed?

Mrs VICTORIA — No, not a light globe, an actual light fitting, and it turned out that the batten fitting, which fitted snug to the ceiling, had no air flow around it. It was not until after I had an electrician in to do

some work that he explained that many house fires start in this manner. What happens is that not enough air flow gets around the base of the light globe and the batten. Mine had certainly fused, which was not only smelling rather awful but could have been extremely dangerous and caused a house fire, so it was certainly the electrician's wish that we also put electrical standards onto the agenda. I am not sure that we can cause too many house fires with plumbing, but if this goes towards making our homes and workplaces safer, then I am all in favour of it.

However, taking all of this into account, knowing that people will now not be able to bring in cheaper imports or will have to go through compliance procedures, we may well see an increase in the cost of products, and as I have already explained, perhaps even a cost in wages. That is a slight drawback, but I think it is of benefit to have this legislation in place.

I am standing here in support of bringing the plumbing code into the Building Act, which of course means that any updates to the Building Act will now automatically apply to plumbers as well, so I stand here in support of the bill.

Mr BROOKS (Bundoora) — I am very happy to be speaking on this bill tonight, as I have a very keen interest in the trades and in particular in trade training and vocational training, being a former tradesperson myself — an electrician.

Mr K. Smith interjected.

Mr BROOKS — An electrician.

The ACTING SPEAKER (Ms Green) — Order! The member for Bass should be quiet. He made a sexist reference to the previous speaker. He should be quiet now and let the member for Bundoora speak.

Mr BROOKS — Thank you, Acting Speaker. I did not realise there was a plumber in the chamber. There is a good joke about electricians and plumbers, but I will let that one go because the version I know is not very favourable to the plumber.

I think the importance of moving towards this national code, the Plumbing Code of Australia, which has been adopted by a number of jurisdictions, including Queensland, Tasmania, South Australia and the Australian Capital Territory, is obvious to most members in the house. This bill improves the existing regulatory framework by incorporating the Australian plumbing code into the Building Act, so that it becomes essentially a reference document, and as it changes and is improved across Australia it will not need to be

changed through a regulatory or legislative process here in Victoria.

As a number of speakers have mentioned, this bill will enable registered plumbers to carry out specialised plumbing work under the supervision of a licensed plumber. There is obviously a need for the licensing aspect in terms of having the appropriate insurance in place to protect consumers. This change in the bill will free up a number of plumbers in the trade. We are well aware of the desperate need for tradespeople, plumbers included, across Australia because of the Howard government's skill shortage. I have noticed that after 11 years of neglect by the federal government, the government's own figures point to a shortage of around 200 000 skilled workers over the coming five years.

The Howard government's answer to this skill shortage is to import foreign labour into Australia to take Australian jobs, at the same time taking skilled labour out of countries where they need that skilled labour, and to establish Australian technical colleges. After the investment of half a billion dollars into that fizzer, there are less than 2000 people enrolled in Australian technical colleges, not one graduate, and the bulk of the training being undertaken by those colleges is outsourced to other institutions like TAFE institutes and so on. I think the clincher for me is that about 90 per cent of those Australian technical colleges are located in coalition or marginal federal electorates. I would not want to be too cynical on that one.

The other parts of this bill are essentially machinery in nature. The one I would like to come to is the issue of after-hours inspections by the Plumbing Industry Commission to ensure that work has been carried out appropriately. There has been mention of the engagement of the charter of human rights by the member for Box Hill in that regard. As a member of the Scrutiny of Acts and Regulations Committee, I can say that the committee discussed that matter at its meeting, and I think to try and suggest that this bill would engage the charter is really an attempt to try and trivialise the charter.

The bill simply amends the act so that people are able to have an inspection at a time that is more convenient to them. I can say that is a good thing, having had such an inspection take place at my house in the past in relation to the installation of a dishwasher. I had to take time off work to go home and attend the inspection, which was carried out very efficiently, I must say. But I think it is important that these days, with lots of people working extremely long hours, there is some flexibility in when they are able to have work inspected. I am very

happy to support the Building Amendment (Plumbing) Bill.

Mr NORTHE (Morwell) — It gives me great pleasure to contribute to the debate on the Building Amendment (Plumbing) Bill. As mentioned by the member for Shepparton, The Nationals do not oppose this bill. I have a bit of a vested interest in this bill, because I started my career as an apprentice plumber and gasfitter, so I am very well able to contribute on this particular bill. I was not out there very long, and the industry is probably better off without me — there is no doubt about that — but I am happy to speak about it.

There are a number of points I would like to make in relation to the bill. One is that it enables regulations made under part 12A of the Building Act 1993, the plumbing part, to incorporate the Plumbing Code of Australia. One pertinent point that is well worth mentioning is that it will enable registered plumbers to carry out specialised plumbing work on behalf of licensed plumbers. That will provide greater flexibility amongst the plumbing fraternity and provide greater consistency in relation to the Building Act, and it certainly reflects common sense. It will ensure greater efficiency across the board, particularly in the Morwell electorate, where there is significant building work being undertaken at the moment, along with a number of maintenance works, renovations and the like. In Traralgon alone the population has increased by about 2.7 per cent, according to the latest figures, so it is important that we keep the industry going. I know the plumbing and building fraternity in the Latrobe Valley is under great stress at the moment, and we certainly have a shortage of plumbers in that region.

One of the pertinent points concerning this is that the Traralgon bypass inquiry that is currently under way could jeopardise residential land in the Latrobe Valley, so it is important that the government make the correct decision in relation to that, otherwise the industry in general in the Latrobe Valley may be in some jeopardy. As I mentioned, there is a shortage of plumbers generally in rural Victoria, and there are many cases of residents and consumers experiencing lengthy delays in the housing industry in general. From a certificate of compliance point of view, the hours of inspection that are the part of current act at the moment — between 8.00 a.m. and 6.00 p.m. — are obviously a restriction to licensed plumbers and authorised officers. The amendment that will enable the inspection appointment to be made, in writing, at a mutually agreeable time outside these hours is something we think is a good thing. And bearing in mind the difficulty in obtaining plumbers at the moment and the obvious time constraints on not only the tradespersons but also the

residents alike, it is important that we do that. We all know people of both genders have very long work commitments these days, as well as family and social obligations.

Earlier someone raised the question of who pays for an authorised officer outside work hours. Is it the responsibility of the consumer or the plumber? It is a very good question to ask. Certainly with regard to weekend work and the increased costs charged by a plumber, who pays for the inspection? I would say that, in the ‘who pays’ scenario, there could be a crack in the legislation that needs to be resolved. This is not a brickies crack, this is a plumber’s crack!

Obviously the plumbing fraternity is reaping the rewards in the current environment, because its members are all extremely busy, as mentioned earlier by the member for Shepparton in relation to rainwater tank connection fees. From my perspective there is a shortage of tanks in Gippsland, and it is great to see Kiel Industries coming into the electorate of Morwell to manufacture rainwater tanks. It is doing its best to eradicate the current shortfall. The tank criteria were also mentioned by the member for Shepparton. It is important to say that at the moment it is not mandatory for new residents to install a rainwater tank, and we certainly have some grave concerns about the current criteria in relation to that particular component.

In summary I thank the house for the opportunity to contribute to this debate. The Nationals do not oppose the bill.

Mr STENSCHOLT (Burwood) — I am delighted to speak in support of the Building Amendment (Plumbing) Bill. I remember my father saying, ‘You should become a plumber or a butcher — it’s cash in the hand’. I guess my father was a fairly practical man.

Mr Holding interjected.

Mr STENSCHOLT — He was an engineer. He did not expect me to become a politician, as the minister said.

The bill has a number of key purposes, some of which I strongly support. I am a strong supporter of having the states’ regulations all in line. This is about modernising the regulatory framework of the plumbing industry in terms of the Plumbing Code of Australia. The Victorian plumbing regulations are consistent, even as the code is changed from time to time. Nationally consistent standards for work and products improve the industry’s efficiency. As I said, I am very much in favour of such an application. The bill also looks to increase the number of plumbers who undertake specialised

plumbing work by enabling them to carry out that work on behalf of licensed plumbers. There are a number of other amendments which are largely machinery in nature.

The Plumbing Code of Australia is a compact document establishing performance requirements and acceptable solutions for the installation, operation and maintenance of plumbing systems. It establishes a plumbing product approval scheme. I am guided by *The Registered Plumber*, a publication of the Plumbing Industry Commission, which is just down the road in Burke Road, Camberwell, in my electorate. I am delighted to provide support for the commission. My office is actually in Toorak Road rather than in Burke Road, but it is an excellent part of Victoria and a great place to live, work and raise a family.

The publication states:

The Plumbing Code of Australia has been driven by the recognised need for consistent and uniform national plumbing regulation for Australia's states and territories.

... The plumbing code ... aims to address the variation in regulation by producing a consistent national basis.

The code's main feature is that it delivers sustainable plumbing outcomes for water, energy and the environment and defines the total package of plumbing, including hot and cold water services, non-drinking water services, sanitary plumbing systems, roof drainage systems and importantly the new materials and products certification and authorisation scheme.

I am sure the member for Bass would well know that in terms of the plumbing industry anyone in Victoria who undertakes plumbing works is required to be licensed by or registered with the Plumbing Industry Commission. The works are generally defined under six areas. The first is water supply, which is defined as the installation, alteration or repair of any pipes, appliances or other items that directly or indirectly involve the supply of potable water, otherwise known as drinking water.

The second area is gasfitting, defined as the installation, alteration or repair of any pipes, appliances and so on involving gas. Another area is sanitary work, which is defined as the installation, alteration or repair of any drains, fittings, pipes, fixtures or appliances. Drainage is very important here in Victoria, and it is very much appreciated that \$600 million will be spent on the northern drain sewerage pipe. The government just recently announced that \$100 million would be provided for the sewerage going between Melbourne and Southbank. Other areas are roofing, other draining work and mechanical services.

The plumbing code is a performance-based document which, as I mentioned before, sets the minimum requirements. It is very good that we are going to include this under clause 12A as part of the building act. *The Registered Plumber* further states:

The end result will be an efficient and consistent regulatory outcome delivering to end users of plumbing services and products a system of plumbing that is both safe and durable, delivering efficiencies in water and energy use as well as environmental protection.

With that description this house is well advised to support the bill. I am very pleased that we are seeing support for it from all sides of the house.

The other main part of the bill, as I and others before me have mentioned, is that it allows registered plumbers to do specialised plumbing work. One has to understand — I am sure the member for Bass well understands it — the difference between a registered plumber and a licensed plumber. A licensed plumber is able to issue compliance certificates where the work is worth over \$500, and he must have the required insurance. But a registered plumber is not required to have insurance and is not able to issue compliance certificates.

There are four types of specialised plumbing work — that is, plumbing, type B gasfitting; plumbing, residential and domestic fire sprinkler systems; plumbing, type A gas appliance conversion; and plumbing, backflow prevention. When this act was originally written in the dim dark years of the Kennett era, that government did not have it organised. It did not know where to put it. We have it organised now, and that is why it has been included in this bill. I am very pleased that we have it here now. It enables the industry to be much more efficient and helps to reduce waiting times and the cost of work. This is very good modernisation legislation, which is most appropriate from this government. I commend the bill to the house.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to speak on the Building Amendment (Plumbing) Bill. The purpose of this bill is to bring reference to the Plumbing Code of Australia into the Building Act. Bringing the plumbing code into the act means that when the building code is updated it will immediately apply to plumbers as well.

As has been said by other members on this side of the house, we will be supporting the legislation. The Liberal Party has consulted with industry and plumbers, and a number of issues have been raised. I draw the attention of members to one of these issues. It relates to a change made to section 221ZZZA of the act,

expanding the range of hours in which auditors can carry out assessments. As was mentioned by the member for Box Hill, whilst the approval of land-holders or residents is required for after-hours inspections, section 221ZZZA(3)(e) requires plumbers to attend inspections.

Our concern, and the concern of my constituents who work in the plumbing trade — good, hardworking Victorians — is that plumbers could be required to attend an assessment at night or on the weekend at a time that is mutually convenient for the auditor and the land-holder, but not necessarily for the plumber. As we know, plumbers are weighed under by the paperwork that is imposed on them by this government, which is uncaring about Victorian industry and small businesses.

While the Liberal Party is supporting the bill, it has concerns arising from its consultation with members of the industry, people who operate as plumbers throughout Victoria, and this is an example of the concerns they have. The Liberal Party will support the bill but will watch with interest the impact it has on the industry. As other members of the house have said, the Liberal Party has a range of concerns. However, the government has said that the amendments made by the bill have been approved by the broader industry through the Master Builders Association, the Housing Industry Association and similar bodies. I call on the government to ensure that in future when it introduces legislation that affects industry, business —

Ms Beattie — Be nice!

Mr WAKELING — As the member for Yuroke would know, this government has failed, with numerous pieces of legislation that have come before this house, to consult with one business or one company in the state. Recent legislation has seen the imposition of penalties, increased charges and increased compliance costs for business. The government needs to ensure that future legislation that is brought into the house that will impact on hardworking Victorian businesspeople will improve the powers of business, lower the cost of compliance and not increase the level of restriction. With those few words, I will support the bill.

Mr Kotsiras interjected.

Mr WAKELING — Those on this side of the house who have actually worked as plumbers —

Business interrupted pursuant to standing orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Rail: level crossing safety

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Public Transport, and it relates to the Premier's refusal to call a public inquiry into level crossing safety in Victoria. The action that I seek is for the Minister for Public Transport, in consultation with the Minister for Roads and Ports, to actively support and get behind a reference for the parliamentary Road Safety Committee to conduct an investigation into existing, new and developing technologies for implementation to improve safety at level crossings.

As the minister would be aware, approximately 20 per cent of the state's 2273 level crossings are fitted with flashing lights and bells, 15 per cent with boom barriers and 65 per cent with only give-way signs or stop signs — passive level crossings. In recent years there have been a number of factors that have led to the potential for more level crossing accidents across the state. I have flagged these matters on many occasions both in this place and within the public domain. In summary, these factors have not addressed the full potential for an increase in level crossing accidents or looked to new and emerging technologies to enhance level crossing safety.

Regarding the reopening of the Ballarat–Ararat and Sale–Bairnsdale lines to passenger trains, local communities and businesses had been using these crossings for a number of years without the presence of trains. The Ararat to Ballarat line has 22 passive level crossings and the Sale to Bairnsdale line has 21. Then there was the introduction of fast rail, with trains travelling through level crossings at high speed in a livery that blends in perfectly with the winter sky. After that approximately 400 additional V/Line services were introduced, which meant more trains travelling through country Victoria more times per day, creating confusion for regular road users who were not used to seeing a train in the vicinity at those times.

We then have the looming failure of the government to come anywhere near its supposed target of 30 per cent of freight being delivered to and from Melbourne's ports on rail by 2010. This is further compounded by its forecast that road freight traffic will double within the next 10 to 15 years. Added to that, it looks like Victoria will for the first time in many years have a bumper

grain crop, the majority of which will be transported by rail and the remainder by road, once again increasing the frequency of trains appearing at level crossings at times when local communities are not expecting them. This combination of events, initiatives and flawed policy decisions are being followed by an incomplete field survey of level crossings across the state of Victoria using the Australian level crossing assessment model whereby, as I understand it, level crossings will be surveyed and categorised for the minimal level of protection required.

The Minister for Public Transport has indicated that solutions to ensure level crossing safety will be found and implemented within a 12-month time frame. I am concerned that these solutions will be restricted to initiatives such as rumble strips, speed restrictions, increased fines and advance warning systems at major level crossings. What we need is new technology and fresh ideas, particularly in relation to the 1446 passive level crossings across the state. Unless we act, and act quickly, I fear a repeat of the Kerang incident. The Leader of the Opposition in the upper house has today moved for this reference to be given to the Road Safety Committee, and I implore the minister to support that recommendation.

Energy: household savings

Ms MORAND (Mount Waverley) — In raising a matter with the Minister for Energy and Resources I call upon the minister to take action to facilitate and promote energy efficiency in the home. This is an issue that is taken very seriously by the residents of Mount Waverley in my electorate. In fact Mount Waverley was the top suburb across Victoria in signing up to green power. Glen Waverley, most of which is also in my electorate, was in the top 20 suburbs in the take-up of green power, and I am one of the Waverley residents who has taken up green power. Waverley residents are keen to source their household energy needs from renewable energy sources such as wind power, sun and hydro-electricity. Waverley residents, and Victorians generally, are very conscious of environmental issues, and the uptake of green power is one way by which everybody feels they can make a difference to greenhouse emissions.

There is a growing concern among my constituents about climate change, and many are eager to know what they can do at an everyday household level to reduce their emissions. The drought and extreme weather conditions have further emphasised to residents the importance of doing their part to reduce the impact of climate change and to protect our environment. Over one-third of Victoria's energy is used in the home, so

reducing household energy consumption and increasing efficiency are a really vital part of reducing greenhouse emissions. Young families and the elderly often cannot afford to fit out their homes with energy-saving technology, but they are still eager to do their part. Some people just simply do not know where to start. That is why it is important for government to offer guidance and to encourage the energy industry to work with consumers to lower their emissions without imposing exorbitant costs.

That is why I call on the Minister for Energy and Resources to take action to further promote ways in which everyday people in households across Victoria can reduce their greenhouse gas emissions. I also call on the minister to work with energy retailers to facilitate greater energy efficiency in the home.

Emergency services: volunteers

Mr NORTHE (Morwell) — The action I seek is from the Minister for Water, Environment and Climate Change. I request that the minister inform our emergency service volunteers of when the 2006 election promise of free access to Victoria's national parks will become a reality. One of Labor's many pre-election promises was to give emergency service workers free access to Victoria's national parks, as written in its 2006 policy document *Ready for Any Emergency*.

I have been approached by a number of emergency service volunteers in the Morwell electorate for news relating to this promise. I am sure all in this house will agree that our State Emergency Service (SES), Country Fire Authority (CFA) and Victorian coastguard volunteers work tirelessly and often under trying conditions to protect Victorian lives and assets. All communities have benefited at one time or another from the selfless efforts made by our emergency service volunteers, and the Morwell electorate in particular is one recent beneficiary.

As all members of this house are aware, Gippsland suffered greatly from the bushfire scourge in December 2006, with many homes destroyed, much property damaged and stock and feed lost. I saw firsthand the wonderful efforts of both CFA and SES volunteers, who prevented considerably more damage being sustained in the Toongabbie and Cowwarr regions.

The recent Kerang rail tragedy was another terrible event where Victoria's SES volunteers in particular were commended across the board for their inspiring efforts to support and assist those most in need. We should not forget that many of Victoria's emergency

service volunteers currently spend a significant portion of their volunteering hours within Victoria's national parks conducting search and rescue efforts and fighting and preventing bushfires. Victoria's national parks are major attractions across our state, whether it be the beautiful Wilsons Promontory park or the Mount Baw Baw park, which are both in Gippsland. It seems that free access to these national parks would be a sensible initiative, but more can and should be done to retain and recruit volunteers across our emergency services. There is no doubting the tremendous courage and commitment demonstrated regularly by these volunteers. They certainly save our state enormous financial cost, often to the detriment of their personal situations.

Emergency service volunteer numbers have been in decline across the state for some time, and more needs to be done to recognise the work of those who continue to volunteer. Such an initiative for volunteers would see the state government waive the fee of between \$4.20 and \$9.90, should they have the occasion or the opportunity to visit one of only five national parks in the state that actually charge an entry fee. Although the reward seems a pittance given the duties they perform, emergency service volunteers are still keen for this initiative to come to fruition. While supportive of this miniscule reward, The Nationals believe the work of our emergency service volunteers would best be recognised and rewarded through the provision of free vehicle registration and compulsory third-party insurance. Such a reward would provide due and practical recognition of the contributions of volunteers, who travel in personal vehicles to attend emergencies and serve their community.

In conclusion, the action I seek from the Minister for Water, Environment and Climate Change is that he indicate when Victoria's emergency service volunteers will be able to gain free access to Victoria's national parks, as indicated in the 2006 pre-election commitment.

Multicultural affairs: funding

Mr LANGUILLER (Derrimut) — I raise this matter for the attention of the Minister assisting the Premier on Multicultural Affairs. I ask the minister to take action to build the organisational support and capacity of multicultural groups throughout Victoria. Organisational support funding is a category of the Victorian Multicultural Commission's community grants program, which is designed to provide financial assistance to support the general activities of ethnic and multicultural organisations and groups that are of a voluntary, charitable and not-for-profit nature.

The Victorian government aims to strengthen the capacity of individuals to manage their own affairs, to participate in and influence their local communities and to enjoy the benefits available to them as members of society. The community grants program aims to address the needs of ethnic communities, combat the disadvantages faced by many of those communities and promote community cohesion and harmony. Not-for-profit organisations, councils and schools can apply for funding. Not-for-profit organisations applying under the organisational support grants funding program must be non-political, be incorporated under the Corporations Act or as an association under the Associations Incorporations Act, have an Australian business number, keep proper accounting records, have yearly financial statements and have over 20 current and registered financial members, with the exception of welfare and peak bodies.

The DEPUTY SPEAKER — Order! Could the member for Derrimut clarify whether it is the Premier or the Minister assisting the Premier on Multicultural Affairs to whom he is addressing the matter?

Mr LANGUILLER — It is the Minister assisting the Premier on Multicultural Affairs. The action I seek is for the minister to build the organisational support and capacity of multicultural groups throughout Victoria.

What sorts of projects could be funded? To provide some examples, they are things such as running costs for multicultural clubs, including rental, utilities, stationery, postage and liability insurance. These organisations provide great activities and support for other ethnic communities in their neighbourhoods, and it is important that the government continues to strengthen the capacity of these organisations. They strengthen our community, and they are a vibrant part of multicultural diversity in Victoria. They are very proud to be part of the most multicultural state in Australia; one which is multicultural as a matter of fact and one which is multicultural as a matter of law.

These communities wish to continue be a part of this cohesive and harmonious state, one which leads the way in diverse — —

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

School buses: hearing-impaired students

Mr HODGETT (Kilsyth) — I raise a matter for the Minister for Skills, Education Services and Employment. It relates to her failure to supply an

adequate solution to the disaster she and her department have thrust upon the students and parents of Eastwood Primary School who make use of the government-provided bus service. The outcome I seek is that the minister provide a safe, reliable transport service with significantly reduced travel times for the children at Eastwood Primary School, including home pick-up and drop-off. Eastwood Primary School is a school of nearly 370 students. It has a leading deaf integration facility that provides a beneficial educational experience not only for hearing-impaired students but for all students attending school. The government provides transport for those hearing-impaired students at the school who are in need due to family hardship.

In 2006 the students had taxis to get them to and from school. Without notice, in 2007 the taxis were withdrawn and buses were the order of the day. Not only did the minister fail to inform the school and the affected families of the changes, she forgot to tell the taxi company. There was no consultation and no discussion. That could have been ignored if the minister had not clung to the socialist dictum that the many are much more important than the individual. A one-size-fits-all approach imposed upon the students saw one girl on the bus for over 4 hours a day and other students and their families struggling to get to the bus stop in the morning. Some students were also being left at the bus stop if their parents were running late in the afternoon.

The minister tried to suppress the problem with the addition of a bus to the service already provided, but just when you thought it was safe to get back on those buses the minister's chief of staff and the minister herself neglected to inform the families and staff at Eastwood Primary School of the precise details of the new plan: that the bus would only make an appearance in the mornings. It was only after further complaints that the route in the afternoon was altered, again without the school being informed.

I sadly must inform this place that the minister has yet again failed in her duties. Natalie Carri is still on the bus for 3 hours and 40 minutes each day. Peter Wilms walks 20 minutes from his Kilsyth home to meet the bus by 8.00 a.m. each day. Peter's mother has epilepsy so is unable to drive him. Why cannot Peter be picked up from his home? Why must these parents be forced to consider sending their children to another school that provides a home-direct bus service to a school solely for deaf children, even though it takes away from the more varied educational experience these kids may have at a school like Eastwood? Bravo, Minister! We have even been told about primary school-aged

children changing buses mid-trip in a Bunnings car park unbeknown to the school until one child told his mother.

I ask the minister to review the circumstances surrounding Eastwood Primary School, to talk to the parents and students of the school and to actually work to bring about a solution that does not involve an 11-year-old girl travelling on a bus for nearly 4 hours a day or force a young boy and his family to rethink the merits of an integrated education because the option of home pick-up is being denied. The minister is aware that this problem has been around since the beginning of March. The students and their parents deserve better. I implore the minister to fix this problem.

Housing: Preston and East Reservoir

Mr SCOTT (Preston) — I wish to raise an issue for the attention of the Minister for Housing. It relates to the quality and condition of public housing stock in the East Preston and East Reservoir area. I request that the minister take action to consider funding the improvement of housing stock in that area. The recent budget, as members would be aware, allocated over \$500 million for the improvement of public and social housing. The East Preston and East Reservoir area contains large concentrations of public housing units and homes. Much of this public housing stock is ageing, and some of the homes are concrete and often require high levels of maintenance, with some requiring replacement.

The government has already provided significant targeted programs in the form of neighbourhood renewal for this area. This has provided wonderful opportunities for public housing tenants to take control of their own lives. However, more could be done to improve the lives of public housing tenants, and I know this is a high priority for the minister and the government. An important step in this process would be the continued improvement of public housing stock in this area. It is a step which would build on the impressive record of this government in this area, and I urge the minister to take action.

Festival for Healthy Living program: funding

Mr INGRAM (Gippsland East) — The matter I raise is for the attention of the Minister for Health. The action I seek is for the government to fund and further expand and support the program which is currently operating in some parts of Gippsland and other areas in the state called the Festival for Healthy Living. The Festival for Healthy Living is a program designed and auspiced by the Royal Children's Hospital. It uses the

performing and visual arts to explore issues surrounding mental health and is particularly directed at young people in years 5, 6 and 7. There has been one program in the Lakes Entrance region of Gippsland involving a number of primary schools. It was an incredibly successful program that supported young people.

Many members would know that there is a high level of disadvantage in some communities in Gippsland. This program was sponsored by Gippsland Lakes Community Health, the Department of Human Services and the Gandel Foundation, and it was incredibly successful. There are many other communities in Gippsland which would also benefit from this program. As I said, Gippsland has a large number of indigenous young people. If this program were expanded to many of these disadvantaged and small, isolated communities, it would raise the self-esteem of a large number of young people in Gippsland, particularly those affected by mental health issues.

As I indicated before, this program was run at Lakes Entrance. This would be a very good program to run in many other communities such as those around Maffra, Heyfield, Orbost, Bairnsdale, the Tambo Valley and Omeo. The outcomes for participants include a greater understanding of the issues of mental health, its relevance to young people and the importance of looking after those around you and making sure that we address mental health in young people.

The action I seek is that the minister further support and expand this program in Gippsland East and other areas around the state. It is a very successful program and has strong support among those who are dealing with young people in my electorate and other areas of the state.

Water: north–south pipeline

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Water, Environment and Climate Change. The action I seek is for the minister to clarify for the community that I represent the rationale for the choice of Sugarloaf Reservoir to be the connection point between the food bowl modernisation project, which was announced today, and Melbourne's water supply. This 70-kilometre pipeline from the Goulburn River to the Sugarloaf Reservoir will be part of the more than \$4 billion that the government announced today to expand Victoria's water grid and provide a great solution to the water crisis that this state and this nation are facing with climate change. As announced today by the minister, this 70-kilometre pipeline will be constructed at a cost

of \$750 million and will deliver 75 billion litres of water to Melbourne by 2010.

An honourable member interjected.

Ms GREEN — Yes, that is actually a lot of water. Despite what the detractors might say, this is a very, very good project, because it not only invests in adding to the amount of water that is available to Melburnians, particularly those in my electorate, but also in irrigation upgrades in northern Victoria, and it will save water currently lost through inefficiencies. Importantly the water savings will be divided evenly between farmers, Melbourne households and businesses, and stressed rivers.

My constituents have responded extremely well to the government's call for householders to save water. Given that I have three of Melbourne's water storages in my electorate, being the said Sugarloaf Reservoir, Yan Yean Reservoir — Melbourne's first water storage — and Tourourong, my community is supporting the project, but the people also want to understand the rationale for choosing Sugarloaf ahead of Yan Yean and Tourourong. I think they will largely support the pipeline, but they want just a little bit more detail about why Sugarloaf was chosen. It is a really good project, and in my community the householders and businesses have been very responsive to the government's water-saving message. I urge the minister to provide additional information on the Sugarloaf pipeline.

Schools: integration aides

Mrs FYFFE (Evelyn) — The issue I raise is for the attention of the Minister for Skills, Education Services and Employment. It regards the wellbeing of children with ADHD (attention deficit hyperactivity disorder), autism and other behavioural problems. In classrooms where teachers and students work in an environment that is affected by the emotional and behavioural disturbance of a student, teaching and learning can play second fiddle to surviving. Children whose behaviour disrupts the education of other children, who do not or cannot do what is fair and reasonable, who do not know how to play in a normal manner and who can attack other students and teachers and wreck classrooms, need and should have early help. The old maxim about birth to seven years being the so-called formative years holds true. There is a need to remove the artificial divide between child care, preschool and schools. Early prevention and early intervention are the best way to prevent problems.

Parents are understandably reluctant to put their children on medication such as Ritalin. This week in one of my local papers a parent, Kerri, is quoted as talking about her four-year-old daughter and her behavioural problems. The article states that she said it is 'devastating to watch her daughter's personality change because of the disorder' and that her daughter is 'destructive and aggressive'. She talked about the heartbreak of her daughter having to be on Ritalin. The article states that she said:

It's like she's a different person. She's quiet and clingy.

It continues:

Ms Mitchell said she had investigated alternative treatment and found a drug-free program named Dore.

She urges me to ask the minister to ensure that more resources are provided in schools for integration aides and to work with her fellow ministers to ensure that there is sufficient funding for early intervention.

I ask the minister to assist parents like Kerri by persuading the government to provide subsidies for a trial of the Dore program. It works with the physical abilities of the children and helps the brain function. There has not yet been sufficient research to prove that it is suitable in all cases, but there are reports of it working in many areas. I urge the government to look at providing subsidies for this program for the wellbeing of these children. Reports say that each year there is an increase in the number of children diagnosed with these problems. All their parents want is for the children to get through school and lead happy, productive lives. More importantly, the children just want to be accepted, to be seen as normal, to have friends, and not to be left out, bullied or ostracised. I urge the minister to consider the wellbeing of these children and ensure that they are given an equal opportunity with all other children in Victorian schools.

Berwick-Cranbourne Road: upgrade

Ms GRALEY (Narre Warren South) — I wish to raise a matter for the attention of the Minister for Roads and Ports, who I am very pleased to see is here in the house. The action I seek from the minister is to provide funding in 2007–08 to upgrade Berwick-Cranbourne Road. Anybody who visits my electorate will notice how quickly housing, services and other forms of business being developed along this major thoroughfare. The Bracks government has a strong record of investing in roads throughout Narre Warren South, and of course we want to see that continue.

When I am out in my electorate talking to people, especially at the mobile offices, they ask me when the work on Berwick-Cranbourne Road will be continued. They are very pleased that the Bracks government has done what it has already, but they are looking for a little bit more. They are of course in a bit of a hurry, but I hope they also know that on the basis of the government's record so far it will deliver. Previously the government has invested around \$15 million to upgrade various stages of Berwick-Cranbourne Road between the Princes Freeway and Greaves Road. Traffic on that part of the road is flowing pretty freely.

I am really proud to be part of a government which recognises the importance of key roads in Melbourne's outer suburban region. This has been demonstrated again in the budget, in which there is a \$103 million commitment for such roads. I was particularly pleased to read in the budget of the \$22 million allocation to duplicate Thompsons Road between the South Gippsland Highway and Narre Warren-Cranbourne Road. There is also \$31 million allocated to duplicate that road further to the west, and I know that the member for Cranbourne is very pleased about that outcome.

This government's commitment to investing in our outer suburban road infrastructure is fundamental to ensuring that communities such as those in Narre Warren South are great places to live, work and raise a family. This has benefited many communities throughout not only my electorate but the whole city of Casey. As members know, it is a growing electorate — in fact, one of the fastest growing electorates in Australia. The Bracks government has been investing in road upgrades across the municipality. I would be pleased, as I know the City of Casey would also, if at some time the minister could come out and discuss various road issues with the council. In the meantime I look forward to the minister's positive consideration of providing funding in 2007–08 for upgrading Berwick-Cranbourne Road.

Responses

Mr WYNNE (Minister for Housing) — I thank the member for Preston for raising the matter of public housing in his electorate. He is of course well known for his very strong advocacy on behalf of public housing generally, and more specifically for his efforts in relation to public housing in the East Reservoir and Preston areas. The City of Darebin is also well known throughout the local government arena as a very strong advocate for public and social housing, and I commend it for its work, particularly its partnerships around the urban renewal projects.

Since its election the government has increased the amount of public and social housing stock in the city of Darebin by 9 per cent to a total of 3455 units as of 30 June 2006.

Mrs Fyffe interjected.

Mr WYNNE — Indeed, I will come to you. That is a very credible performance, because as I have said in the house before, it comes off the back of a declining position regarding the commonwealth-state housing agreement. Since 1994–95 the commonwealth's effort in relation to its part of the housing agreement has decreased by \$900 million, which in effect has cost Victoria 4500 public housing units. It is a very fine effort to have improved the stock of public housing in that area, but of course it builds on what is a fantastic track record set by this government. Above and beyond our obligations under the commonwealth-state housing agreement we have committed \$450 million to public and social housing. And of course there is the extraordinary, one-off commitment of \$500 million — the biggest commitment ever made by a state government to public housing — in the last budget.

Mr Pallas — How much?

Mr WYNNE — Five hundred million dollars. It really sets this government up, certainly in relation to its negotiations with the commonwealth government at the upcoming July commonwealth-state housing ministers' conference, to which we hope the commonwealth will come with some decent offers to the states around where it sees public and social housing going over the next five years.

But of course in the Preston and East Reservoir areas we know there is a lot of older stock that requires significant upgrades and significant work to be done on it. In that respect the member for Preston has raised the urban renewal project in that area. Urban renewal is one of the great success stories of this government, because it is about a place-based investment in those areas, particularly — —

Mr Batchelor — Neighbourhood renewal.

Mr WYNNE — It is about neighbourhood renewal and urban renewal. It is about a place-based approach in partnership with local government and in partnership with local community organisations such as the community health centre, the council and various other key organisations. We believe there is tremendous potential to further utilise not just the \$500 million that will be going to public and social housing. Over the four years of this government a budget of \$1.4 billion is going to be invested in public and social housing.

Certainly the areas of Reservoir and Preston must remain key priority areas for this government, in terms of not only refurbishing existing public housing stock but also looking to opportunities to redevelop existing older stock, to increase density in those areas and to very much work in partnership with local government on those projects.

As the member for Preston would be aware, I announced recently a joint project between the Office of Housing and Local Government Victoria worth \$500 000. We are interested in going out on a competitive basis to local governments that are interested in taking the next step and moving beyond being advocates for public and social housing to being able to identify areas of land that may be in public hands or may be in the hands of a council — or may be in fact a combination of both — and putting that land together and getting a comprehensive development zone over it so they can then come back to the government and say, 'Here are some tangible parcels of land of some scale that are available for public, social, affordable and private sector housing of some density'. That is really the way for local government to go forward. I will be encouraging local councils to come to us with proposals, and we will assist them by providing dollars to get that planning work done.

It is the next step for local government, and I know there is a very strong appetite throughout local government for that to happen. Indeed the member for Preston's area is simply one of those that are ripe for these opportunities. I commend him and the Darebin council for their efforts in relation to public and social housing, and certainly we look forward to the opportunities that are going to arise over the next year to spend wisely the magnificent investment that this government has made in public and social housing. We will be doing it in partnership with the member for Preston and the Darebin council.

Mr BATCHELOR (Minister for Energy and Resources) — I congratulate the member for Mount Waverley on her decision to take up green power as the energy source for her household, and I also congratulate her on the large number of people in her electorate who are taking up green power as their source of energy.

The member for Mount Waverley also raised with me the other issue that will help the environment, and that is asking members of her electorate and other householders to be more energy efficient. In particular the member raised with me the need for the government to facilitate and promote ways in which people can make their homes more energy efficient. I know this is an issue that will be of vital importance, both from an

environmental point of view and from a household budget point of view, to people in her electorate.

As the member for Mount Waverley pointed out, one-third of all Victoria's greenhouse gas emissions come from households, which means that the average family produces about 12 tonnes of greenhouse gases each year. This has an enormous impact on the environment in the context of what families and households produce. I can inform the Parliament that the Bracks government has made a commitment to introduce a scheme which will help families reduce greenhouse gas emissions and at the same time also cut their power bills. This initiative from the Bracks government is called the Victorian energy efficiency target, otherwise known as VEET. The VEET scheme will set a target for energy savings and require energy retailers to meet their own targets through energy efficiency activities such as providing households with energy-saving products and energy-saving services at little or no cost.

The point here is that there is no need to wait for VEET, because already the Bracks government has launched its black balloons campaign. This campaign shows that there are simple things that each and every one of us can do to reduce greenhouse gas emissions in our households. The black balloons campaign is all about behavioural change. It is about providing handy hints and advice to individuals and households on how they might be more energy efficient. Doing that will provide an advantage for the environment, and it will also provide an advantage for households through lower power bills. So it is genuinely a win-win situation.

There are a number of things that householders can do. Take, for example, stand-by power. Stand-by power guzzles up to 10 per cent of all the energy in our homes, and that is energy we pay for when we are not using it or receiving benefits from it. The solution is very easy: we should turn off power appliances at the power point when they are not being used. It has been estimated that stand-by power can cost households around \$180 per year. If you tackle this issue of unnecessary use of stand-by power in households, you can see that you can protect the environment and you can also bring about very large savings in household budgets through reduced energy costs.

Lighting is another area we should be looking at. It accounts for around 10 per cent of household greenhouse gas emissions. We can make significant reductions in this area by simply replacing conventional incandescent globes with the more energy efficient compact fluorescent globes. It is a very simple task:

when your old-style globe wears out, you simply replace it with a much more energy efficient compact fluorescent. However, there are lots of other, very simple ways we can reduce our household emissions. This can be achieved in a number of different, simple, direct and effective ways — for example, installing insulation. Insulation is now graded and the higher the R rating, the more effective it will be in achieving those cost savings. Particularly in this time of winter you can switch off unnecessary appliances — the second fridge, for example — and save large amounts of energy use.

You can take shorter showers so that you use less water that needs to be heated up by energy. Thereby you save water, you save energy and you save on your power bills. You can switch lights off when they are not needed. When you are not using a room, just switch the lights off. You can seal the draughts and gaps in external walls, doors and windows and keep the heat in and the cold out. These are all very simple things.

You can close off areas that do not need to be heated during the winter period. Before you go on holidays you can turn off all the unnecessary appliances at the power point and thereby not leave that stand-by power on or those appliances on. You can choose more cost-effective appliances. You can wash your clothes in cold water. For winter heating you can set the thermostat at 18 degrees or perhaps 20 degrees. You can make sure that people in the house dress appropriately so they stay comfortable rather than turning up the heating, turning up the thermostat and turning up the cost of power bills in your house. It is interesting to note that if you lower your heater's thermostat by 1 degree, you can reduce your power bills by some 15 per cent.

Lots of these handy, practical, everyday, sensible, rational hints are available. In fact there are many more of them available. They can be found on one of the most useful internet sites available — that is, the website of Sustainability Victoria, at www.sustainability.vic.gov.au. It is a very helpful and efficient site. It will help Victorians and any other people who choose to access it with advice on how they may reduce their energy bills and at the same time make a positive and constructive contribution to the environment. I am sure the member for Mount Waverley and her constituents will want to access the Sustainability Victoria website and take up these opportunities for saving energy now. Once the VEET scheme is implemented they will take full advantage of it, just as they have taken full advantage of the green power option available through energy retailers here in Victoria.

Mr ANDREWS (Minister assisting the Premier on Multicultural Affairs) — I am very pleased to respond to an important matter raised by the member for Derrimut. At the outset I congratulate the member on his advocacy on behalf of multicultural communities in his local area and indeed right across the state. As I have said many times, this government welcomes the multiculturalism and cultural diversity that makes our state such a fundamentally interesting and great place to live, work and raise a family.

Multiculturalism and cultural diversity are great social assets and great economic assets as we go forward. This is something every Victorian should value. As a government we value that cultural diversity and the contributions that so many of our ethnic communities make in terms of daily life, and indeed the contributions they have made over time to build this state into the great place it is today. However, we need to invest to support that cultural diversity and that strong and healthy multicultural community. As a government we have a proud record of doing just that.

In terms of supporting multicultural communities in the important work they do, whether it be in terms of promoting tolerance and understanding, celebrating and sharing cultural heritage or providing advocacy, support and welfare services to individual members and families within culturally and linguistically diverse communities, those community agencies do an important, valuable job. It is valued by the government, and I think it is valued by the broader community. It is important that governments work hard to try to provide meaningful and practical support to the many hundreds of different groups right across Victoria which do such a great job of helping the broader community make the most of this rich and important asset.

As I said, we have worked hard to provide practical, ongoing support to so many different multicultural communities through the Victorian Multicultural Commission (VMC) and in particular through the community grants program. This is a very successful program, the history of which tells a great story in terms of the practical support that this government has provided to so many different communities across the state.

As I have noted on many occasions, when we came to government this program received just \$750 000 in funding a year. That supported around 900 groups. Today that program receives funding of around \$3 million per year and supports about 1600 groups. As a result of the budget delivered only a month ago we will have a situation where in the next financial year some \$4 million will be allocated to the Victorian

Multicultural Commission's community grants program to support an even larger number of groups right across the state. That is important in terms of supporting volunteers, supporting those groups — —

Mr Kotsiras — New branch members?

Mr ANDREWS — The member for Bulleen talks about branch members. I would not be lecturing anybody about recruiting branch members if I were the member for Bulleen.

The DEPUTY SPEAKER — Order! The minister should ignore interjections.

Mr ANDREWS — These are important matters and I would have thought that the member for Bulleen would support these matters in a bipartisan way.

Mr Kotsiras interjected.

The DEPUTY SPEAKER — Order! The member for Bulleen should cease interjecting across the table.

Mr ANDREWS — Indeed he should, Deputy Speaker.

As I said, in the new financial year we will provide some \$4 million in ongoing funding to support this very important project. Fundamentally this is to support, thank, honour and effectively acknowledge the contribution that so many groups right across the state make. I think that is a great example of ongoing support. That story — moving from \$750 000 a year to some \$4 million per year in the new financial year — is a very practical sign of the support, the interest and the endeavour we have shown in supporting multiculturalism across our state.

The member for Derrimut raised an issue in relation to providing organisational support for multicultural groups across the state and to help them to do their important work. That is all about supporting people who are often vulnerable members of the Victorian community. As part of the community grants program and the VMC's work in a broader sense I am very pleased to inform the member that I recently approved the 2006–07 community organisational support grants as part of the Victorian Multicultural Commission's community grants program.

Under that suite of grants 478 funding applications have been approved for a total of \$521 500. That is great news for those groups. It is great news for the individual families and the ethnic communities which those groups work so hard to support. It is also great news for the broader Victorian community because it is

all about helping those groups to share cultural heritage, to promote tolerance, to promote understanding, to protect and invest in that multiculturalism and that cultural diversity that, as I said at the outset, is such an important asset for all of us.

This is just another example of our commitment to all of those aims — practical commitment, commitment that means things that make a difference in the provision of services and the celebration of our cultural diversity. The member for Derrimut should be very proud of the ongoing advocacy and the passion with which he deals with these matters, both as a member representing his own very culturally and linguistically diverse community, but also in the role he plays as Parliamentary Secretary to the Premier in the Premier's capacity as the Minister for Multicultural Affairs.

I am very pleased to provide the member with that information; some 478 groups will share in more than \$520 000. This is an important demonstration of our government's commitment to support cultural diversity or multiculturalism. Some would argue that it has never been more important to do this work. We are very proud to be able to provide this funding to so many worthy groups right across the state.

Mr PALLAS (Minister for Roads and Ports) — The member from Narre Warren South raised an issue with me regarding a key outer suburban road in her electorate, the Berwick-Cranbourne Road. This is one of many roads in outer metropolitan Melbourne in which the Bracks government has been proud to invest.

To give members an illustration, in the last five years there have been some 37 outer metropolitan road projects undertaken by this government at a total cost of about \$996 million. In addition we have committed to a further 21 outer metropolitan road projects to a tune of about \$414 million. As the member for Narre Warren South has indicated, we have included \$103 million investment in this budget in respect of outer metropolitan roads — that is, for 2007–08. I am pleased to advise the member that it is in no small part due to her fearless advocacy for road infrastructure in her electorate that \$7.7 million will be allocated to continue the duplication of the Berwick-Cranbourne Road between Grices Road and Thompsons Road. The funding will be used to help complete this stage of the upgrade by the end of 2008, which upon its completion will include an upgrade of the Thompsons Road and Berwick-Cranbourne Road intersection.

This is in addition to work that we have already put in place — that is, more than \$5 million for the duplication between Centre Road and Greaves Road

and around \$9 million in respect of work between Greaves Road and Grices Road. As we can see, it is an ongoing commitment in terms of the upgrade of that road, something in the vicinity of \$21 million in total when one adds this contribution. The project will improve road safety while also reducing travel times for local residents who access this substantial arterial road, which of course links the Princes Highway with the South Gippsland Highway. Since 1999, I am proud to advise the house, we have invested more than \$4.8 billion in building better, safer roads across Victoria. I am pleased to advise the member for Narre Warren South that that work continues — and continues most directly in respect of the Berwick-Cranbourne Road and a \$7.7 million investment for continuing work on the duplication of that road.

The member for Polwarth raised an issue for the attention of the Minister for Public Transport about working with me to actively support and invest in new technology for level crossings. I will refer the member's contribution to the Minister for Public Transport and I will continue to work with her in regard to this issue. A review is currently under way with respect to assessing the safety of every level crossing in Victoria against newly agreed national guidelines. As a government we have upgraded level crossings. There were 96 completed in 2005–06; 54 completed in 2006–07; and 40 completed in 2007–08; and 60 are planned in 2008–09. In practical terms what this means is that the government has contributed in capital contribution towards level crossing upgrades as much in two years as the previous government did in its entire seven-year term. It is an important priority for this government to work towards improving safety for road, rail and pedestrians at level crossings, as demonstrated by our level crossing upgrades.

There was a question from the member for Morwell to the Minister for Water, Environment and Climate Change concerning access of emergency service volunteers to Victoria's national parks without entrance fees, and I will refer that matter to the minister.

There was a question from the member for Kilsyth — —

The DEPUTY SPEAKER — Order! Those are matters being raised, not questions. That is just a technicality.

Mr PALLAS — Thank you, Deputy Speaker. The member for Kilsyth raised a matter for the Minister for Education Services concerning Eastwood Primary School, regarding transport services and home pick-up options. I will refer that matter to the minister.

The member for Gippsland East raised a matter for the Minister for Health, seeking further support and expansion of mental health services for young people in Gippsland East, and I will refer that matter to the minister.

The member for Yan Yean raised a matter for the attention of the Minister for Water, Environment and Climate Change, seeking clarification from the minister of why the Sugarloaf Reservoir was chosen as the location of the northern food bowl pipeline linkage, and I will refer that matter to the minister.

The member for Evelyn raised a matter for the Minister for Education Services concerning ensuring more resources in schools for integration aides, and I will refer that matter to the minister.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.54 p.m.

