

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Thursday, 13 September 2012**

**(Extract from book 14)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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Minister for Environment and Climate Change, and Minister for Youth Affairs. . . . .	The Hon. R. Smith, MP
Minister for Agriculture and Food Security, and Minister for Water. . . . .	The Hon. P. L. Walsh, MP
Minister for Mental Health, Minister for Women's Affairs and Minister for Community Services. . . . .	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary . . . . .	Mr D. J. Hodgett, MP

### Legislative Assembly committees

**Privileges Committee** — Ms Barker, Mr Clark, Ms Green, Mr McIntosh, Mr Morris, Dr Naphine, Mr Nardella, Mr Pandazopoulos and Mr Walsh.

**Standing Orders Committee** — The Speaker, Ms Barker, Mr Brooks, Mrs Fyffe, Ms Green, Mr Hodgett, Mr McIntosh and Mrs Powell.

### Joint committees

**Dispute Resolution Committee** — (*Assembly*): Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Mr Merlino, Dr Naphine and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

**Drugs and Crime Prevention Committee** — (*Assembly*): Mr Battin and Mr McCurdy. (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.

**Economic Development and Infrastructure Committee** — (*Assembly*): Mr Burgess, Mr Carroll, Mr Foley and Mr Shaw. (*Council*): Mrs Peulich.

**Education and Training Committee** — (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick. (*Council*): Mr Elasmarr and Ms Tierney.

**Electoral Matters Committee** — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

**Environment and Natural Resources Committee** — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

**Family and Community Development Committee** — (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling. (*Council*): Mrs Coote and Ms Crozier.

**House Committee** — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller. (*Council*): The President (*ex officio*), Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.

**Law Reform Committee** — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe. (*Council*): Mrs Petrovich.

**Outer Suburban/Interface Services and Development Committee** — (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish. (*Council*): Mrs Kronberg and Mr Ondarchie.

**Public Accounts and Estimates Committee** — (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott. (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula.

**Road Safety Committee** — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

**Rural and Regional Committee** — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt. (*Council*): Mr O'Brien and Mr O'Donohue.

### 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: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE ASSEMBLY**  
**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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**Deputy Leader of the Parliamentary Liberal Party:**

The Hon. LOUISE ASHER

**Leader of The Nationals and Deputy Premier:**

The Hon. P. J. RYAN

**Deputy Leader of The Nationals:**

The Hon. P. L. WALSH

**Leader of the Parliamentary Labor Party and Leader of the Opposition:**

The Hon. D. M. ANDREWS

**Deputy Leader of the Parliamentary Labor Party and Deputy Leader of the Opposition:**

The Hon. J. A. MERLINO

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lim, Mr Muy Hong	Clayton	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Asher, Ms Louise	Brighton	LP	McGuire, Mr Frank <sup>5</sup>	Broadmeadows	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	McLeish, Ms Lucinda Gaye	Seymour	LP
Battin, Mr Bradley William	Gembrook	LP	Madden, Mr Justin Mark	Essendon	ALP
Bauer, Mrs Donna Jane	Carrum	LP	Merlino, Mr James Anthony	Monbulk	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Blackwood, Mr Gary John	Narracan	LP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield <sup>1</sup>	Broadmeadows	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Bull, Mr Timothy Owen	Gippsland East	Nats	Nardella, Mr Donato Antonio	Melton	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carroll, Mr Benjamin Alan <sup>2</sup>	Niddrie	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	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 Peter	Nepean	LP	Pike, Ms Bronwyn Jane <sup>6</sup>	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
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Eren, Mr John Hamdi	Lara	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Shaw, Mr Geoffrey Page	Frankston	LP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Ryan	Warrandyte	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Sykes, Dr William Everett	Benalla	Nats
Halfpenny, Ms Bronwyn	Thomastown	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Helper, Mr Jochen	Ripon	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hennessy, Ms Jill	Altona	ALP	Tilley, Mr William John	Benambra	LP
Herbert, Mr Steven Ralph	Eltham	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Hodgett, Mr David John	Kilsyth	LP	Victoria, Mrs Heidi	Bayswater	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Hulls, Mr Rob Justin <sup>3</sup>	Niddrie	ALP	Watt, Mr Graham Travis	Burwood	LP
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Weller, Mr Paul	Rodney	Nats
Kairouz, Ms Marlene	Kororoit	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kanis, Ms Jennifer <sup>4</sup>	Melbourne	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

<sup>1</sup> Resigned 21 December 2010

<sup>2</sup> Elected 24 March 2012

<sup>3</sup> Resigned 27 January 2012

<sup>4</sup> Elected 21 July 2012

<sup>5</sup> Elected 19 February 2011

<sup>6</sup> Resigned 7 May 2012



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**Thursday, 13 September 2012**

**The SPEAKER (Hon. Ken Smith) took the chair at 9.34 a.m. and read the prayer.**

**BUSINESS OF THE HOUSE****Notices of motion: removal**

**The SPEAKER** — Order! Notices of motion 12 to 20 will be removed from the notice paper unless members wishing their notices to remain advise the Clerk in writing before 2.00 p.m. today.

**PETITIONS****Following petitions presented to house:****Higher education: TAFE funding**

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the state government's plans to cut hundreds of millions of dollars from TAFE funding.

In particular, we note:

1. the TAFE association has estimated up to 1500 jobs could be lost as a result of these cuts;
2. many courses will be dropped or scaled back and several TAFE campuses face the possibility of closure;
3. with 49 000 full-time jobs already lost in this term of government, skills training has never been more important for Victorians.

The petitioners therefore request that the Legislative Assembly urges the Baillieu state government to abandon the planned funding cuts and guarantee no further cuts will be made.

**By Ms HENNESSY (Altona) (47 signatures).**

**Buses: route 509**

To the Legislative Assembly of Victoria:

This petition of the people of Victoria draws to the attention of the house the deep concern in the local Brunswick-West Brunswick community at news of the possible removal of bus route 509 — the Hope Street bus.

The petitioners note that this bus route:

has been in place for many years; and

is utilised by the community, particularly senior citizens and those with limited mobility, for access to:

essential activities such as shopping;

services and appointments;

community and social organisations, and

Sydney and Melville roads for transport to adjacent areas.

Significantly, bus route 509 is the primary avenue of public transport for many residents and its removal will cause distress amongst and have a negative impact on those in the community that rely on this service.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to reverse any plans for the removal of bus route 509 and take appropriate action for its continued service.

**By Ms GARRETT (Brunswick) (566 signatures).**

**Murrindindi Shire Council: future**

To the Legislative Assembly of Victoria:

This petition of concerned residents and ratepayers of the Shire of Murrindindi draws to the attention of the house and the Minister for Local Government the following issues:

the serious short and long-term financial viability problems facing the Shire of Murrindindi;

the ongoing impact of Black Saturday, 7 February 2009, which continues to affect the operation, assets and finances of the Shire of Murrindindi;

the community's profound lack of confidence in the performance and governance provided by council and the Shire of Murrindindi.

Your petitioners therefore request that the Legislative Assembly of Victoria and the Minister for Local Government appoint a panel of review under the Local Government Act 1989 to consider and make recommendations on:

the short and long-term financial viability of the Shire of Murrindindi;

the feasibility of council elections taking place in 2012;

the necessity for the minister to appoint an administrator.

**By Ms McLEISH (Seymour) (42 signatures).**

**Buses: northern suburbs**

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria calls on the Baillieu government to reverse its recent cuts to bus services.

In particular, we note:

1. the localities of Greensborough, Plenty, Mill Park, Bundoora, Yarrambat, Whittlesea and beyond have all been hit hard by cuts to services. Many bus stops at schools, aged-care and sporting facilities have been removed altogether;
2. the Baillieu government's 2011–12 bus review was done in secret and in the shadow of budget cuts and has resulted in many service losses, overcrowding and

massively increased travel times including Greensborough losing 561 weekly services, and Doreen commuters' journey times blowing out by over 26 per cent;

3. the Baillieu government's review is in stark contrast to the 2008–09 review of bus services by the former Labor government, where there was extensive community consultation and delivered over 1000 extra weekly services for the north;
4. these cancellations are causing great distress to locals in Melbourne's north, who use bus services to access employment, shopping, health and education.

The petitioners therefore request that the Legislative Assembly of Victoria urges the Baillieu government to reinstate these services and deliver better public transport for our growing community including an increased number of bus services and commitments to upgrade our public transport infrastructure.

**By Ms GREEN (Yan Yean) (46 signatures).**

**Tabled.**

**Ordered that petition presented by honourable member for Brunswick be considered next day on motion of Ms GARRETT (Brunswick).**

**Ordered that petition presented by honourable member for Altona be considered next day on motion of Ms HENNESSY (Altona).**

**Ordered that petition presented by honourable member for Yan Yean be considered next day on motion of Ms GREEN (Yan Yean).**

**Ordered that petition presented by honourable member for Seymour be considered next day on motion of Ms McLEISH (Seymour).**

**Ordered that petition presented by honourable member for Pascoe Vale on 12 September be considered next day on motion of Ms CAMPBELL (Pascoe Vale).**

## DOCUMENTS

**Tabled by Clerk:**

Adult Parole Board — Report 2011–12  
 Agriculture Victoria Services Pty Ltd — Report 2011–12  
 Barwon Region Water Corporation — Report 2011–12  
 Building Commission — Report 2011–12  
 Business and Innovation, Department of — Report 2011–12  
 Central Gippsland Region Water Corporation — Report 2011–12

Central Highlands Region Water Corporation — Report 2011–12

City West Water Ltd — Report 2011–12

Coliban Region Water Corporation — Report 2011–12

Commissioner for Law Enforcement and Data Security, Office of — Report 2011–12

East Gippsland Region Water Corporation — Report 2011–12

Fed Square Pty Ltd — Report 2011–12

*Financial Management Act 1994* — Reports from the Minister for Agriculture and Food Security that he had received the reports 2011–12 of:

Murray Valley Citrus Board

Murray Valley Wine Grape Industry Development Committee

Fire Services Commissioner — Report 2011–12

Geoffrey Gardiner Dairy Foundation Ltd — Report 2011–12 (two documents)

Gippsland and Southern Rural Water Corporation — Report 2011–12

Goulburn-Murray Rural Water Corporation — Report 2011–12

Goulburn Valley Region Water Corporation — Report 2011–12

Grampians Wimmera Mallee Water Corporation — Report 2011–12

Lower Murray Urban and Rural Water Corporation — Report 2011–12

Melbourne Convention and Exhibition Trust — Report 2011–12

Melbourne Water Corporation — Report 2011–12

North East Region Water Corporation — Report 2011–12

Northern Victoria Irrigation Renewal Project — Report 2011–12

Ombudsman — Report 2011–12 Part 2 — Ordered to be printed

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

Banyule — C64

Boroondara — C166

Greater Bendigo — C139 Part 1

Nilumbik — C76

Police Integrity, Office of — Report 2011–12 — Ordered to be printed

*Project Development and Construction Management Act 1994* — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents)

South East Water Ltd — Report 2011–12

South Gippsland Region Water Corporation — Report 2011–12

State Services Authority — Report 2011–12

*Subordinate Legislation Act 1994*:

Documents under s 15 in relation to Statutory Rule 93

Documents under s 16B in relation to — *Australian Consumer Law and Fair Trading Act 2012* — Interim ban order: small, separable or loose permanent magnetic objects

Tourism Victoria — Report 2011–12

Transport Accident Commission — Report 2011–12

Transport Ticketing Authority — Report 2011–12

VicForests — Report 2011–12

Victoria Police — Report 2011–12

Victorian Institute of Forensic Mental Health — Report 2011–12

Victorian Multicultural Commission — Report 2011–12

Victorian Small Business Commissioner, Office of — Report 2011–12

VITS LanguageLink — Report 2011–12

Wannon Region Water Corporation — Report 2011–12

Western Region Water Corporation — Report 2011–12

Westernport Region Water Corporation — Report 2011–12

Yarra Valley Water Ltd — Report 2011–12.

## BUSINESS OF THE HOUSE

### Adjournment

**Mr McINTOSH** (Minister for Corrections) — I move:

That the house, at its rising, adjourn until Tuesday, 9 October 2012.

**Motion agreed to.**

### R U OK? DAY

**The SPEAKER** — Order! I would like to remind members that today is R U OK? Day. Are members okay? Is the member for Ripon okay? Good.

## MEMBERS STATEMENTS

### Swinburne University of Technology: Lilydale and Prahran campuses

**Mr MERLINO** (Monbulk) — Yesterday was another milestone in the community's campaign to save the Swinburne University campuses at Lilydale and Prahran. A petition signed by a massive 15 002 people was handed to the Leader of the Opposition. It was compiled by students at the Lilydale and Prahran campuses, the National Tertiary Education Union and the broader community. Congratulations to Aime Watson and her colleagues. This petition adds to the largest petition I have ever circulated in the seat of Monbulk, of some 2800 signatures, and the 25 000-strong petition tabled by the opposition leader last sitting week. This issue has resonated unlike any other in my 10 years as a member; the community outrage is quite extraordinary. This issue is not going away.

The Premier and government members do not have the courage to take responsibility for the impact of their cuts, and as hard as the Premier tries to lay blame elsewhere, the community knows who delivered this devastating outcome. They cut \$290 million out of TAFE. For Swinburne that meant a loss of \$35 million, and as a result the closure of the campuses at Prahran and Lilydale. The Premier comes in here and talks about the need for courses to reflect the needs of local industry. In my community those needs are hospitality, business administration, tourism and events, and horticulture. All of those are gone because of the Baillieu government. The first people who responded to me were the owners of local businesses, restaurants and tourist outlets. They were absolutely horrified that the employees they used to get from Swinburne are no longer going to be available.

### Opposition members: comments

**Mr O'BRIEN** (Minister for Energy and Resources) — On 29 August 2012, the member for Mill Park claimed in this house that as minister I had removed ceiling insulation from the Victorian energy efficiency target scheme (VEET), a claim repeated by other Labor members. This claim is entirely false. In fact, it was the former Labor Minister for Energy and Resources, Peter Batchelor, who removed ceiling insulation from the VEET scheme on 27 July 2009, as the *Victoria Government Gazette* records. If the member for Mill Park has any respect for this house and for the truth, she will stand at the dispatch box and apologise for making a claim which was demonstrably untrue. If the member for Mill Park refuses to correct

the record, it will confirm that what she says simply cannot be believed.

On 29 August, the member for Ballarat East raised an adjournment matter seeking a moratorium on mining activity in the Wombat State Forest and decried the lack of community consultation. The member referred to a letter he wrote to me on 15 August 2012 in which he stated:

Clearly genuine community consultation would have prevented the granting of any exploration or mining lease.

The member for Ballarat East should be embarrassed by the fact that the mining licence to which he refers was issued by the former Labor government in 2007. It was Labor which conducted the consultation the result of which the member now condemns and it was Labor which issued the licence to permit mining. The member should apologise to his community for being asleep at the wheel when the licence was issued and apologise to this house for pretending that Labor's failings are the responsibility of the coalition.

### **Consumer affairs: door-to-door marketing**

**Mr SCOTT** (Preston) — I rise to draw the attention of the house to con men wearing official-looking uniforms who are doorknocking in the northern suburbs of Melbourne. They purport to be government officials and claim to be from government agencies but are really selling products and services. In one case a so-called official claimed to be performing a house numbering audit. Elderly residents — and these con men are particularly targeting the elderly — were told their house numbering was inadequate and that there was a requirement to paint a new number on the driveway. When this service was performed a demand for \$30 was made. It will not surprise members to hear that the receipt issued contained a false address and phone number. Through their pretence of authority they coerced payments from elderly, confused residents. This is reprehensible behaviour which should be subject to the scrutiny of this Parliament. I note the Minister for Consumer Affairs is at the table, and I will certainly be taking it up with him. The behaviour should be subject to the full weight of the law.

I am aware of a second type of case in which so-called officials claim to be providing audits of electrical devices and falsely claim to be from the government. Again they are providing services of a commercial nature which have nothing to do with a role representing the government. They are simply cynical attempts to manipulate for their own profit the willingness of persons to cooperate with government.

### **Multicultural affairs: interpreting and translating services**

**Mr KOTSIRAS** (Minister for Multicultural Affairs and Citizenship) — I was pleased to announce the opening of applications for interpreter scholarships for 2013, which will support students studying for the diploma of interpreting at RMIT University. The scholarships aim to train people to work as accredited interpreters. Applications have been sought in metropolitan Melbourne for speakers of Nepali, the number of speakers of which has increased by 440 per cent; Dinka; Nuer; Kurdish; Swahili, the number of speakers of which has increased by 95 per cent; and Assyrian. For the first time the scholarships have been extended to support students studying in regional Victoria. In 2013 a program will run in Shepparton in the Dari language to support the growing Afghan community there.

There is a shortage of interpreters and translators in Victoria, especially for the languages spoken by newly arrived migrants, and that is why the government has put an extra \$2 million into language services for emerging groups. This brings the total spend on interpreting and translating to more than \$25 million across the whole of government.

### **Carlton Italian Festa**

**Mr KOTSIRAS** — On another matter, Lygon Street will come alive on Sunday, 14 October, with the Carlton Italian Festa, thanks to an \$88 000 grant that I recently approved. I invite all members of this house to attend the event, which will showcase the best of the different regions of Italy and bring people together to celebrate Victoria's cultural diversity, which is a highlight of this state.

### **Ocean Grove Barwon Heads Lions Club: retirement living project**

**Ms NEVILLE** (Bellarine) — Last Sunday I was delighted to officially open the Ocean Grove Barwon Heads Lions Club townhouses and to celebrate the commencement of the club's retirement living project. The townhouse project has been a joint community initiative between Kingston Ocean Grove and the Lions club. It is part of the club's plan to eventually build a retirement living facility for the community. The two townhouses, located in Ocean Grove, have been built on land generously donated by the Corless family and are now ready for sale. The proceeds from the sale will be used to progress the club's retirement living project with the aim of building a retirement facility for the local community.

Club members have worked long and hard fundraising for the townhouse project, and local businesses have generously provided both goods and services to support the club's endeavours. Many people have contributed to the success of the project, in particular Bill Willocks, who was the driving force on the retirement living committee and maintained his enthusiasm for the project even after moving to Melbourne. I would like to make special mention of Ed and Win Corless and Allason Lynch and Jason Corless for their ongoing involvement in and commitment to the project.

The opening was a great occasion and an opportunity to celebrate the wonderful spirit of community that exists in the local area. I congratulate everyone involved for their vision and determination to make this such a success, particularly the Lions club members, including the president of the Ocean Grove Barwon Heads Lions Club, Philip Scambler, secretary Marilyn Spolding and the members of the board, along with all the sponsors for their generous support. I offer my best wishes for the future of this innovative and exciting project.

### **Road safety: government strategy**

**Mr HODGETT** (Kilsyth) — I rise to congratulate the Minister for Police and Emergency Services, who is also the Deputy Premier, on the government's 2012 road safety survey. My electorate of Kilsyth includes the Maroondah and Yarra Ranges local government areas. In the shire of Yarra Ranges the road toll has been cause for concern over many years, and you only have to talk to local residents to gauge just how important road safety issues are.

I saw the road safety survey in my local Leader newspaper this week. I encourage all residents to fill in the survey and help drive Victoria's future road safety strategy. We want to hear their views on road safety, so they should have their say and help develop our state's next road safety strategy.

### **Scouts and guides: facilities grants**

**Mr HODGETT** — On another matter, the Minister for Youth Affairs recently announced funding for the scouts and guides facilities grants program. This funding is part of the Victorian coalition government's \$4 million election commitment to upgrade scouts and girl guides facilities across the state. The Scouts Australia Victoria Branch and Girl Guides Victoria do a terrific job supporting, training and mentoring young Victorians, and I strongly encourage all our local scouts and girl guide groups across the Maroondah and Yarra Ranges local government areas to apply for this round

of funding, which will see facilities upgraded in 2013–14 and 2014–15.

### **Melbourne Storm: achievements**

**Mr HODGETT** — On behalf of the Parliamentary Friends of Storm, I congratulate the Storm on its fantastic win last Saturday night in the qualifying final against the South Sydney Rabbitohs. Well done to Craig Bellamy and the team! We wish the Storm all the very best for the National Rugby League finals. We also offer our best wishes to the CEO of Melbourne Storm, Mr Ron Gaucci, who is doing an outstanding job off field for the Storm.

### **Trent Cotchin**

**Mr HODGETT** — While I am on Melbourne sporting teams, star Richmond midfielder Trent Cotchin has capped off an outstanding 2012 season by capturing a second successive Jack Dyer Medal. I take the opportunity to congratulate Trent Cotchin and wish him well on Brownlow Medal night.

### **Narre South Lions Netball Club**

**Ms GRALEY** (Narre Warren South) — It was my great pleasure to attend the Narre South Lions Netball Club's inaugural meet and greet day. The Narre South Lions is a great local sporting club. It has 398 kids playing footy each week, spread across 18 teams. It finished the 2012 footy season with five teams playing off for premierships glory, its best result yet. The under-11 gold, under-11 navy and under-12 navy teams were all triumphant, whilst the under-15 navy and under-17s finished as runner-ups. Congratulations to all involved.

The executive committee has once again done a wonderful job and its members deserve special mention for their efforts: Bert Andrews, Nicole Andrews, John Rich, Connie DiSalvo, Rohan Banks and Mark Johnson. On the general committee we have Rachel Toner, Sean Duffy, Stuart Merrick and Peter Canny. Let us not forget Julie Johnson, the canteen manager, and the 137 volunteers who help out each and every week.

The newly formed Narre South Lions Netball Club is ably led by Roger Palmer, Donna Fox, Julie Johnson and Simone Miller. In its very first season it will field 11 teams, comprised of over 90 players. Their coaches include Connie DiSalvo, Sarah Lord, Shaylin McLean, Courtney De Prinse, Jo Moyle, Daniela Bressan, Emma Tatlow, Roger Palmer, Simone Miller and Lynette Hovey. It was a wonderful honour to draw out the team

colours and names. I know that each team will do its club and community proud. Go Lions, girls!

### **Eastern Palliative Care: information breakfast**

**Mr ANGUS** (Forest Hill) — I recently had the pleasure of attending an information breakfast put on by Eastern Palliative Care. It was a very informative and interesting morning, providing the opportunity to hear more about the beneficial work being done by EPC in the community. I congratulate the directors, staff and many volunteers involved in this important area for the great work they are doing for eastern suburbs residents.

### **Emmaus College: member visit**

**Mr ANGUS** — I recently had the opportunity of attending one of my local schools, Emmaus College, to speak to the year 11 Victorian certificate of applied learning students and some other senior students. It was a great pleasure to speak to the students about my role as a parliamentarian and outline for them the positive action being taken by the coalition government to address many of the issues of concern to them as young Victorians. I thank the teacher, Mr Kieran Witts, for the opportunity to attend the school and address the students.

### **Livingstone Primary School: annual production**

**Mr ANGUS** — I recently attended the Livingstone Primary School annual school production. It was great to be able to attend and see many students put their diverse talents on display. I congratulate the principal, Mrs Kathy Jones, her team and all the students for their involvement in this very creative production.

### **Building industry: industrial action**

**Mr ANGUS** — The state Labor Party has remained silent on the unlawful industrial action and thuggery we saw on the streets of Melbourne two weeks ago. The Leader of the Opposition must speak up and tell Victorians where he and his party stand in relation to unlawful behaviour by unions. Victorian businesses cannot afford a return to the bad old days of union intimidation on building sites and thugs controlling the construction industry. If the Labor Party really cared about Victorian businesses and the state economy, it would speak up on this issue and make its position clear to all Victorians.

### **St Kilda Park Primary School: disability funding**

**Mr FOLEY** (Albert Park) — Recently I had the honour of attending St Kilda Park Primary School to hear a grade 3 girl, Ella Bunn, sing at a school assembly. Given that Ella has fought and overcome the effects of a life-threatening brain tumour which has also physically weakened her in many ways, her recovery has been nothing short of amazing. Her recovery is testimony to the love and support of her family and community and her own strength and resilience.

When I learnt that Ella's DHS (Department of Human Services) application for an individual support package is still some two years away I shared her family's concerns as to what this might mean for Ella and her continued recovery. Her family works hard with her school to provide the assistance she needs for her continued recovery in both her physical condition and her mounting confidence. Her battles to walk — indeed to even breath, let alone sing — and to participate in school life like any other little girl mark her achievements. Her family and her community want to know they can give this strong child every opportunity she deserves. They will depend on this support from DHS and should receive it sooner rather than later.

I look forward to the Minister for Community Services working to ensure that Ella's case is reviewed so that Ella is provided with the individual care and support package she deserves and that this is done as a matter of urgency. If it takes a village to raise a child, it requires that village to lend assistance in forms that are timely and keep families together and free from stress as they deal with the difficult issues of recovery. It is critical to this family, this child and this school community that Ella Bunn receives the support she deserves. I look forward to her receiving that assistance as soon as she can.

### **Heathcote Wine and Food Festival**

**Mr WELLER** (Rodney) — Spring has well and truly sprung in the Rodney electorate, and it is a perfect time of year to celebrate the wonderful diversity and award-winning quality of our region's food and wine. Coming up early next month is one of our region's most popular events, the Heathcote Wine and Food Festival. This unique festival is in its 11th year and is a wonderful opportunity to taste wines from more than 50 local producers, as well as regional foods and produce — and all in one central location!

Some might not realise that the Heathcote's wine region is internationally renowned for its shiraz, having

been decorated with many wine awards and prizes. A major drawcard of the festival is the tasting seminars, where wine enthusiasts can gain intimate knowledge of local wine varieties and wine making. The seminar program for 2012 will be conducted by popular wine educator and commentator Rob Hicks and is designed to provide an insight into the styles and characteristics of Heathcote's award-winning wines. This year's festival will be held at the Heathcote Showgrounds on Saturday, 6 October, and Sunday, 7 October, from 10.30 a.m. to 5.30 p.m. both days.

I commend the organisers of this fabulous festival and can say without doubt that the ongoing success of this event has helped put Heathcote on the map of Victoria's food and wine tourism destinations. The town is in close proximity to Melbourne, Bendigo and Echuca, situated in the heart of Victoria, and the event offers a great day out.

### **Students: disability funding**

**Mr BROOKS** (Bundoora) — Two weeks ago on 29 August a report by the Victorian Auditor-General titled *Programs for Students with Special Learning Needs* was tabled in Parliament. The report outlines a range of findings and recommendations relating to the educational requirements of children with special needs. It considers the assessment and eligibility criteria and the operation of the \$533 million program for students with disabilities (PSD) and the accountability of that program. It considers supports for students with special learning needs who do not qualify for PSD funding, and the Auditor-General makes comment on teacher and integration aide training and policies for student support groups, individual learning plans, restraint and seclusion practices, part-time enrolments and complaints handling. These are vital issues that dramatically affect the lives of many Victorian families who are often under great stress

The response from the Secretary of the Department of Education and Early Childhood Development indicated acceptance of the recommendations but qualified this with the proviso that implementation will be subject to:

... available resources, government policies and the devolved environment in which government schools operate.

Given the government's massive cuts to the education system, there is little community confidence in the ability of the Baillieu government to properly address these issues. We have not heard any clear statements from the minister about the implementation of these recommendations, in particular whether he will make the resources available to implement them in full. The issues raised by the Auditor-General are too important

to sweep under the carpet. Children with special learning needs and their parents deserve a straight answer to this question, not weasel words.

### **Melbourne Rugby Union Football Club**

**Mr NEWTON-BROWN** (Pahran) — Well done to the Melbourne Rugby Union Football Club on the conclusion of the 2012 season. I had the pleasure of watching most of the under-10s games during the season. The way in which the team grew into a formidable machine over the course of the season was a credit to the boys as well as the coaches who gave up so much time to assist them.

Junior sport is so important to our community, and it is only due to the efforts of parents and coaches in so many different sports that our young kids get to experience team sports on a weekend. Be it netball, football, rugby, soccer or hockey, being part of a team and learning new skills helps build kids' confidence and sense of self.

### **Ballarat: regional sitting**

**Mr NEWTON-BROWN** — I thank the city of Ballarat for welcoming members of this house with open arms during the regional sitting of Parliament. In my view it is important that Parliament reach out to the regions. It is a symbolic gesture, but an important one which demonstrates the coalition government's commitment to regional Victoria.

### **Art Gallery of Ballarat**

**Mr NEWTON-BROWN** — I went for the first time to the Art Gallery of Ballarat, and I was amazed by the quality, depth and breadth of its collection, the centrepiece of course being the Eureka flag. This museum is a must-see for every Victorian.

### **Schools: Prahran electorate**

**Mr NEWTON-BROWN** — The feasibility study for a state secondary school for Prahran is about to commence. This is something I committed to as candidate for Prahran, and I am pleased that the coalition government has funded this important work in this year's budget. I look forward to establishing working committees to help guide and provide input into this most important of studies for my local area.

### **Member for Monbulk: comments**

**Mr NEWTON-BROWN** — The member for Monbulk has been scaremongering again, this time around the funding for the Country Fire Authority in

Victoria. The coalition government has delivered two successive years of record levels of support for all firefighters in Victoria. I encourage the member for Monbulk to apologise for his slippery, loose-with-the-truth comments surrounding the safety of all Victorians.

### **Empowering Monash Women Award: recipients**

**Ms BARKER** (Oakleigh) — I congratulate Monash City Council on two recent initiatives which greatly benefit women in our community. The first, the Empowering Monash Women Award, was established by Monash mayor Stefanie Perri to recognise women who are inspiring and making things happen in the community. The individual awards were presented recently.

Year 11 Huntingtower student Bareetu Aba-Bulgu received an award for her work outside her schooling with organisations including the Reach foundation, the Salvation Army and many more. Sudanese student Elizabeth Kouth received an award for her work with the Southern Ethnic Advisory and Advocacy Council, where she has been a youth committee member for two years. I wish her well in her aspirations to become a police officer. MonashLink Community Health Service social worker Helen Wirtz received an award for her extensive work in advocating for the rights of women in the community. Roshan Bhandary, the program manager at inTouch Multicultural Centre Against Family Violence, received an award for her work in preventing family violence. Congratulations to these outstanding women.

### **City of Monash: preventing violence against women program**

**Ms BARKER** — Monash City Council also recently announced an Australia-first local government program to promote respect and equality across the community with the aim of preventing violence against women. The three-year project is funded by VicHealth and will be conducted in partnership with the MonashLink Community Health Service. This groundbreaking project is being trialled in the city of Monash with the intention of creating a transferable model to be used in other municipalities across Victoria.

I congratulate Monash City Council on applying for the funding from VicHealth and for taking a lead in local government on the very important issue of preventing violence against women.

### **Jobe Watson**

**Ms BARKER** — On another matter and in response to the member for Kilsyth, while Jobe Watson is on the field there is no hope for anyone else to win the Brownlow Medal!

### **Torquay Surf Life Saving Club: trivia night**

**Mr KATOS** (South Barwon) — On Saturday, 8 September, I had the pleasure of attending the Torquay Surf Life Saving Club trivia night, along with my family and Sarah Henderson, the Liberal candidate for the federal seat of Corangamite. It was a fantastic night with over 130 people in attendance. The evening raised \$4300, and I would like to acknowledge the club president, Ian Turner, and Anna Devonish, Lisa Taitapanui and Carolyn Biram for their fine efforts in organising the event. The club is receiving a \$300 000 grant from the Baillieu government, honouring our election commitment, but it still requires a further \$200 000 to modernise the 40-year-old building. I encourage the local community and businesses to get behind the club and support the great work it does.

### **Regional Growth Fund: benefits**

**Mr KATOS** — I condemn the member for Lyndhurst for his antics at last week's regional sitting in Ballarat, where he and those opposite vigorously spoke against the coalition's \$1 billion Regional Growth Fund. However, when it came to the crunch he did not have the courage of his convictions, or maybe the support of his backbench, to follow through and vote against the motion relating to the fund. The Regional Growth Fund is sharing prosperity in Victoria's regions. So far \$20 252 966 has been dispersed in the Geelong and Surf Coast region. To name just a few of those projects, that includes \$15 million for the Geelong Library and Heritage Centre, \$2 377 966 for stage 2 of the Torquay community and civic precinct, and \$2 million for Geelong laneways and the Elcho drainage scheme. I note that the majority of this money is going to Labor-held electorates.

### **Airport West Football Club**

**Mr CARROLL** (Niddrie) — I rise to congratulate the Airport West Football Club, the mighty Eagles, on a successful 2012 premiership season. Last Sunday, 9 September 2012, was a very important and successful day in the history of the Airport West Football Club. The club had two senior sides in the Essendon District Football League grand finals. It has been 19 years since Airport West has had the unique experience of two senior sides playing in grand finals. The Airport West

senior reserves match was the curtain-raiser for the main event and proved to be a good omen for the day, as they defeated Glenroy 17.13 (115) to 10.10 (70). Congratulations to coach Chris Daley, captain Daniel Orr and all the team on a fantastic win.

The Airport West seniors performed what the *Moonee Valley Weekly* described as ‘one of the most remarkable comebacks in Essendon District Football League history’, overturning a 51-point deficit to beat West Coburg by 69 points in the division 1 grand final. What a win it was, with West Coburg kicking 11 of the first 13 goals only for Airport West to respond with 16 unanswered goals, winning the game 22.22 (154) to 13.7 (85) at the Windy Hill football ground in Essendon. Congratulations to player-coach Adam Contessa, captain Ricky McVeigh, player Frank Agresta, who was judged best on ground, and full forward Marcus Kenny, who finished with five goals and was the competition’s leading goal kicker.

A successful football club is only as good as its administration, and at Airport West there is a committed team of volunteers and administrators led by president Alan Torrance, his wife, Christine, senior vice-president Michael Muscat, junior vice-president Sean Triplett, and secretary Andrew Livingstone. Finally, congratulations to the Airport West under-12 team, who were the division 2 premiers, defeating Craigieburn 12.3 (75) to 1.5 (11). The Airport West Football Club’s future burns bright.

**The SPEAKER** — Order! It is a speed-reading competition this morning.

### Vietnam Veterans Day

**Mr McCURDY** (Murray Valley) — It was my privilege to be in Vietnam recently for the 46th commemoration of the battle of Long Tan, near Nui Dat. It is 50 years since the first Australian troops arrived in Vietnam for a war that saw 521 Australians killed and more than 3000 wounded. It was a most moving and sacred ceremony at the actual battle site, and I was in the company of Vietnam veteran David Martin, OAM, secretary of the Rutherglen RSL, his wife, Kay, and two other Murray Valley constituents and Vietnam vets, Pat Crough and Rod Harlor.

It was a significant moment in my life. As the honour roll was read out I thought about the Australians who lost their lives there. They were all aged between 19 and 22, something that is not lost on me when I consider that my children are aged between 17 and 23. At the end of the ceremony I laid a wreath at the foot of

the Long Tan Cross on behalf of the people of Murray Valley.

Little Pattie, who was entertaining the Australian troops as D Company walked into the bushland for the battle, also laid a wreath, which was a most poignant moment. Eighteen Australian soldiers were killed and 21 injured during this battle in the rubber plantation. It was truly a David and Goliath battle. This day is now commemorated as Vietnam Veterans Day, a day to recognise all who served in Vietnam and an opportunity to remember those who did not return.

### Jason Duck

**Mr HOWARD** (Ballarat East) — Today I wish to recognise Jason Duck, who died suddenly on 14 July at only 40 years of age. Jason was a very passionate Labor supporter who joined the party soon after he left secondary school, and as Ballarat East branch secretary at the time I was pleased to assist him in that process. I was very pleased when Jason agreed to be my electorate office manager after my re-election in 2002. Over the following term Jason was very committed to supporting me, the Labor Party and the many constituents who sought help from my office, and I was very grateful for his skill, passion and loyalty through this period.

However, during 2006 Jason determined to commit himself to the other passion of his life — his Christian faith. In 2007 he entered the Oblates order to become a priest. It is fair to say that Jason took up this challenge with his usual passion. His commitment to his faith and to serving people in need was never in doubt. During the last summer Jason went to New Orleans to work with AIDS patients and young people from poor families, and this year he was working in the Moe community, where again his humanity and passion for working with a broad range of people was greatly appreciated and admired.

His sudden and premature death due to a heart attack came as a great shock to all. His family and friends, along with so many other people who Jason came into contact with, grieve his loss but are much the better for the time he spent with us. My condolences to his father, Gerry, and to his mother, Helen. Jason Duck was a big person in so many ways.

### Paul Fitzgerald

**Mr McINTOSH** (Minister for Corrections) — It was a great pleasure recently to join Paul Fitzgerald, along with his family and friends, to celebrate his 90th birthday. Paul Fitzgerald is a distinguished

Australian portrait artist. No other Australian artist can lay claim to having painted a more diverse and esteemed group of individuals than Paul Fitzgerald has painted. His vast body of work includes three portraits of the Queen. In this Diamond Jubilee year it is worth mentioning that in 1977 Paul was commissioned to paint the only official portrait of Her Majesty Queen Elizabeth in her Silver Jubilee year. Paul has been a finalist in the Archibald Prize on several occasions — in 1958 for his portrait of Justice Monahan, in 1962 for portraits of Sir Reginald Ansett and Sir Robert Menzies, and in 1972 with a portrait of Sir Henry Bolte.

Educated at Xavier College in Kew, Paul went on to study at the National Gallery of Victoria Art School. His education at the national gallery school was interrupted when he served in the Australian Army during the Second World War. In the Australia Day honours list of 1997 Paul was made a Member of the Order of Australia for his contribution to the arts, a fitting honour for a lifetime of excellence in his field. I am proud to say Paul has been a lifelong resident of Kew. His contribution to his community both locally and nationally has been immense. I wish Paul and his family continued good health and prosperity in the years ahead.

### **Energy: Contract for Closure program**

**Mr NORTHE** (Morwell) — Last week saw the failure of yet another Labor policy, with the federal government's announcement that the controversial Contract for Closure program had been axed. This program was of enormous concern to people in the Gippsland region, given its potential implications from a number of perspectives. The Contract for Closure program sought to elicit interest from power generators across Australia with its intention to close their operations in the future, and three generators in the Latrobe Valley nominated themselves for the program.

From the outset many commentators believed the Contract for Closure program was doomed to failure, that it was simply policy on the run from a government out of touch with reality. Legitimate concerns were expressed about the impacts such a program would have on regional jobs and also its potential threat to energy security in Victoria. The general consensus among the local community is one of partial relief, given Contract for Closure is no longer on the table. However, the federal government's carbon tax has been and still is causing much consternation not only in the energy sector but in businesses and households more broadly.

I must say I am very curious as to the position of the Labor Party in Victoria on both the carbon tax and the Contract for Closure program. At the last state election Labor members called for a partial closure of Hazelwood power station by 2014 and our community is very keen to understand if this is still their policy. Their silence is deafening, much as it is on the impacts of the carbon tax and indeed the actions of the Construction, Forestry, Mining and Energy Union in the Grollo dispute.

### **National Stroke Week**

**Mr HERBERT** (Eltham) — It being National Stroke Week, I would like to commend the actions of the National Stroke Foundation in highlighting the need for good, positive, proactive means of avoiding strokes and also in promoting self-awareness and the awareness of others in the community about what to do when someone suffers a stroke. We all know that strokes are incredibly damaging to people in all walks of life. Something like one in six people will have a stroke. Knowing how to avoid having a stroke, what to do and when to do it as well as how to keep people alive and prevent long-term damage to their cognitive functions are crucial factors in the education campaign.

A couple of weeks ago I ran a health campaign, which I do every year, as you, Speaker, would be aware. I run it on many different topics. This time it was on first aid and particularly on what to do in emergencies when people have a stroke or a heart attack or suffer something similar. As part of that campaign I was lucky enough to work with St John Ambulance, which provided a first aid session in my office on a Thursday night for people interested in knowing how to avoid having a stroke and what to do if someone has a stroke. Of 100 people who wanted to come, we had 30 people there. I could neither afford to have nor fit in as many people as wanted to come to the session.

**The SPEAKER** — Order! The member's time has expired. That is a very good reminder for people to keep an eye on their health.

## **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2012**

### *Second reading*

**Debate resumed from 30 August; motion of Mr RYAN (Minister for Police and Emergency Services).**

**Mr MERLINO** (Monbulk) — I am very pleased to rise to speak in relation to the Drugs, Poisons and

Controlled Substances Amendment Bill 2012, which will include certain substances as drugs of dependence and prohibit them in Victoria. I say at the outset that Labor will not oppose this bill. That is a good thing, because under the Baillieu government there has been a 22.8 per cent increase in drug offences, the biggest jump in 10 years.

*Honourable members interjecting.*

**Mr MERLINO** — I will come back to the crime rate and the crime statistics, but what we have seen under the Baillieu government is drug offences increasing by just under 23 per cent.

**Mr Watt** interjected.

**The SPEAKER** — Order! The member for Burwood will be sent out again. I am telling him he will go. I ask him to just behave.

**Mr MERLINO** — In the emerging drug market certain chemical compounds are used to mimic the effects of illegal drugs. This bill reflects the constant work required of governments and law enforcement agencies to keep pace and hopefully be a step ahead of the game when it comes to emerging drugs on the market.

Victoria Police advises the government of trends in the emerging drug market, including synthetic substances, which is the majority of concern that this bill deals with. Given that many of the substances are legal, their possession and use can be quite difficult to measure. I will come back to this point a bit later on, but reports from Victoria Police, users and physicians indicate that the substances that this bill deals with and will prohibit are associated with increased anxiety, psychosis, paranoia, depression, confusion, memory loss, nausea, increased heart rate and elevated blood pressure.

I will go through what this bill contains. The bill adds five synthetic substances to a table of items in the Drugs, Poisons and Controlled Substances Act 1981 which lists drugs of dependence in both pure and mixed forms. It also lists the commercial and trafficable quantities of those drugs. Those five substances are 4-MMC, also known as meow meow, which imitates the effects of prohibited stimulants; BZP and MDPV, which imitate stimulant effects similar to amphetamines; and industrial chemicals 1,4-BD and GBL, which can be substituted for GHB.

The substance 4-MMC emerged several years ago as a party drug. It is an analogue substance mimicking cocaine, ecstasy and MDMA, which are already prohibited. We had a bill briefing from the Department

of Health, and I thank the department for that briefing. The department said that while meow meow would likely be prohibited under the current law for this reason, the inclusion of 4-MMC in this bill makes its prohibition absolutely unambiguous, and that is something that we support.

I did a bit of research into 4-MMC. Apparently it was first made back in 1929. You would not think so, but it dates back to the 1920s. It entered the recreational drug market upon its rediscovery some nine years ago. The re-emergence of 4-MMC is also an example of the global nature of these drugs. In 2009–10 the substance entered into widespread use through the UK music festival scene and then quickly spread globally.

Its side-effects include poor concentration, eyesight and memory, hallucinations and delusions, increased heart rate, breathing difficulties, anxiety, paranoia and depression. As a further illustration of the global nature of this substance, it is interesting to see how nations across the globe have reacted to it. Israel was the first country to make the substance illegal in 2008, followed by the European Union in 2010.

Other drugs dealt with by this bill include 1,4-BD and GBL, which can be substituted for GHB. GHB is a depressant which slows the nervous system and is often used as a date rape substance. Another interesting thing about these drugs and synthetic substances is that they also have quite normal and lawful uses. For example, 1,4-BD and GBL are used as industrial tyre and plastic cleaning agents, and in that sense they will be protected from the effects of prohibition under this bill.

Interestingly GHB, which 1,4-BD and GBL mimic, was once used as a medical treatment for insomnia. GHB can induce agitation, slow breathing, amnesia, unconsciousness and death. It is colourless and odourless and can be easily added to drinks with the intention of aiding sexual assault. In 2009 the *American Journal of Emergency Medicine* investigated 226 deaths attributable to GHB.

The bill also prohibits eight synthetic cannabinoids as illicit drugs. These substances are already illicit under regulations that are due to expire in November. If members cast their minds back 12 months, they may remember that the Minister for Mental Health introduced some bridging legislation that provided for the prohibition of these substances to put in the regulations. The purpose of this bill, which we again support, is to make that prohibition permanent with legislation. This bill will continue the prohibition on those same terms.

The bill will also prohibit other emerging chemical classes of the substance, and I think this is a really interesting and worthwhile part of the bill. These classes are already prohibited under the national poisons standard, but this change will allow for higher penalties. The inclusion of the chemical classes within the schedule aims to capture many forms of the synthetic substance which may emerge in the future without needing to regularly amend the act. I think that is really important, because if there is even a slight change to a drug's composition, it can mean it is no longer affected by the act.

We received some further information from the department in relation to adding those eight chemical classes of synthetic cannabinoids. This bill aims to capture all currently known synthetic cannabinoids in those classes as well as new substances emerging onto the drug market which fit within those classes. The advice is as follows:

In this way, the classes allow a broader range of synthetic cannabinoids to be captured in schedule 11, without the need to proscribe every individual substance. The inclusion is to avoid constantly playing 'catch-up' in legislation with these rapidly evolving substances.

...

Hence each chemical class will automatically capture any substance with the modified base structure which has been further modified in any of the specified ways.

This means that as such substances come onto the market, they will be classified automatically as illicit drugs.

I think that is an important step forward.

Another aspect of the bill is that GHB is moved to a different schedule in the act, allowing greater police analysis of the drug in mixed form. Currently police may only analyse pure forms of the drug, but its mixed form is the form most commonly sold on the illicit drug market and taken by users. That change reflects the reality of what is happening in the streets and allows the police greater ability to analyse the drug. The bill also removes references to the antiquated Poisons Act 1958 and clarifies the meaning of the word 'cattle' in relation to the setting of poison baits.

I started my contribution talking about the crime rate and the increase in drug offences by 22.8 per cent in the recent annual crime figures released by Victoria Police. This is the first debate in which we have had the opportunity to talk in detail about those crime statistics, and I think it is worthwhile going through them. The annual crime rate in Victoria has increased by 6.8 per cent, which is the first increase in the annual crime rate for over a decade. The number of offenders has

increased by 14.4 per cent — the highest number in five years. The number of victims of crime has increased by — —

**The SPEAKER** — Order! I try to give some flexibility to lead speakers, but the member is getting a long way off the bill before the house. The member is talking about crime rates; however, the bill is about drugs, poisons and controlled substances, and I ask the member to come back to discussing the bill before the house.

**Mr MERLINO** — I seek guidance.

**The SPEAKER** — Order! I just gave the member guidance.

**Mr MERLINO** — We are talking about a bill that relates to drugs and the emerging drug market. I fail to understand how the bill and what we are trying to deal with through the bill — the emerging drug market and synthetic drugs — is not related to crime and crime statistics. I do not understand that, Speaker.

**The SPEAKER** — Order! What I am suggesting to the member is that if he wants to relate this debate to crime figures in relation to drugs, he should do that, but he should not relate to every other crime that has been committed in the state. If the member would like to come back to the point, he should do so and mention drug figures, but I am not prepared to listen to his discussion getting too far removed from the bill — and the member understands that.

**Mr MERLINO** — Thank you, Speaker, and I take your advice.

**Mr O'Brien** interjected.

**Mr MERLINO** — I understand that members of the government are quite sensitive about crime statistics and what they have delivered, but I will take your advice, Speaker, and confine my comments — —

*Honourable members interjecting.*

**The SPEAKER** — Order! That is enough from the minister and the member for Williamstown.

**Mr MERLINO** — The number of drug offences has increased by 22.8 per cent, which is the biggest jump in 10 years. Offences for cultivating, manufacturing and trafficking drugs increased by 11.3 per cent, offences for possession and use of drugs increased by 27.3 per cent, offences for cocaine possession and use increased by 67.9 per cent and offences for amphetamine-like stimulant possession

and use increased by 64.4 per cent. Those are the statistics just in relation to drugs, and as I said, the overall crime rate has increased for the first time in over a decade. That is what the Baillieu government has delivered. It went to the election riding the law and order horse, and that is what it has delivered.

During the very informative bill briefing by the department, departmental staff talked about the fact that because these drugs are not illicit it is difficult to assess the scale of the market and it is hard to get an informed sense of the scale of their use and the full impact of these drugs.

In terms of the process of how we got to where we are today, where we have a number of drugs being prohibited by this bill, the government relies on intelligence and information from Victoria Police and the Australian Crime Commission along with forensics intelligence to inform itself about the spread of synthetic substances on the emerging drugs market. That is done in interesting ways — for example, through the Australian Crime Commission keeping an eye on the interstate and international postal stream. Interestingly Kronic, a drug that was highlighted in a debate in this place 12 months ago, emerged via the postal stream from New Zealand. It is important that we have the ability and resources to gather that type of intelligence in order to be able to provide that advice.

I make the point again that with regard to police resources \$65 million has been cut from Victoria Police. That will impact on 350 jobs — —

**An honourable member** interjected.

**Mr MERLINO** — If you take the white shirts out, you have to put the blue shirts in to replace the white shirts. That impacts on the resources on the ground and the advice we are able to get from Victoria Police about the emerging drug market. We are going to be keeping a close eye on the impact of the budget cuts and staff sackings at Victoria Police in terms of how it affects — —

**Mr O'Brien** — On a point of order, Speaker, notwithstanding the latitude that is traditionally accorded to lead speakers on a bill, the member for Monbulk is straying far and wide from the content of what is a technical and narrow bill.

**Mr MERLINO** — On the point of order, Speaker, I fail to understand how this is 'straying far and wide'. I made the point that it is very difficult to get a full understanding of the scale of the emerging drug market and the impact of these drugs without on-the-ground advice from Victoria Police, from intelligence and from

forensics. The point I am making is that if you take \$65 million out of the budget — —

**The SPEAKER** — Order! I have heard enough of the member's point of order, because he is just getting back to the original point of order. I ask that he deal with the bill before the house.

**Mr MERLINO** — If I could move on to long-term studies, that is the point I was making about the difficulty of getting a grip on these facts. The government must act with immediacy, and that is why the opposition will not be opposing this bill, and indeed we support the intent of this bill. The government must act with immediacy in the emerging drug market, but as I said before, it is difficult to comprehensively examine the real effects of substances without long-term studies and being able to measure the size of the market while these substances are legal.

This bill will prohibit these substances, but it is important to ensure that there are long-term toxicity studies of these substances, and the opposition is calling for that to occur. As I said, at the moment we rely on individual reports from police, from users, from physicians and from some overseas surveys. Therefore I want to make the point during this debate that as a community we need to prioritise research into the major drug market given that once this bill gets through both houses of Parliament these drugs will become prohibited substances.

I mentioned before the global nature of these drugs and the work that is being done both at an international and a national level. Synthetic substances have long been a concern of ministerial councils and the Australian Crime Commission, and Victoria will now join South Australia as one of the first states to legislate so widely against synthetic cannabinoids. However, it has to be said that Victoria has been slower to schedule the synthetic stimulant 4-MMC as a dangerous controlled or prohibited drug. I wanted to make that point as well.

Speaker, I will conclude with a recent story that I am sure many members and yourself would be aware of. It appeared in the *Age* of 7 September, and it highlights how difficult and slippery this area is in regard to enforcement. It was a story about police being forced to hand back chemicals capable of being turned into an ecstasy-type drug to a Camberwell schoolgirl. This happened just a few days ago after the police discovered that it was not illegal for the girl to possess them. The article says:

Boroondara detectives confiscated the stash of chemicals and 1000 empty gel capsules last week after the mother of the

15-year-old found them in the girl's bedroom and called the police —

as any responsible parent would do. It continues:

The haul included 10 sealed bags of various chemicals — including hordenine, caffeine, phenylethylamine (or PEA) and phenibut —

I think that is how you pronounce it —

valued at \$1000.

Internet forums show how people who combine hordenine and PEA can create a drug with effects that are described as a 'super euphoria' and a 'really evil high', and the article quotes Detective Senior Sergeant Daryl Cullen, who said:

When mixed properly, these make up a drug that has the same effect as ecstasy ... The caffeine is used to prolong the effect —

of that drug. The chemicals were bought via the internet and were ordered from well-known international websites. Again to quote the detective senior sergeant, he said:

I've personally never come across these type of drugs and in such quantity before, but nothing surprises me in the policing business.

That is just a note about how difficult this area is. The parents are onside, the police are onside — the mother did the right thing and called the police. Given the combination of these drugs and the 1000 capsules that were in the girl's bedroom, clearly they were going to be used to create a drug which would then be distributed. It just highlights that on both sides of this house we need to be absolutely vigilant and always look at legislation in terms of how we deal with the emerging drug market.

With those comments, I commend the bill. The Labor Party will not oppose this bill, and I wish it a speedy passage through the Parliament.

**Mr WAKELING** (Ferntree Gully) — It gives me great pleasure to rise and contribute to this important debate on the Drugs, Poisons and Controlled Substances Amendment Bill 2012, and I am very pleased to see that the opposition is supporting another important piece of legislation introduced into this house by the Baillieu government. The bill seeks to amend the Drugs, Poisons and Controlled Substances Act 1981 to ban synthetic cannabinoids and other synthetic substances as illegal drugs here in Victoria.

The bill will amend the principal act to ban synthetic cannabinoids and other specified synthetic substances

and have these items identified as illicit drugs in Victoria. To achieve this the bill will amend schedule 11 of the act, which lists drugs of dependence and the pure and mixed quantities of those drugs that constitute the threshold levels for trafficking and possession offences.

The bill builds on significant work that was undertaken by the government over recent months with respect to regulating synthetic cannabinoids, and the bill before the house amends schedule 11 by adding eight synthetic cannabinoids that were temporarily banned by the government by regulation in 2011. Those regulations are due to expire on 8 November this year. It also adds a further eight generic chemical classes of synthetic cannabinoids and adds a further five synthetic substances used as alternatives to illicit drugs, including the drug 4-MMC, which is commonly known amongst users as meow meow. The bill also moves the illicit drug GHB from part 1 to part 3 of schedule 11 to facilitate forensic analysis of the drug in mixed and small quantities. In addition, the bill makes a number of technical amendments to update provisions of the Drugs, Poisons and Controlled Substances Act.

Synthetic cannabinoids are designed to mimic the effects of cannabis. Marketed under brand names such as Kronik and Spice, which were dealt with in earlier legislation, they have been associated with such adverse effects in users as anxiety, memory impairment, increased heart rate and, in some reported cases, psychosis. Clearly this has been an issue of concern to many in the community. It was raised with the government, which has previously acted on this important issue. This bill is an extension of the work undertaken by the government, particularly by the Minister for Mental Health.

Classes of synthetic cannabinoids are already prohibited in Victoria as schedule 9 poisons under the national poisons standard. This bill will boost the deterrent effect of Victoria's controls as clauses in the bill insert into schedule 11 items relating to chemical classes of synthetic cannabinoids to allow the higher penalties applicable to possession and trafficking of illicit drugs to be applied to synthetic cannabinoids. The bill ensures that the eight synthetic cannabinoids prohibited as illicit drugs in 2011 will continue to be prohibited when the relevant regulations expire in November. It also extends the ban to include the eight chemical classes of synthetic cannabinoids.

As the member for Monbulk identified in his contribution, this issue is of growing concern to the Victorian community, given the proliferation of synthetic drugs that have been designed under the

colloquial name of 'party drugs'. They are being produced in high quantities by people involved in illegal activities and are significantly affecting many people, specifically younger people, in our community. We all know stories about young people who have been affected by drugs, particularly the types of drugs that fall within the groups we are discussing now. The Victorian community has called for the government to do something about the issue, and that is exactly what is occurring.

Three psychoactive drugs have adverse effects similar to ecstasy. They are the drug known as 4-MMC and the amphetamines known as BZP and MDPV. The adverse effects vary according to the particular drug used, but they may include increased heart rate, elevated blood pressure, memory loss, nausea, depression and confusion, and more severe effects including paranoia, psychosis and violent behaviour. The industrial chemicals known as 1,4-BD and GBL may be used as substitutes for the illicit drug known as GHB, because when ingested they convert to GHB in the body. GHB is a depressant drug that slows down the activity of the central nervous system and can cause negative side effects, including memory lapses, decreased blood pressure, dizziness and tremor. Disturbingly, police report that it may also be used as a date rape drug, as the member for Monbulk identified in his contribution.

As members will see, these drugs have significant impacts on drug users. They are falling through the legislative cracks, as the member for Monbulk identified with the example from last week of the girl who had imported chemicals that could not be confiscated by the police because there are no grounds on which they can do so. Clearly there is a gap in the law between existing drugs that are regulated by legislation and new forms of drugs.

It behoves this government to take action — that is, to stand up and be counted on this important issue. That is exactly what we have done. Grant McArthur, the state politics reporter for the *Herald Sun*, reported on 29 August that the state government had indicated it was going to be taking action. In an article with the headline 'Synthetic drugs outlawed — Legal high crackdown' he says:

New generation synthetic drugs such as meow meow and GBL will be stamped out under tough new laws placing them on the same footing as cocaine and ecstasy.

Police will be given the power to charge anyone using, carrying or trafficking drugs previously sold as 'legal highs' through laws to be introduced to state Parliament this week.

Police minister Peter Ryan said bans on products mimicking the effect of cannabis were also being beefed up to put them

in the same league as other illicit drugs, giving police power to act against new-generation dealers.

As members can see, the biggest selling newspaper in this state has put its stamp of approval on the actions of the government in dealing with this significant issue that concerns all Victorians.

We as a government are pleased that the opposition is supporting the government on this issue. I believe that people on both sides of politics understand the need for governments to regulate in these areas. As I said, we have taken action previously, with the initial ban that was introduced last year. We are taking it further because we understand that more needs to be done. I guarantee to the house that this is a government that will stand up on this significant issue. We will not only be monitoring this but we will be seeing how we can further improve this important piece of legislation in the future, because we need to stamp out these types of crimes in our state.

**Ms GARRETT** (Brunswick) — It gives me great pleasure to rise to make a contribution to the debate on the Drugs, Poisons and Controlled Substances Amendment Bill 2012. As can be seen from the provisions of this bill and the important manner in which they will continue to protect the public, we must all wage an ongoing battle against those who seek to employ their innovation and talents to avoid existing laws and regulations and to create and peddle products which, as is demonstrated in the range of drugs this bill covers, have as their intent very destructive side effects for those who use them.

When we look at the range of substances the bill covers — five synthetic stimulants and eight synthetic cannabinoids — we can see that the innovation of those who seek to peddle these substances is ongoing. That is why this bill is important and why we on this side will not be opposing it.

Given the discussion around drugs and drug offences, it is also timely to note that it is disappointing, indeed it is devastating, that we are having this debate in the context of an increase in drug offences in this state in the order of close to 23 per cent. This is the first time in a decade that we have seen such an increase, which demonstrates that the problem is getting worse under this government, and that is deeply disturbing for the Victorian community. It is particularly deeply disturbing when, as I said, we look at some of the drugs that this bill covers. The five synthetic stimulants that the bill deals with range from 4-MMC, also known as meow meow, to the industrial chemicals 1,4-BD and GBL.

If we look at some of the impacts of those drugs we can see that recent studies conducted by the University of Tasmania on the use of 4-MMC found in a survey of ecstasy users that 21 per cent of those surveyed had used 4-MMC, as this drug has similar effects to MDMA, amphetamines and cocaine. We know that because it has similar side effects some of the damaging impacts it can have on users relate to concentration and memory, hallucinations and delusions, heart rate and breathing difficulties, and paranoia and depression. Clearly these side effects are compounded with greater use of the drug. In fact 4-MMC has been implicated in the deaths of young people in the USA, the UK and Sweden, and therefore it is absolutely appropriate that it comes under the umbrella of this particular legislation.

MDPV produces similar effects to methylamphetamine and cocaine. Hypertension, depression, lethargy and anxiety are all side effects experienced by the users of this drug. Moving on to BZP, we know that use of this drug can result in toxic seizures. It was made illegal in Victoria in 2006 and in New Zealand in 2008. This bill makes illegal other analogous forms of this drug, which is particularly important.

The use of industrial chemicals in illicit drugs is particularly disturbing when you think that the ingredients in industrial solvents and other synthetic products — for example, those used in the production of spandex — are then peddled to people in different forms to produce a range of side effects. It is appropriate that this bill covers these substances because there is nothing more confronting than thinking that people in our community, particularly children, may be subjected to these sorts of chemicals, which are promoted as party drugs or a party alternative. The damage done to young and healthy bodies and minds by these drugs is immeasurable.

GBL is commonly used as superglue, paint remover and stain remover, and it is also peddled to people as a party drug. We know that when consumed excessively it can cause coma and death and that it is a drug of severe dependence. It is absolutely appropriate that the bill covers products that mimic GHB and replicate its effects. We know that not only are those side effects very damaging to users but such drugs are also employed in heinous crimes of date rape. Therefore we certainly support the inclusion of synthetic substances that mimic GHB, a drug that has caused significant damage to the health and safety of its users as well as that of young women who have been subjected to date rape incidents involving these drugs.

Turning to cannabinoids, the bill is designed to cover synthetic substances that seek to replicate the side

effects of other drugs, and we support that move. As I stated at the outset, it is important to consider the array of synthetic substances that this bill covers because there are insidious members of our community who seek to approach and exploit people, particularly the young and the vulnerable, and they clearly employ some sophisticated forensic and chemical analyses to come up with these sorts of drugs.

It is imperative that as a community we respond to and stay abreast of these issues. That is why it is particularly significant that governments continue to take the strong advice of law enforcement agencies — the police and the intelligence units they are in — in relation to current trends in what is happening out there and their impacts. It is a complex exercise that involves intelligence officers on the ground, forensic capacity and analysis, and an understanding of the health impacts. A broad range of people need to provide that advice. I reiterate the comments made by the opposition's lead speaker when he touched upon the cuts in funding to Victoria Police to the tune of \$65 million. That will have an impact on these things, and we are very concerned about that.

As I said, we are debating this bill in the context of a significant increase in all aspects of drug crime, including drug pushing and the manufacture of drugs. That is of deep concern to all of us in this house. These additional prohibited categories of drugs are an important part of the armour that will allow Victoria Police and the justice system to deal with these insidious issues. However, the opposition registers its deep concern that for the first time in a decade the crime rate is going north in a very significant way.

Given these ongoing issues and the expanding class of drugs that form such a blight on the community, we call on the government to deeply consider its cuts to funding for the justice system.

**Mrs VICTORIA (Bayswater)** — It gives me great pleasure to speak today on something that touches many of us out in the community, the effects of which we see all too often. The Drugs, Poisons and Controlled Substances Amendment Bill 2012 seeks to amend the Drugs, Poisons and Controlled Substances Act 1981 to include a range of synthetic substances as illegal and illicit drugs. This morning we have heard much about the effects of different classes of synthetic drugs on the body. The problem is that they are quite often marketed as an alternative to illegal drugs — something not harmful but natural, even herbal.

Because a lot of these substances are new — and speakers before me have pointed out that there has been

an increase in this type of activity — what is happening is that this type of product is able to be sold more readily over the internet. Whereas people may not have had access to this type of substance before, they certainly do now. It is a case of supply and demand; the demand is there, but the supply is also much easier.

These drugs are considered to be psychoactive drugs, and they provide what young people think of as legal highs. They are supposed to mimic the effect of or provide alternatives to illegal drugs. People take them because they think that they cannot get arrested for it and that these drugs are not as bad because they are not illegal, so we are seeking to make them illegal.

As I said, we have no evidence yet on the long-term toxicity or the health impacts of these substitutes. Just because the immediate impact is very similar to that of the illegal substance does not mean the long-term impact will be the same. We already know that, for example, cannabis is considered a gateway drug for many people, especially for heavier users, and that among those who have a propensity towards mental illness it can bring on psychosis — not just while they are taking the drug; it is a lifelong risk. There are so many issues with drugs that we already know about and that have been around for centuries. These new drugs are even more troubling because we do not know what their impacts are.

One of the types of drugs we will put onto this banned list is synthetic cannabinoids. They are quite often marketed as Kronic, Spice and names like that, and I will come back to Spice in a minute because it is used a lot in Europe. Some of the effects of using this type of substance are anxiety, memory impairment and increased heart rate, and we are starting to see the early signs of a similar outcome to that of long-term cannabis use — that is, psychosis. The National Cannabis Prevention and Information Centre website says:

'Cannabinoids' are chemicals found in cannabis that are unique to the plant. The most well-known and researched of these —

I am not going to be able to say the name, so I will just call it THC —

... is the substance primarily responsible for the psychoactive effects of cannabis.

As I said before, the effects of cannabis can come out in all sorts of different manifestations, none of which are positive.

Synthetic cannabinoids are functionally quite similar to THC in that they bind to the same receptors in the brain and other organs and create the same effects. They are

usually sold in foil sachets — similar to the way cannabis is sold — typically containing 1 to 3 grams of dried plant matter. Although the plant matter in itself might be fairly harmless, after it is sprayed with a cannabinoid it takes on the harmful effects I have mentioned. The cannabinoids are mixed in a solution and sprayed onto the herbs, which are then sold.

Coming back to what I said before, in Europe a lot of it is marketed as Spice, with names such as Spice Silver, Spice Diamond and things like that. It is being sold as a legal, herb-based alternative to cannabis. In Australia we refer to these products as synthetic cannabis, and they are usually sold through the internet as well as by specialist adult stores or tobacconists. Kronic is perhaps the best known of these in Australia, and from what I understand the most readily available, but there are also different brand names like Kalma, Voodoo, Kaos and even Mango Kush.

Synthetic cannabinoids are often classified as research chemicals, and they have not been deemed fit for human consumption, which is a real problem. I remember going to a Speaker's lunch where I listened to a former drug squad detective talk about a drug laboratory he helped to bust in the 1990s. It happened to be in Bayswater, but he assured me the police had cleaned it up. He showed us a slideshow of the place where the illegal drugs were made. There is no way that anyone in their right mind would knowingly consume or ingest anything that had come out of that place. Imagine the worst mechanic's work area, full of grease, dirt and grime — everything revolting that you can think of — and then multiply that by at least 100. I said to him that perhaps we should show this photograph to every teenager because then they might be more careful about what they put in their mouths. What people are manufacturing and selling is an unknown quantity, and people are putting this in their bodies not knowing what it is and what the short-term or long-term side effects may be.

The commonwealth recently classified eight synthetic cannabis-like substances and prohibited them throughout Australia. Last year the Queensland government banned synthetic cannabinoids through amendments to its Drugs Misuse Act 1986. Also last year Western Australia listed seven synthetic cannabinoids as banned substances under its Poisons Act 1964. The NSW government made the same move last year, covering everything from illegal possession to the taking of these substances.

In the United States state legislatures are outlawing two particular classes of synthetic drugs: synthetic cannabinoids like Spice and another drug called K2,

and substituted cathinones, which are known on the street as 'bath salts' — I could not think of anything worse. At least 44 states have already banned one or both of these types of substances. What they have done is ban entire classes of substances. In response to the cooks, as they are known — the people who make these deadly substances — finding new ways to get around laws by saying, 'Okay, if that substance is banned, let's add a different chemical', states have banned entire classes of substances. This means that no matter what concoction cooks came up with and what different mixtures they add, it will remain illegal.

It is interesting to know about the types of chemicals that are put into the drugs our kids are taking. As the mother of a child who is about to turn nine and who is obviously not ready to hit the club scene for many years, it scares me out of my wits as to what is now available and what might be available in the next 10 or so years. Some of these substances are used as paint stripper or floor cleaner. There are glues and tyre and wheel cleaning agents that are used to make drugs.

If kids understood what was used to make what they were taking, some of them might well back away. The heavier users might not care either way, but certainly those who are trying things for the first time might be deterred if we helped publicise what these substances were made of. An article from the UK reported on a survey of 15 500 users, with respondents to the survey saying almost categorically that the high they got from synthetic cannabis was far less satisfying. I commend the bill to the house.

**Ms HUTCHINS** (Keilor) — I rise to speak on the Drugs, Poisons and Controlled Substances Amendment Bill 2012. Labor will be supporting this bill. This amendment bill defines certain substances as drugs of dependence and prohibits them in Victoria. In the emerging drug market certain chemical compounds are used to mimic the effects of illegal drugs. With this bill the government will make it clear that these substances pose risks similar to the drugs they emulate. Reports from users and physicians indicate that the substances this bill will prohibit are associated with increased anxiety, psychosis, paranoia, depression, confusion, memory loss, nausea, increased heart rate and elevated blood pressure. Those are just the physical effects. There are also social effects that compound the problems.

In reviewing these amendments while preparing for today's speech and reading through the list of synthetic substances being outlawed through the implementation of this bill, one in particular caught my attention. It is

4-MMC, which is known as meow meow and which imitates the effects of ecstasy.

Around this time last year I spent two days sitting in and observing the hearing of family violence cases in the Sunshine Magistrates Court. I was later informed by the magistrate that the court hears up to 50 such cases a day. One of the things that shocked me most as an observer of the horrific family violence cases that came before the magistrate on that day was the level of violence inflicted on parents by their adult children who are affected by drugs such as 4-MMC, which we are outlawing today.

The drug was referred to in the court as meow meow, presumably because it usually makes users a bit quiet and reserved. However, in some cases the drug has the opposite effect and makes the users quite aggressive, leading to situations in the home where users break back into their own family homes after they have been asked to leave, steal property from their parents to sell so they can get more drugs or get into altercations with other family members, resulting in the police being called.

It is a very unfortunate situation to be in to be sitting in a Magistrates Court and watching these sorts of cases. It is quite heartbreaking for parents in such situations. Watching these cases over two days, time and again I saw that in many cases the core issue that led to these situations was the abuse of drugs, in particular synthetic substances that were available on the market when I was observing these cases a year ago.

Some of the other synthetic stimulants that are outlawed through the amendments in the bill are BZP and MDPV, which imitate stimulant effects similar to those experienced from taking amphetamine, and also the industrial chemicals 1,4-BD and GBL, which are substitutes for a common drug known as GHB, which is a depressant drug that slows the nervous system and unfortunately is often used in cases of date rape. The bill also prohibits eight synthetic cannabinoids as illicit drugs. These substances are already illicit in regulations due to expire in November; this bill will continue the prohibition of these drugs on the same terms.

Drug cultivation, trafficking, possession and use have increased by nearly 23 per cent, as is reported in the most recent Victorian crime statistics — the largest single increase in a decade. Victoria's crime rate overall has suffered its biggest increase in more than a decade. Total offences in the year to March 2012 were up 5.6 per cent, an increase of 20 246 offences. When you start to talk in raw numbers rather than just statistics and percentages, you see what a major issue this is.

Drug offences, robberies and domestic violence have been driven up by 4.1 per cent. Drug offences rose by 14.7 per cent, violent crimes by 10.4 per cent and robberies by 5.6 per cent. I mention that because my experience of watching cases in the Magistrates Court and also of talking with local police demonstrates the strong links between drug usage and the offences that flow on from drug usage on a daily basis, including violent crime, robberies and crimes in the home.

The government relies on Victoria Police as well as the Australian Crime Commission for forensics and intelligence to inform it on the spread of synthetic substances in the emerging market. Unfortunately I do not just rely on these sorts of organisations to know when drug usage is up in my area; I get complaints in my office, from my neighbours and from people shopping that there are increased numbers of syringes in the parks. I also get feedback about homelessness and particularly about young people living in parks in the western suburbs who are either alcohol or drug affected. Those are the kinds of statistics I am informed of which really cut through some of the information that comes from organisations to make it such a real local issue.

With the Baillieu government cutting 350 jobs and millions in funding from Victoria Police, it remains no secret that the crime figures are going up — and of course the drug market will thrive in that sort of environment. The Baillieu government has also cut 450 jobs from the Department of Justice. These are very important jobs in the fight against crime and drugs.

While the number of arrests for illicit drugs in Victoria soared by more than 23 per cent in the seven years to 2011, arrests for alleged dealings across Victoria went backwards in the same period. In the west alone, just in the last week my office has received two complaints about syringes in nearby parks. The Victorian crime statistics show that over the past year in the city of Brimbank drug offences involving cultivating, manufacturing and trafficking of drugs rose from 266 cases in 2010–11 to 288 cases in 2011–12 — an 8.3 per cent increase. Drug offences involving possession and use rose from 468 to 612 — a 30 per cent increase in just one year. Those are staggering statistics. The growth in drug offences is not just due to population growth; overall drug offences per 100 000 people have increased by 21 per cent.

A very intense article titled 'How the west was lost', which appeared in the *Age* in July, reported interviews with a lot of local troubled youths. The article contained an in-depth analysis of the issue of troubled youths accessing drugs and alcohol and the need for them to

have a better chance of accessing alternatives, such as education and/or jobs, and also being able to access drug and alcohol rehabilitation. One of the young people referred to in that article was quoted as saying:

We have no job, no school, so that's all we do: get drunk —  
and end up on drugs —

until we end up in trouble at the end of the day. We get fined, we get locked up —

by the local police. He is further quoted as having said:

If you have a drug and alcohol habit, [the police] should understand that you're not a normal person, they can fine you today and tomorrow they come back and they still find you drinking —

or on drugs —

You're not going to get over it in one day. Then at the end of it you are going to face jail, instead of going to rehab.

There is not even the prospect of getting a job.

In conclusion, I support the outlawing of the five synthetic substances and eight cannabinoids mentioned in this bill. I highlight that no matter how tough a government is on crime, if it cuts funding to education and training and if it cuts out opportunities for kids to have a future, poverty and lack of opportunity will prevail. Unfortunately the alternatives left for these kids are not good.

**Debate adjourned on motion of Mr HODGETT (Kilsyth).**

**Debate adjourned until later this day.**

## **FIRE SERVICES PROPERTY LEVY BILL 2012**

*Second reading*

**Debate resumed from 30 August; motion of Mr WELLS (Treasurer).**

**Opposition amendments circulated by Mr HOLDING (Lyndhurst) pursuant to standing orders.**

**Mr HOLDING (Lyndhurst)** — The opposition will not be opposing this bill. The Fire Services Property Levy Bill 2012 attempts, however imperfectly, to implement recommendation 64 of the 2009 Victorian Bushfires Royal Commission to replace the fire services levy with a property-based levy. The Brumby government accepted this recommendation and began the process of developing a fire services funding model

based on a property charge. The coalition has campaigned for this for a long period of time.

The reform aims to abolish the insurance levy and replace it with a property charge, thus capturing the non-insured. Assuming there will be no actual rise in funding for the fire services, capturing the non-insured means that others should see their net contributions fall. There will be some winners and some losers, but other than those non-insured people, for whom for the most part we are supposed to have no sympathy, most of those affected will be people with properties of high value. The government says it is willing to live with that. However, it is all based on the notion that the insurance industry will lower premiums to the full extent of the removal of the levy. Without that occurring no-one will be better off. That is the basic premise of the reform the Parliament is being asked to endorse today.

The government has promised that the vast majority of Victorian property owners will be financially better off as a consequence of this change. However, until the government outlines all of the assumptions which will allow people to calculate how much they will have to pay, the truth is that it is impossible for any Victorian property owner to know if they will actually be better off. Without the levy rate and any differential rate across different property classifications being released by the government no-one can calculate how much they will pay or whether they will be better off. The government neatly sidestepped this issue on the day it released this package by claiming that these rates will not be determined until the funding requirements for the Metropolitan Fire Brigade (MFB) and the Country Fire Authority (CFA) are known for the next financial year. But those opposite have this information. How else could they have prepared all the charts and case studies they released on the day which purportedly show exactly how the new levy will affect all manner of property owners?

Further, a property owner will need to know the exact amount of the fire services levy they are currently paying on their insurance premium in order to know if they are a net winner. A property owner living in the MFB area will also need to know how much of their current local government rates are being used to meet that local government's contribution to the funding of the fire service, because this contribution is proposed to be abolished under the new levy. The bottom line is that few, if any, Victorian property owners know the answers to all of these questions. Even assuming all of the savings are going to be passed on, how can anyone know whether they will be better off?

This brings us to the central issue of this reform. Everything the government says about this bill and who will be better off — every fact sheet, every graph, every table and every press release from the Premier or from local MPs; every single one — is based on the heroic assumption that the insurance industry will pass back to consumers the almost \$600 million gift the state government is about to give it by abolishing this levy. Does anybody really believe this will happen? There is nothing in this legislation — not one clause that any government member can point to — that guarantees that the insurance industry will lower premiums by the amount that insurers previously collected in fire services levy.

All Victorians should know this: the new tax is certain. Those who own property will pay it. That much is guaranteed; it is here before us today in black-letter law. The offset — the so-called tax cut through the abolition of the fire services levy — is not certain. The government is trusting the insurance industry to deliver it. There is nothing in the bill before this house that guarantees that the insurance industry will lower premiums by the amount it currently remits to the state government on consumers' behalf. That is right: the Baillieu government is trusting the insurance industry to remove this levy from insurance premiums. The member for Lowan is nodding his head. If that does not happen, every graph, table, press release and promise that forms the premise of this reform will be dead on arrival.

The Treasurer and the Deputy Premier are like the frog giving the scorpion a free ride across the river: the scorpion has promised not to sting them — of course it will pass on these savings to consumers — but, as we saw in *The Crying Game* and as Aesop warned us hundreds of years ago in *The Farmer and the Viper*, the behaviour of some creatures is irrepressible. The government is asking us to trust the insurance industry to pass these savings back to Victorians.

We have been told by the insurance industry that shifting to this model will reduce the net cost to most insured properties as uninsured property owners will have to pay their fair share. We have also been told that this reform will decrease the cost of house insurance and thus encourage more owners to fully insure their properties. But we now know that the level of non-insurance is much lower than some of the wildly exaggerated claims made immediately after the Black Saturday bushfires. The giant pool of freeloaders, the taxing of whom underlies the government's promise to reduce costs for everyone else, is nowhere near as large as previously claimed.

More relevantly, if you ask the insurance industry how much the level of non-insurance will fall as a result of this reform, the answers are not nearly as confident as the more bullish claims in many of its earlier statements. The truth is that the insurance industry has been fortifying people for some time for the simple fact that it will be:

... difficult to identify savings to insurance policy-holders, particularly in the residential sector.

Yes, Acting Speaker, I am quoting. That phrase is lifted straight from page 24 of the government's options paper. Do not just take the government's word for it. Do not just trust the government. The same phrase is quoted in the insurance industry submission to the options paper at page 13, which says:

... difficult to identify savings to insurance policy-holders, particularly in the residential sector.

That is right: both the government and the insurance industry are telling Victorians that it may be almost impossible to tell if the savings are actually passed on to consumers. My question to Victorians is: if the insurance industry knows that you will not be able to tell if it has passed on the savings to you, do you really trust it to do so?

**Mr Delahunty** interjected.

**Mr HOLDING** — My question to the government is this: if its own options paper concedes that it cannot identify savings to insurance policy-holders, how can it be so sure that so many Victorians will be better off? When I asked the question of how we can trust the insurance industry to actually pass these savings on to Victorian consumers the member for Lowan interjected, saying 'You can trust us because there will be a fire services levy monitor'. Let us go through the legislation and look for the reference to this statutory appointment of a new fire services levy monitor that the government has promised to put in place. There is no mention of it in the legislation. We are being asked to take on trust that this government in the weeks or months to come will introduce — —

**Dr Naphine** — We keep our promises on this side of the house.

**Mr HOLDING** — We will come back to promises that are kept. The government is asking us to take on trust the introduction of the fire services levy monitor. We do not know what the powers of the fire services levy monitor will be. We do not know whether they will include the power to conciliate or the power to arbitrate. We do not know what the consumer protections will be. We are told that there will be new

consumer protections for price exploitation, false representation and misleading and deceptive conduct. Where are these consumer protections?

We are being asked to endorse the new tax today — that much is certain — but the so-called protections that the government tells us will guarantee that the savings are passed on to consumers are nowhere to be seen. What a ridiculous proposition to put before this Parliament — 'Trust us, we will take the money now with the new tax' — when the guarantees that the fire levy insurance payments will be reduced are nowhere to be seen. The government is asking the Parliament to give it a blank cheque and trust the government and the insurance industry to pass on these savings to consumers. Without these savings no Victorian will be better off.

The government is proposing that local government will collect this levy. Forcing local councils to collect the levy is a particularly cowardly and craven decision by this government. One thing all of us know for certain is that once this decision is taken to compel local government to act as the collection agency, no future state government is ever likely to be able or willing to reverse it. The Parliament should reflect on some of the implications of local government collecting this levy. The government talks a great deal about tax efficiency, but one of the key principles of tax efficiency is addressing the challenge of vertical fiscal imbalance — that is, the practice of one level of government being responsible for raising a tax while another level of government is responsible for spending the funds. While it is an inevitable feature of a federal system, it is hardly a desirable one. Breaking the nexus between the level of government responsible for collecting the tax and the level of government responsible for spending it reduces political accountability. One level of government can spend recklessly while another pays the political price for the ever-increasing tax burden.

Government members may proclaim the administrative efficiency of forcing councils to collect this levy through their rate notices — while quietly sniggering at the neat political sandwich they have handed councils — but they should not underestimate the incandescent fury and rage that local councils feel at being forced to act as the state government's tax collectors. At the same time that the local government sector is seeking constitutional recognition at the federal level, section 3 of this bill redefines local councils as 'collection agencies'.

At clause 74 the Treasurer reminds councils that if they do not toe the line, he may write to the Minister for

Local Government seeking to have the council suspended. This clause is utterly redundant, and the opposition has circulated an amendment to have it removed. Any minister, indeed any person, can write to the Minister for Local Government at any time asking her to exercise her powers under section 219 of the Local Government Act 1989. This gratuitous piece of political intimidation on the part of the state government is nothing more than an attempt to menace and threaten local government as it collects this levy. It is a sword of Damocles being dangled over the entire sector to frighten councils into going quietly and not emphasising forcefully and clearly to their ratepayers that this levy is a state government charge.

Not only local councils are outraged by the imposition of this levy and the manner in which the government has gone about introducing it, the truth is that business also holds grave concerns. Business craves certainty. People who run businesses want to be assured that they will not be forced to shoulder a disproportionate share of the funding burden. As the Property Council of Australia said in a press release on 6 September:

Announced in late August, the levy could potentially increase business costs to business of between 400 to 800 per cent from current fees. This increased burden is due to the new rating approach based on a property's capital improved value.

Property Council of Australia Victorian executive director Jennifer Cunich has said the tax threatens to make Victoria a less attractive investment target and risks exacerbating the falling momentum of Victoria's commercial property market.

'It is unfair to place a disproportionate burden on commercial property owners who have invested in buildings and systems that significantly lower fire risk. Our premium properties are absolutely going to be slugged', she said.

We hear the property council telling us that not only will this levy have a disproportionate impact on business but it will drive away investment — it will slug commercial ratepayers and it will make Victoria a less attractive place to invest. The bottom line of what the property council is saying is that this levy will cost Victorian jobs. That is the bottom line. That is the truth of the cat that has been belled by the property council.

Typically, larger businesses fully insure; their fire suppression investment is excellent. By selecting capital improved value as the rating base, the government can be assured that many large businesses will be substantially worse off. If we are offended by the notion that the uninsured received a free ride under the old system, it stands to reason that we should be equally offended if appropriately insured, low-fire-risk properties see their financial contributions rise substantially. What is the possible public policy rationale for this?

Take shopping centres. Typically a large shopping centre may have a 10 to 90 per cent split between the value of the land and the value of capital improvements. Shopping centres are typically fully insured and across Victoria the sector has invested at least \$235 million in fire suppression. That is just the investment made by those who are members of the Shopping Centre Council of Australia. There are many Victorian shopping centres that are not members of the council and have therefore made their own investments in fire suppression activities in addition to that. Yet in the absence of the Treasurer setting a cap, this sector is facing rises of 500 or even 1000 per cent. A conservative estimate shared with me gave an example of a Victorian shopping centre with a current fire services levy bill of around \$25 000 and an estimated bill under the new scheme of \$190 000.

It is actually much worse than this, because this estimate was done before the industry received preliminary advice that the fixed rate will not apply once for the entire shopping centre or even once for each separate parcel of land. Rather it will mirror local government rates and apply to each parcel of land or portion of a parcel of land that is occupied separately. That is right — in other words, each separate retail tenancy will receive a separate levy assessment and will have to pay the fixed charge at the commercial rate plus the capital improved value variable component. Where was this information a couple of weeks ago in the government's self-serving announcement assuring Victorians that just about everyone would be better off as a consequence of the introduction of this levy?

It is not just in commercial tenancy leases that we see that the devil is in the detail of this measure. Let us be clear about what this levy will actually apply to. I ask members to go to the schedule in the act, the Australian valuation property classification codes allocations. What this makes clear is that not only will the levy apply to houses, commercial properties, industrial properties and farms, it will apply to hotels, shopping centres and all of those things that we typically regard as property under the normal definition of the word, but the levy will also apply to vehicle car parks, including individual car parking sites; to advertising, including static, non-electric advertising signs; and to schools, kindergartens, churches, rectories, manses, presbyteries, conservation areas, wetlands, game and fauna reserves, natural forests, libraries, museums, parks, gardens, memorials and monuments.

All of those facilities and all of those properties will be subject to the new levy that this government has introduced into the Parliament. Not only that; the impact of this levy is even more perverse because if the

museum or gallery or conservation area or forest or memorial or monument is owned by the state government, it will not have to pay the levy, but if the memorial or park or monument or library or museum or conservation reserve is owned by a local council, it will have to pay the levy.

We all understand that what we are legislating for today is a secure funding base for the CFA and the MFB, our two fire services that are currently funded by the fire services levy. Hidden away in clause 12 is an additional power that the Treasurer is asking the Parliament to give him. Each year in setting the levy the Treasurer is empowered to take into account the funding requirements of the MFB and the CFA and administrative costs for local councils as well as the transition costs in the first years. These are all reasonable things, but he is also asking the Parliament, as provided by subclauses (2)(a)(v) and (2)(b)(v) of clause 12, to include 'any other matter the minister considers is relevant to the proper determination of the levy rates'. That is right, Acting Speaker. This clause should send a chill down the spine of every ratepayer and every local council in Victoria.

What if the minister decides that this is a great way to fund the State Emergency Service, or the fire suppression efforts of the Department of Sustainability and Environment? What about the ambulance service? How about including our other emergency service organisations, Life Saving Victoria and the coastguard? What about Victoria Police perhaps? What is the possible reason for this catch-all phrase? The opposition will seek, by amendment, to have it deleted.

The Minister for Ports said before that this is a government that keeps its promises. We all remember the Premier's boast in this place in the first question time after he became Premier. He said:

... the coalition was elected by the Victorian people with a promise that it would deliver on all its election commitments, and indeed that is what we intend to do.

**Honourable members** — Hear, hear!

**Mr HOLDING** — 'Hear, hear', members opposite chorus. The coalition had promised that it would implement the bushfire royal commission's recommendations lock, stock and barrel. And again members opposite say, 'Hear, hear'. The bushfire royal commission recommended —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mrs Victoria)** — Order! I ask that we have a little bit of decorum.

**Mr HOLDING** — The bushfire royal commission recommended that the fire services property levy include a concession for low-income earners. The government's options paper conceded that the simplest and most equitable way to provide a concession is to grant a concession to holders of commonwealth health-care cards, pensioner concession cards and Department of Veterans' Affairs gold cards. It went on to say at page 22 that the only reason for not offering the concession to health-care card holders would be if the choice of collection agency was local government, so as to align the fire services levy concession with the local government rates concession. The brutal truth is this: when the government's promise to implement the bushfire royal commission's recommendations lock, stock and barrel collided with its commitment to force councils to collect the levy, the concessions promise was jettisoned.

The Premier's words of great principle on the opening day of Parliament are again revealed as meaningless. Just as teachers, police, public servants and so many others have learnt, do not expect a promise from this Premier to stand between this Treasurer and a bucket of cash; they were just words opportunistically uttered on the path to power. Victorians will remember. The opposition will be moving an amendment to hold the government to its word to implement the bushfire royal commission's recommendations lock, stock and barrel.

We know farmers support this change. There is no doubt that farmers have strongly campaigned over a long period of time for this change. But let us also make it clear, firstly, that some farmers are particularly aggrieved. I quote in particular the remarks of beef farmer, John Wyld, from Harrow in western Victoria, who was mentioned on the ABC rural news website. He said the new system could cost him an extra \$1700 each year. He said:

There's going to be a straight-out fixed charge of \$200 per farm plus a levy based on the capital improved value of .052 per cent ...

Now, we believe that we're pretty well insured and it looks as though our rate will go up by about 34 per cent.

Not only that but in implementing this new levy this legislation ensures that each farming property is levied separately, with a separate fixed charge for each property. The only exceptions are situations where the land is held by the same person or the same entity and that land is contiguous. That is the only circumstance in which the fixed charge will be waived and only paid once by that particular ratepayer.

The truth is that that does not align with the practice of local government and the levying of rates. In the case of a municipal charge, that charge is levied once per single farming enterprise. As members of The Nationals know, many single farming enterprises are held over different parcels of land that do not adjoin or are not contiguous. I would say to this government: if it wants to make sure that local government is able to easily administer this levy, that the levy operates fairly and that the fixed charge is not put in place in perverse circumstances where it ought not be, it needs to change this clause now and make sure that the fixed charge component of the levy is implemented fairly.

We also know that farming properties on previous and existing farming land that has recently been included in the urban growth boundary have seen staggering rises in their valuations. There has been no change in the land use practised by the owners of those properties at the moment and therefore there would be no change in the fire services levy that they would have previously paid. But under this legislation that Parliament is being asked to endorse today, these farmers will see skyrocketing land valuations — they are seeing them now — and they will see under this property charge the levy they will have to pay will be much higher than the levy they would have paid under the fire services levy when it was levied on insurance premiums.

Everything in this bill, every claim, every promise that the government has made, and every graph, table and chart that the government has issued is based on the simple proposition that the insurance industry will pass on to Victorian consumers the full saving achieved as a result of the removal of the levy previously charged. If that does not happen, then this proposition is dead on arrival. No-one will be better off if the insurance industry does not remove the levy from insurance premiums, yet there are no mechanisms in the legislation before us to guarantee that that will actually occur, none at all.

We all know that the so-called consumer protections rely on collecting accurate information from the insurance industry, and there are clauses in this bill which require or enable the Treasurer to seek from the Essential Services Commission (ESC) assurances from the insurance industry as to how much levy it has collected and how much in savings it has passed on to consumers. But the truth is that when you look at this legislation, there is no requirement for that report or review to be made public. The Victorian people may never see the data the government has available to it to give them reassurance that the savings have been passed on. Not only that but the review itself may never occur, because this legislation only allows the minister

to carry out or to ask the ESC to carry out the review; it does not require him to do so. We will be seeking to make amendments to both those clauses to make sure that the review must be carried out and that the information must be made available to the Victorian people. Without it, how can any consumer actually know whether they are better off?

Tax reform is always difficult. It is made especially difficult when what is being removed is not actually a charge imposed by state governments on each and every insurance policy-holder. It is a charge imposed by the state government on the insurance industry more generally, so the way in which insurance companies recover that charge from their customers is up to each insurance provider separately. We will never know whether this insurance premium levy previously charged by the insurance industry has actually been removed. Consumers will not know during the transition phase whether the savings have been passed on to them over the 12-month period. None of those things will be available for the Victorian people to judge the efficacy of this reform.

I say this to every member opposite: what you are asking us and all Victorians to do is to trust the government and trust that it will introduce robust measures of consumer protection. Members opposite are asking us to trust the insurance industry — that is right — and that the laws of competition will ensure that the levy is passed on. They are asking us to trust local government, to trust that local councils in the metropolitan area will pass on the full savings of the local government's removal of the former fire insurance contribution that they have made. This is an exercise in trust. If local government does not pass the savings on, if the insurance industry does not pass the savings on, and if our trust in the state government is misplaced and the consumer protection mechanisms are not robust, what reassurances will Victorians have that they are actually better off? None.

This reform is something the government has long trumpeted and long promised, but the jury is out as to whether the benefits will ever flow to the Victorian people.

**Dr NAPTHINE** (Minister for Ports) — I welcome this very significant legislation that will be of benefit to all Victorians and Victoria as a state. It will be of benefit to all Victorians because it will deliver a fairer and more equitable system than the current system. That is something of which I am proud; it is something of which this side of the house is proud. We are proud that we are part of a government that has had the courage to do something for which the community has

been calling for over 10 years. This government had the courage to make the right decision in the best interests of all Victorians. I congratulate the Premier, the Deputy Premier and particularly the Treasurer for their leadership on this important issue.

This legislation delivers on an election promise given by the coalition to the people of Victoria in 2010. We promised to change this unfair, inequitable fire insurance levy (FSL) system and introduce a fairer, more equitable system, and this delivers on that promise. It also delivers on a clear recommendation of the 2009 Victorian Bushfires Royal Commission into the Black Saturday bushfires, so I welcome this legislation. I am not the only one who welcomes it. Let me quote from an article by Peter Tuohey, president of the Victorian Farmers Federation, published in the *Hamilton Spectator* of Tuesday, 4 September 2012. The article says:

This week's announcement to replace the grossly unfair fire services levy on insurance with a levy on all property proved the coalition is willing to take up and deliver on the tough issues and should be applauded for taking on one of the toughest political reforms in decades, one which the former Labor government did everything to avoid.

Despite the speech of the member for Lyndhurst, the facts are that the previous Labor government avoided addressing this issue for 11 years. It knew that the fire services levy on insurance was unfair and inequitable but did nothing to address it. Yet when it came to the eve of the 2010 election, when Labor was under political pressure, what did we find? The previous government tried to have a bob each way.

I quote from a letter dated 31 August 2010 from Mary Cavar, acting director, tax and intergovernmental relations, Department of Treasury and Finance, under the Labor government that I received in my capacity as the member for South-West Coast. The letter says:

The Victorian government has accepted in principle the royal commission's recommendation to replace the current insurance-based funding model for Victoria's fire services with a levy on property owners.

The Labor Party, on the eve of the 2010 election, when under political pressure, changed its mind after 11 years, but the fact is that it did nothing to actually implement a change. It knew the fire services levy was wrong, unfair and inequitable and that people were freeloading off the system. It knew that for 11 years. The member for Lyndhurst, who was the then finance minister, knew it the whole time he was a minister, the whole time he sat in the cabinet — the whole time he was a member of the former government. He did nothing about it.

*Honourable members interjecting.*

**Dr NAPTHINE** — This government has had the courage to make this significant change and do something about it by bringing forward this legislation. The previous government did not have the courage of its convictions and did nothing about it. It was not prepared to do the hard work, so it took no action. Now the member for Lyndhurst has had the temerity to come in here to try to have another bob each way on his position. He says he will not oppose the legislation, yet he spent his whole speech whingeing, carping and moaning about it instead of saying that the legislation is a positive reform in terms of this fundamental issue. The member for Lyndhurst talked about the cost to Victorians. This is the member who in his time as Minister for Water saddled Victorians with a \$23 billion desalination plant — \$2 million a day for every Melburnian — \$750 million for the north-south pipeline — —

*Honourable members interjecting.*

**Mr Wynne** — On a point of order, Acting Speaker, it is self-evident that the minister is straying well away from what this bill is about. I ask you to direct him to come back to the substance of the bill.

**The ACTING SPEAKER (Mrs Victoria)** — Order! I uphold the point of order. I will ask the minister to come back to the bill. However, I suggest that the level of interjection is extremely high, and I ask that it be lowered.

**Dr NAPTHINE** — I would like to come back to why this new system is significantly better. Allow me to give an example of how unfair and inequitable the current insurance-based fire services levy is. In the example there are three houses in a row in the same street. One house is fully insured for house and contents, and its owners pay the full fire services levy; they make a full contribution to the local fire services. The house next door insures the building only but has no contents or outbuildings insurance, so it pays only a portion of what should be paid to the local fire services. The third house has no insurance whatsoever and so pays nothing towards the local fire services. Yet when there is a fire in any one of those three houses, they all dial 000 and expect the fire brigade to turn up. That is unfair and inequitable, and it should change. It is absolutely deplorable that in its 11 years in government the Labor government did nothing to change the situation. The new proposal is clearly fairer and more equitable.

The new proposal gets rid of an enormous problem that I did not hear the member for Lyndhurst talk about. He is sitting there, tweeting away, but he is not talking about the fact that this removes the tax on a tax that exists under the current system. Under the system endorsed by the Labor Party you paid your insurance premium, you paid your fire services levy on that insurance premium, you paid your GST on that accumulated amount, and following that you paid stamp duty on all of it. You had a tax on a tax on a levy. That is clearly unacceptable. This legislation will remove that.

**Ms Duncan** interjected.

**Dr NAPTHINE** — The member for Macedon asks, ‘Amounts of how much?’. That will save Victorians over \$100 million. I would think that was significant for the residents of Macedon, the businesses in Macedon and the people of Victoria.

This legislation introduces for the first time concessions for pensioners. Pensioners who pay their FSL on insurance at the moment get no concession whatsoever; they pay the full amount. This bill introduces concessions for pensioners, and that is a good thing. It shows the caring, social justice nature of this side of the house when that side did nothing about helping pensioners with their fire services levy charges for 11 years. The new system will lower the total cost of insurance packages for people. That will encourage more people to be fully insured and make sure that more people are properly insured. It will ensure that all property owners contribute to funding the Country Fire Authority and the Metropolitan Fire Brigade so that our fire services are properly funded and can respond in emergencies. This is a terrific reform, and one that has been undertaken in other states across Australia — in South Australia, Western Australia and Queensland — and it is about time it was introduced here. The coalition government has had the courage to do it.

I take up some of the interjections made earlier by members. Yes, this is a major change, and, yes, this system may not be absolutely perfect in its first utterance, I admit that, but it is significantly better than what the Labor Party stuck with for 11 years. It knew the fire services levy on insurance was unfair and inequitable and that there were free riders, but it did nothing about it. I am proud of what this government is doing, I am proud of its body of achievement, and I proudly support this legislation.

**Mr WYNNE** (Richmond) — What an extraordinary performance, and what a contrast between the contribution and the forensic analysis by my colleague

the member for Lyndhurst in his complete demolition of many aspects of this rather flawed bill and the bluff and bluster of the Minister for Ports in his contribution. When you have got nothing of substance to say, just pour on the abuse and the vitriol. The minister has no substance when it comes to addressing the very serious questions the opposition has raised in this debate today, particularly the forensic contribution by the member for Lyndhurst.

The contribution I will make today will specifically relate to local government. Local governments are absolutely filthy about this bill. Why? Because they were not consulted about this bill at all. They were called, anonymously I understand, through an email to turn up to a briefing not knowing what the briefing was about and, lo and behold, it was a briefing about the fire services levy. That is a fine way to treat another level of government, so much for the Victorian state-local government agreement. That was an important document we signed off on when in government. We said it was important that we put in place a structure to determine how to deal respectfully with another level of government — that is, local government.

We signed a state-local government agreement. We might as well trash that agreement now because by your behaviour and by your cavalier attitude, you might as well say there is no — —

**The ACTING SPEAKER (Mrs Victoria)** — Order! When the member says ‘you’ he is addressing the Chair, and I asked him to be mindful of that.

**Mr WYNNE** — The government’s relationship with local government has now been completely and utterly trashed. On top of its failure to work with the opposition and to acknowledge that we may well be having a referendum about constitutional recognition of local government at the next election — something that we support and the government does not support — we can forget the notion that there will ever be any substantial relationship between this government and local government, and it is shameful. The government has reduced local government to a collection agency on behalf of the state. That is the level of esteem in which this government holds the local government sector — shame on you and shame on your minister!

A number of aspects of this bill which have already been touched on by my colleague the member for Lyndhurst require further elaboration, because it is in the implementation of this levy that there are very serious questions for local government. My colleague has already talked about non-rateable properties. For the first time properties that do not currently exist

within the purview of local government and which have never been rated in the past will have to be rated. That will be an extraordinary challenge for local government. As indicated by my colleague, things such as museums, art galleries, shrines and any number of non-rateable properties will be required to be rated in the future. How can the question of rating be dealt with outside of the rating cycle? If you are outside of the rating cycle, I ask the minister: how is this going to be dealt with going forward? This will be a significant impost on local government.

There is a serious question about clause 12 of this bill in which the government indicates that the determination of the levy rate will be made by 31 May each year. Those of us who know the cycle of local government know very well that councils will already have struck their preliminary budgets for the year.

**Mr Katos** — What about the federal government taking the money off them after their budgets are done?

**Mr WYNNE** — Come on, Acting Speaker, are you going to provide a bit of protection here?

**Mr Delahunty** — Come on, keep going.

**Mr WYNNE** — I am being bullied by the members opposite. It is a disgraceful performance.

**The ACTING SPEAKER (Mr Morris)** — Order! It just has not been the member's week, has it?

**Mr WYNNE** — Many councils will of course have developed their preliminary budgets and will have them on exhibition by the time that this government will have struck the levy, so how is a council budget to have any credibility, when we do not even know what the impost of the levy might be? Clearly the government has not thought that through in any detail.

The obvious question of concessions is a really important one. I refer again to the contribution of the member for Lyndhurst who noted that the Department of Treasury and Finance indicated in its discussion paper that the simplest and most equitable way to provide a concession is to grant a concession to holders of commonwealth health-care cards. It is a pretty extraordinary thing for the Department of Treasury and Finance to say that everybody who is a recipient of a commonwealth health-care card ought to get this concession. This government is going to dud people. It is not going to take up that recommendation just for the reason of administrative simplicity because the current rating essentially applies only to pensioners. Members on this side consider it a really bad thing that low-income people — —

**Mr Holding** — It is a broken promise.

**Mr WYNNE** — Indeed. In fact, as the member for Lyndhurst says, it is a broken promise — and we think the government ought to reconsider that particular provision.

There are a couple of other really serious matters that I would have thought the Minister for Local Government would have stood up against. The most important of these is clause 74, which is extraordinarily punitive. It basically provides that if a local government council does not implement the proposals in this bill, it stands the risk of being sacked. What an extraordinary thing!

**Mr Delahunty** — Does it say that?

**Mr WYNNE** — Too right it says that. I will tell the Minister for Sport and Recreation, who is at the table, exactly what clause 74 says:

If the Minister is satisfied that there has been a serious failure by a Council to perform its functions as a collection agency under this Act, the Minister may request the Minister administering the Local Government Act 1989 to exercise his or her functions under section 219 of the Local Government Act 1989 in respect of that Council.

Section 219 of the Local Government Act is — —

**Mr Delahunty** — How to suspend a council.

**Mr WYNNE** — Section 219 is headed 'Suspension of Councillors', but there has to be 'a serious failure to provide good government'. As the Minister for Local Government may well know — she may be considering these questions in a range of other matters — the council has to be given the opportunity to show cause why there has been a failure. In this case, it will be a failure to be a tax collection agency. What a disgraceful and punitive provision that is. I would have thought the Minister for Local Government would have stood up against it in cabinet and said, 'No. This is a disgrace'.

Here we have a circumstance in which local government is absolutely at the centre of the proposition and the Minister for Local Government has manifestly failed. The minister has manifestly failed because she has basically trashed the state local government agreement. Forget that. She did not even have the decency to consult local government in a proper and respectful way — and they are absolutely filthy. They are deadset filthy on you!

**The ACTING SPEAKER (Mr Morris)** — Order! Is that a reflection on the Chair?

**Mr WYNNE** — They are deadset filthy on the Minister for Local Government, I can tell her that right

now. I want to reiterate the point made by the member for Lyndhurst: this tax is now here forever. Local government is going to be a tax collector of this fire services levy forever. This will be a legacy of the Minister for Local Government as much as of anybody else.

**Mr DELAHUNTY** (Minister for Sport and Recreation) — It has happened. Finally a bill to introduce a property-based fire services levy has been delivered to this Parliament. The coalition has delivered on another election commitment in this place. I started raising this issue back in 1999, when I was elected and for more than 10 years there has been talk about us needing a more equitable fire services levy to fund the very important services of the Country Fire Authority (CFA) and the Metropolitan Fire Brigade. Today we are delivering on that promise. The Victorian bushfires royal commission report said it needed to be done. For the first time ever the state will replace the fire services levy with a property-based levy and introduce concessions for low-income earners. The people who have paid the levy — all those pensioners and veterans with gold cards — did not get any concession under the current fire services levy model.

As I said, I have been in this place since 1999. In that time we have had many fires in my electorate. A few of those, particularly on Black Saturday, have been around the Grampians and Stawell. In every case the Victorian government has come to the fore, with the CFA and every other organisation supporting those communities. They have done an enormous amount of work to protect lives and property, although unfortunately we did not save all of them.

However, anomalies have been highlighted. I believe people who were uninsured and had no support and no assistance were able to get up to about \$2800 from the government to assist in rebuilding their house and so on. Those who were insured got very little financial support, but they had to pay the fire services levy (FSL) that supported everyone else. It was unfair and unjust. We needed to have a fairer system and we are delivering that.

As I said, I have raised this issue many times and I raised it in the Parliament in 2006. I have a letter here from the then Treasurer of Victoria, who ended up becoming the Premier, Mr John Brumby. In this letter he said:

I refer to your speech made in Parliament on 8 February 2006 regarding Victoria's fire services levy.

He then said:

The suggestion that state tax on business insurance is the key contributor to high insurance costs is based on misleading and incomplete analysis. Of the charges —

listen to this; I will finish his quote —

that apply to insurance premiums (GST, FSL, terrorism levy and stamp duty), only stamp duty is imposed by the Victorian government.

What a disgrace! He knew, as did everyone, that the GST money would come back to the states, as the fire services levy does, and he said, 'Only stamp duty is imposed by the Victorian government'. What a ridiculous statement.

In a media release of 1 September 2010 I highlighted the problem. A country business that paid \$1000 for an insurance premium in 2010 paid an additional \$840 for the fire services levy. On top of that they paid GST of 10 per cent, another \$184, then they paid stamp duty of 10 per cent, another \$202.40. That meant that the total cost for an insurance premium of \$1000 was \$2226.40 — and you wonder why people were not insuring or were underinsuring! The ones who did insure were carrying the burden.

The member for Lyndhurst asked whether we can trust insurance companies. There have been problems with them. I will quote from a letter from Mr Micheal Gelligen which was published in the *Rainbow-Jeparit Argus* of 29 June this year, which begins:

To the editor

Thanks must go to our local member Hugh Delahunty, who in his column in the Argus and other local papers alerted his constituents to the blatant rip-off being perpetuated by our insurance companies in Victoria.

...

When I rang the insurance company to enquire (as Hugh had suggested) —

he was told that the government was increasing the fire services levy. But in truth it had gone down by 9.6 per cent while his insurance premium had gone up by 80 per cent. He went on to say:

I was on hold for less than 5 minutes before the operator came back on and said ... they had found a saving in our policy, which amounted to a 10 per cent reduction.

So thank you Mr Delahunty for your insight into this blatant rip-off, and my suggestion to everyone is to not accept the insurance premium that you are sent —

and have a look around for a better price. I encourage people to do this.

I will finish by saying that we have delivered on this. We are getting enormous support. I can assure members that it is great to see the abolition of not only the fire services levy on insurance premiums as it becomes property based but also the tax on the tax. Pensioners and veterans will get support. More importantly, we are getting third-party endorsement from people like the Victorian Farmers Federation, the Australian Industry Group, the Municipal Association of Victoria and even the Henry tax review. I support this legislation.

**Ms GREEN** (Yan Yean) — I now join the debate on the Fire Services Property Levy Bill 2012. First I want to correct some assertions made by a number of speakers on the opposite side of the house and to indicate, as the member for Lyndhurst did, that we will not be opposing this bill although we have significant concerns about it. There would be no member in this place who would understand as fully as I do the need for fire insurance and what occurs when you do not have it. I note that the member for Lowan, the Minister for Sport and Recreation, touched on those things, but he was very fortunate in his electorate in that there were no deaths in the 2009 bushfires. There were, however, a significant number of deaths in my electorate so it is something I have treated incredibly seriously. It is not a joke.

The 2009 Victorian Bushfires Royal Commission made a very significant recommendation in the face of the 13 per cent non-insurance rate and its concerns about that. Many in the community exaggerate the non-insurance rate, but it was only 13 per cent. The bushfires royal commission made a recommendation that we needed to change the way this money was collected.

Those opposite would have you believe that we did nothing when we were in government. Nothing could be further from the truth. We took the initiative in 2009, very shortly after the handing down of the recommendations in the *2009 Victorian Bushfires Royal Commission — Final Report*, and issued a green paper. Those opposite would like to say we did nothing. We did something — —

**Mr Burgess** interjected.

**The ACTING SPEAKER (Mr Morris)** — Order! The member for Hastings!

**Ms GREEN** — We would have brought forward legislation that would have been fairer following better consultation, and it would have passed through this place and been operational by now. It is only because of

the howls of concerns from the backbench on the other side that this legislation was not brought into the house even later — it went to cabinet three times. As my colleague the esteemed member for Richmond said, the government did not even have the grace to consult local government, yet it now says it wants local councils to collect the levy on its behalf. It is absolutely contemptible and disrespectful.

The bill before the house has no consumer protections, so the 25 fire brigades and the fantastic volunteers who serve my electorate and who have expressed to me their concerns about increases in the fire services levy have no assurances at all. They have to take it on trust not only that they will continue to serve the community and pay the levy but also that insurance companies will pass on the savings, because this bill contains no consumer protections. They also have to take it on trust that the Treasurer, who has given himself particular powers in this bill, will exercise those powers appropriately and not just for whatever. They are not just ring-fenced around our fire services or other matters. This has never been the case at any time since the establishment of our great fire services following the fires of 1939.

Now we have a bill before the house that asks us to take the government on trust. We took on trust the promises of the Treasurer and the Premier, who said there would be no public service job losses. We now see \$66 million in cuts to the Metropolitan Fire Brigade and the Country Fire Authority, and we have no assurances that the \$66 million worth of cuts will not fall on the very staff who are supposed to make assessments of those new planning applications to ensure that people will not be moving into areas of dangerous bushfire risk. There are no assurances at all. These are all cases of saying, ‘Take us on trust’.

The levy can be used for other purposes. Is it going to be for policing? Is it going to be for any other measure, not just our fire services? ‘Take us on trust’, the government says. When we issued our green paper on implementing the recommendation of the bushfires royal commission our fundamental commitment was that there would be no net loss of income to our fire services. They would have the same or more funding to deliver fire services — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Morris)** — Order! The members for Rodney and Mildura!

**Ms GREEN** — They are not going to have more; they are going to have a \$66 million cut. We have a

Treasurer who will be able to do whatever he likes with the money from the fire services levy.

We have all sorts of concerns about properties that have not been rateable before having to pay rates to councils. Community health centres that are now incorporated companies will have to pay rates for the first time, yet they have no assurance that the money will be used for fire services. They will be paying rates at the same time as they are experiencing \$25 million worth of cuts made by this government. I bet the government is not going to pass on any supplementary funding to assist them to pay this new charge.

The breaking of the promise about concessions and the failure to take advice from the Department of Treasury and Finance to pay the concession across the board is going to impact heavily on a lot of people. I am very concerned for farmers in my electorate — not only those in bushfire-prone areas, the flatlands and the scrubby lands but particularly those who are now within the urban growth boundary — who are going to be paying massive increases in premiums. The Minister for Planning and the Premier went to Beveridge and caused a huge level of concern amongst people in my electorate of Yan Yean, and into the Seymour electorate as well, about the urban growth areas infrastructure charge.

The minister and the Premier told complete porkies about what the growth areas infrastructure charge would mean to the community. They failed to have any form of consultation or discussion with very same people they raised fears with at that time or to explain to them how much they will be paying under these new measures. We support the recommendations of the bushfires royal commission, but we deplore the fact that it has taken the government this long to bring forward this bill; after all, it has had nearly two years and it could have continued the work that we began.

There are still many anomalies. We have a bill that is incredibly deficient. It gives the Treasurer unfettered powers to use the funds however he might wish. It does not give concession holders their full discount. It absolutely says to every consumer in this state, 'Take us on trust; trust the insurance companies with their half billion dollar windfall'. That is what they are going to get: a half billion dollar windfall! The government makes great promises like, 'The cheque is in the mail', 'I will tap you on the shoulder' or, 'I will call you in the morning'.

This measure expects that with market forces those great, benevolent institutions — the insurance companies — will pass on the half billion dollar

windfall. It beggars belief that any member on the other side of the house would believe that, and if they believe that, I have plenty of things I would like to sell them. If they do not, they should be up-front with the community. They should explain that, 'We are doing nothing to ensure that the insurance industry will have to pass on that half billion dollar windfall'.

As I said at the outset, Labor does not oppose this bill. It was an important recommendation of the bushfires royal commission, but it is too late. This bill is deficient, and I will support the amendments circulated by the member for Lyndhurst.

**Mrs POWELL** (Minister for Local Government) — What amazing contributions we have heard from the opposition! The opposition has brought in amendments at the last minute outlining a number of concerns it has for local government. Not one of those amendments is going to abolish what we are doing with local government, which is collecting the fees — not one of those amendments. The member for Yan Yean was saying, 'We were going to do it, but we got gazumped'. They had years to do this and did not. They failed. The community has been asking for years to get rid of this inequitable, unfair tax — —

**Ms Green** interjected.

**The ACTING SPEAKER (Mr Morris)** — Order! The member for Yan Yean was heard in silence, and she should give the minister the same courtesy.

**Mrs POWELL** — Opposition members, who were then in government, did not listen to the community. They were told that this was an unfair tax and told to fix it. For years all of us have stood up in this house and said what an unfair tax this is, so for the opposition to come in here at the last minute with amendments and say, 'Nobody was consulted' and 'Local government was not consulted' is a load of rot. I speak to local government and the Municipal Association of Victoria. The Treasurer and his department sent experts out around the state, consulting, putting ads in the papers and talking to people. Local government representatives went to those consultations. They had every opportunity to put forward their points of view.

When I speak to councils they say, 'You know, Minister, we do not know if we do want to collect this, but we believe we are best placed to do it, and if we do it, we would like to be paid or recompensed for that'. We listened and we are going to do that. Local government will be paid to collect the levy. This is not the only state with a property tax. Western Australia, South Australia, the Australian Capital Territory and

Queensland are doing it, and New South Wales is looking at Victoria's model to follow our lead. Three of those other states are getting their councils to collect this levy. It is nothing new or terrible. We are following what other states have said is working. That is what we are doing.

But more than that, we are going to pay councils fees for the collection. The Treasurer's department is going to work with councils to see the level of fees needed. The State Revenue Office is working with councils to oversee what else is needed and what other support they get. Councils are going to get a one-off payment for updating their computer equipment, so it is not as though they are not getting anything. Local government has been listened to and it will be compensated for administering the levy. The Victorian fire services property levy will be a line item councils can put on their rates so that it is very clear to their communities what they are doing with this collection. As I said, this government brought in this levy because it was a recommendation of the 2009 Victorian Bushfires Royal Commission.

It has already been highlighted that a number of people are compensating those who are not insured or who are underinsured. The member for Lyndhurst came in here and said, 'The claims about the amount of people who are underinsured and not insured are false'. As was found after the 2009 bushfires, quite a number of properties were either not insured or were underinsured. This is not fair or equitable. It has been going on for many years, and this opposition — the former government — knew that. It sat on its hands and did nothing. Talk about unfair! Its members come in here and talk about it being unfair, but the unfairness was having insurance and then GST and stamp duty. It was a tax on a tax.

With this bill we will remove that tax. It will save businesses and residents \$100 million. Veterans and pensioners will each get a \$50 concession, leading to a saving of \$20 million. We are looking after those people who need to be looked after. We have also established the position of fire services levy monitor. The member for Lyndhurst says the position of the monitor is not in the legislation. We have already filled the position of fire services levy monitor: Professor Allan Fels is a very eminent person. The Essential Services Commission will also have a monitoring role. We are making sure the savings are passed on.

Members of the opposition have said there are all these problems with the bill and the opposition has circulated amendments to it, but they have also said they will not

oppose it. Members of the opposition stand condemned, firstly, for not bringing in a fairer fire services levy when they were in government, and secondly, for condemning the government's efforts to make sure we have a fairer levy. I commend the bill to the house.

**Ms DUNCAN** (Macedon) — I rise to speak in support of the Fire Services Property Levy Bill 2012. I will just make a couple of points about it. We have heard from the government a lot of criticism of Labor for not having introduced this levy while in office. If you listened to that, you would imagine that the Liberal Party had not been in office at any time over the last 50-odd years in Victoria, because these arrangements have been in place for a long time.

*Honourable members interjecting.*

**Ms DUNCAN** — If we can all stop guffawing for a moment at the arrogance of the Deputy Premier sitting at the table with his smug smile, we all know that what focused us on this issue was the 2009 bushfires. For many years the existing fire services levy has been described as not being the best system. We even heard the member for South-West Coast say today that the model in the bill is not necessarily the best model and that not everything is hunky-dory about it. As we know, the previous system certainly had some problems as well.

Governments of all persuasions have for many years known that the fire services levy has some flaws, mainly regarding people who are underinsured or uninsured — and we really do not know how many there are, but we know there are enough to warrant changing the system. The bushfires occurred early in 2009 and a discussion paper was released by the 2009 Victorian Bushfires Royal Commission in November that year. The government would have us believe that when we were in office we should have been able to accept those recommendations, get our heads around some of the issues involved in making this big reform and carry it out in less than 12 months from the time the commission made that recommendation. This government has taken about two years to do it, because it is complicated, but it says we should have done it in less than 12 months.

*Honourable members interjecting.*

**Ms DUNCAN** — Government members say we had 11 years, but we can equally turn around and say, 'You had seven years before that'. Let us forget this absolute nonsense. This is a difficult reform.

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Morris)** — Order! the member will direct her remarks through the Chair and the members for Benalla and Morwell will settle down.

**Ms DUNCAN** — I ask them to settle down. I think the reason The Nationals are getting so up in arms about this — they keep saying this is a brave decision of the government, and it probably is — is that they know there will be losers in the system, and although we do not know who they will be, I suspect many of them will be in rural areas. The people who have come to me over the years concerned about the charges on their insurance premiums — and let me say again, there have been more after the bushfires than before them — have mostly been farmers. As the member for Lyndhurst said, part of the problem — and we would have faced the same problems — is how to ensure that insurance companies pass on to their customers the full benefit of the change. The government has given this difficult task to Allan Fels, and I wish him all the best, because it will be an extremely difficult thing to ascertain. I am not sure whether more controls could have been put in the legislation. I suspect these are the issues the government should have been alert to and such measures should have been put in place through this legislation.

It is right to say that we as an opposition are supporting this change, but we are taking a lot of things on faith about what the consumer protections will look like. We are also being asked to accept on faith what the variable rate will be. The government has not been able to say what it will be. We know some people will be worse off, and it is likely that those people will be owners of larger commercial properties with significant capital improvements, who will no doubt pay more, as well as owners of moderately to expensively priced houses in suburbs that are currently characterised as having a low burglary risk, who may pay significantly more. Again the government has not been forthcoming in telling us what that variable rate will be, so until it all starts to unfold it will be very difficult to know who the people who will pay more will be, and no doubt this is the government's intention.

We are also being asked to vote on a bill in the absence of information about consumer protections, as I said. The entire reform is predicated on insurance companies doing the right thing and local councils in the Metropolitan Fire Brigade area passing on all the levy moneys they have been paid. Councils are already concerned that they will be out of pocket. Although they will be compensated for collecting this tax, they need to be assured that they will be fully compensated. We do not know whether local councils, as I said, will

pass on the full savings that are achieved. The assumption can only be tested where there is robust information about the incidence of the existing levy and where there are strong consumer protection measures to prevent price exploitation.

We know it is very difficult to make changes that support the insurance industry. We did that in government because we had an insurance crisis, as members may recall. I am not sure we saw insurance premiums go down to the extent that we had hoped they would. These are private businesses. I did not notice the fire services levy being highlighted in my last insurance bill. I suspect this could be because companies are getting themselves ready to make it difficult for consumers to look back and see what the fire services levy was in their previous bills and calculate whether the savings have been fully passed on.

I do not know Allan Fels, but I have a lot of confidence in him and think the government has made a pretty good choice in giving him that job. I wish him luck in doing that job. If anyone has ever tried to get a straight answer from an insurance company, good luck to them, and I suspect Allan Fels, as good as he is, will come across similar difficulties when trying to unravel the insurance premiums. As we know, even as consumers it is very difficult.

We support this levy. We have some serious concerns, as I have said and has been outlined, about consumer protections, about the transparency, about how this will be applied and about the additional \$100 on top of the base \$100 and what the increases on that will be. We are also concerned that councils will now have to go out and look at properties that have previously not been rated. They will now have to rate them, so presumably they will first of all have to find them and then try to do some sort of valuation. None of these issues are insurmountable, but they are complicated and difficult.

I believe, and the opposition believes — hence the reason for some of the circulated amendments — that there are things that could have been done better in this bill. As has been predicted by others, I suspect we will be back here in maybe 6 to 12 months tinkering with this legislation again. That is fine; we do this all the time. I just wish this government would not make such a big deal about it and was not so critical of us doing it when we were in government. I remind members that these things are never easy, but you can do them with a little more transparency than this government has done.

We are proposing some changes to this levy to make it a little fairer and to hold the government to account on

its promise to implement the recommendations of the bushfires royal commission's final report in their entirety, including extending concessions, which the government has not done in this piece of legislation. We also ask the government to ensure more transparency in terms of how the levy will be applied to various properties and, most of all, to ensure that the insurance companies pass on the removal of the old levy in its entirety. Without that and if we cannot have confidence that that will happen, this piece of legislation will create more losers than winners. With those words I commend the bill to the house.

**Mr RYAN** (Minister for Police and Emergency Services) — It is my great pleasure to join the debate in relation to this important legislation. It must be said that this is one of the great public policy reforms of contemporary Victoria, and it has taken a Liberal-Nationals coalition government to deliver it. I listened to the whingeing, whining, carping commentary coming from those opposite. The member for Macedon — credit where due — acknowledged different aspects of what we have undertaken as being difficult and that we have been prepared to do it, so I acknowledge she said that. However, the general theme from the Labor Party is, 'Don't blame us. We would have loved to have done this'.

In fact history tells an entirely different story. People throughout Victoria, particularly country Victorians, are not going to fall for that three-card trick from the Labor Party. For 11 years the Labor Party flatly refused to do anything in relation to this vitally important reform. The failed former Premier, Mr Brumby, in the years he was the Treasurer of the state absolutely flatly refused to have anything to do with reforms in this important area. My great friend and colleague the member for Swan Hill, who is also the Minister for Agriculture and Food Security, will tell the house, I am sure, of those occasions when pre-budget submissions were going before the then Treasurer, Mr Brumby, the former member for Broadmeadows. Mr Brumby told the Victorian Farmers Federation, which the member for Swan Hill then headed, 'Do not even bother bringing that submission to the government. Do not even bother bringing that rubbish to us'. That is the way Labor viewed it. It was never going to do anything in relation to this vitally important reform.

We all remember the recommendation ultimately made — recommendation 64 — by the 2009 Victorian Bushfires Royal Commission. Labor was not going to do anything about it. It was dragged kicking and screaming to do something about it. We all remember this being the subject of consideration by the Henry review, and I can remember putting a question to the

then Premier and former Treasurer, Mr Brumby, as to whether the former Labor government was prepared to refer this whole issue to the Henry federal review on taxation. It would not do it, but we did it from opposition. We referred this whole issue to the Henry review. There is no way in the world Labor was ever going to do anything in relation to this. It had a Victorian Competition and Efficiency Commission review. It even passed legislation to go out and have some consultation in relation to it. It did everything it conceivably could to make sure it was never, ever committed to doing anything about changing this important aspect of public policy.

Of course those who were getting stitched up the most markedly throughout all of this were the people of rural and regional Victoria, because the application of this appalling levy, as it then stood, was utterly inequitable; it was unfair for a vast array of reasons. The first thing to be said is that we had people who were not insured at all and people who were underinsured. The Minister for Ports this morning gave very good examples of how it was that that inequity played out. The bottom line of it was that whenever fire broke out people still expected the Country Fire Authority — or, in a metropolitan sense, the Metropolitan Fire Brigade — to turn up and put the fire out, but we had people who were not making a contribution at all or who were not contributing their fair share or what they should have been by way of this levy. Labor ignored it. Labor allowed that inequity to roll on for 11 years. It did absolutely nothing about it. It mightily resisted ever changing it.

What have we done further? We have dealt with the horrendous issue of the tax on tax. What the Labor government was doing was doubly to be criticised; it was not only refusing to change its position in relation to the fire services levy but annually it was placing in the hands of Treasury the amount of money it was receiving by way of the stamp duty in relation to all of this and the tax-on-tax arrangements that applied. It was a shockingly iniquitous situation.

When Labor was at last talking about doing something by way of addressing all of this and at last being dragged kicking and screaming to it, it was still going to be — I will bet you, Acting Speaker — on a revenue-neutral basis. The Labor government was going to raise enough money out of any new levy to ensure that it retained the benefit of the tax on tax. That is what it was going to do, and we as a government have said to Victorians that we are abandoning the notion of that tax on tax. We are not going to collect that iniquitous amount of money associated with what was already an iniquitous fire services levy, which is

about to be replaced by this legislation. That will cost us as a state about \$75 million by way of income to the state's coffers, but we think that is a fair thing.

We are going to contribute about another \$20 million by way of concessions to those who are entitled to receive them. Those on the other side are shedding crocodile tears about having to extend, they say, the benefit of any concessions that are made — this from members of a former government that for 11 years allowed the system to run anyway, that for 11 years pocketed the tax on tax and that for 11 years never had any concessions for anybody, for heaven's sake! Here they are bleating because they say the concession we are making available under the scheme is not a concession of sufficient proportions. What an absolute load of rubbish!

I move on to the next topic. We hear those opposite complaining about the purported complaints of the local government sector. Did the Minister for Local Government not speak well, Acting Speaker? She dealt with that situation so very well, and we know through a variety of forums and mechanisms that in the work of the minister and the work of her parliamentary secretary local government was engaged in the process of enabling — —

**Mr Herbert** interjected.

**Mr RYAN** — Never let a chance go by! The process enabled local government to participate in this important debate. In any event the way those on the other side put it suggests that local government at large is concerned about all of this. That is not the case. Readily and off the top of my head I can speak of the Rural City of Mildura, which is perfectly comfortable with the fact that it will be an agency to collect this levy. It does not have a problem with it at all, because it understands that historically local government has had the best connection to do so through existing systems for property owners. Local government has the existing systems to which a line item enabling the fire services levy in its new form to be collected can easily be added. Apart from all that, and as the minister so eloquently pointed out, the simple fact is that in other states around Australia where this system operates local government collects this levy. It is not a problem. We are going to offset the cost to local government and make sure that its needs are accommodated in a manner which is fair.

We are on the brink of one of the great reforms for Victoria. This government, a reformist government, is about to put in place new arrangements that people, particularly in the regions of our state, have been absolutely screaming for over a period of many years.

For 10 or 11 dark years the former Labor government would not touch the issue. Now people are about to see a situation which is fair, equitable and based around a notion that is understood and applied in other states around Australia. People will know that, to greater and lesser degrees, those who are property owners in the state of Victoria are going to pay their fair share towards the provision of our all-important fire services.

I commend the Premier for his leadership on this. I particularly commend the Treasurer, who has done an enormous amount of work in the vast degrees of modelling that have been undertaken to give effect to this bill. I look forward to the work of Professor Allan Fels. With due respect to the insurance industry, I say to the world at large: make sure you return to Victorians the money due to them where appropriate, or Allan Fels will be out there to talk to you!

**Mr PANDAZOPOULOS** (Dandenong) — It is a pleasure to speak on the bill, particularly following the Deputy Premier. This is an important reform and it recognises, as the 2009 Victorian Bushfires Royal Commission did, what is generally done around the rest of Australia. Where I differ from the Deputy Premier is in his trying to blame Labor for the fire services levy. It is a levy that Labor inherited due to governments prior to the Bracks government choosing how they were going to raise revenue to pay for fire services. At the time they chose the insurance option rather than a fire services levy option, and that is the system that we inherited. The reality is that over a number of years there has been a lot of debate led by the insurance industry for a number of reasons. Having worked in that area in the past as a union official, I know that the insurance industry has a number of motives around this sort of thing. If we did not have the royal commission making a rock solid recommendation, I do not think we would be in this house debating this matter.

**An honourable member** interjected.

**Mr PANDAZOPOULOS** — It does matter, because the government sits there and tries to say that there were 11 dark years of Labor government — that is why we were elected three times — when Labor did not do anything about the issue and that now that the coalition is in government it is enacting this fundamental reform. What changed the environment in Labor's term of office were, of course, the bushfires. It was the government of the day, and it had the guts to establish a royal commission. Those opposite say that they support the commission's recommendations. The opposition said it would support its recommendations lock, stock and barrel. This is why we are debating this motion. We are making these important reforms

because the 2009 Victorian Bushfires Royal Commission recommended them.

Prior to the Black Saturday fires, some of us in this house were members of a committee which had received a reference on bushfires in Victoria. A number of submissions were made to us, including by the Insurance Council of Australia, saying that there was inequity in the system and that not everyone was covered by or paying insurance. It is interesting that a private sector organisation believed theoretically in equity, but the resulting view was that everyone should somehow pay for fire services. There was lobbying at the time. In conducting that inquiry committee members saw clearly that a whole lot of properties across Victoria — probably about one-third of all properties — were never insured and that the majority of properties that were insured were underinsured. There was an equity issue regarding who ended up paying for fire services.

As I said, we are debating this issue because of the royal commission's recommendations. As I said also, the government, which was in opposition at the time, said it would support the implementation of those recommendations lock, stock and barrel. While those opposite are going most of the way, it is quite clear from their press release that they are not supporting the recommendations in full. The full intent of the recommendations was to pass a concession on to all concession card holders, not to just some. The government has chosen not to pass it on to health-care card holders despite noting that there will be an increase in cost to those people.

When we look at cases of underinsurance or non-insurance, we can see two areas. The majority of people who are underinsured or have no insurance tend to be on low incomes. That is why they underinsure; they are trying to balance self-risk with the capacity to pay. For a whole lot of people paying more is a difficult thing, equitable as it might be. That is why it is important that the government reconsider this initiative, noting that many Victorians who have not taken out insurance or are underinsured find it difficult to pay, and allow a concession for all health-care card holders. The other group of people who are underinsured or not insured are those who choose to self-insure. What we heard during the bushfires royal commission was that a number of people had said, 'It is an acceptable risk. I have built a holiday house or some buildings out in the bush. I have done nothing to make my property bushfire ready. If a fire comes through, that is a risk I am prepared to accept'.

What we are saying with a property-based fire services levy is that at the end of the day if there is a fire, a fire truck might turn up, and everyone should pay for that. That is a reasonable argument, but it is also a reasonable argument that in a private sector economy a lot of people choose to self-insure. We allow companies to self-insure with WorkCover. We need to understand why people underinsure their properties or do not take out insurance. I have a strong view that we should pass on concessions to all low-income earners; this is why governments have a health-care card in the first place.

It is also important that Allan Fels is being appointed to oversee the insurance industry passing on any savings on insurance premiums in full. I am not at all confident that that will happen. I hope thorough work is done in this area because I do not think it is the intention of government, or anyone supporting this legislation, that companies get an indirect windfall from a significant reform that overall benefits the insurance industry. I hope the insurance industry self-manages on this issue. Whilst it is possible to shop around for insurance prices, it becomes hard if one does not know if the full deduction has been made from the insurance premiums.

As other members have said, insurance premiums that are now being sent out for the first time do not differentiate between the insurance policy and the fire services levy. In the past there was no legal requirement for insurance companies to put the fire services levy as a separate item on their insurance notices, but the companies chose for their own reasons to differentiate the cost of providing their service and the charge they were levied under the act. In the latest insurance policy notices issued during the transition period, insurance companies have chosen to hide those figures. I hope that has not been done with the intention of making a windfall gain. In the past we have seen attempts to make windfall gains when major reforms have been brought in, such as the GST or even the carbon price in recent times.

Further work also needs to be done, even though it is not part of Allan Fels's terms of reference, on rental properties because the reality is that a lot of them are underinsured. If there is now a levy on all properties, as a cost of service that is of course going to be passed on to the renters. Because in many cases there has been underinsurance of properties and because the levy will charge a full rate, there will be rental increases for some tenants. That is an area we need to keep an eye on. The majority of renters are on low incomes; by definition they have not been able to buy their own house. They are usually renting as part of a long-term plan to be able to buy a house. The changes made by the bill could have an effect on rental charges.

I am also concerned that more work needs to be done to ensure that in the Metropolitan Fire Brigade areas, which cover two-thirds of Melbourne, local governments — —

**Mr Walsh** — No, it doesn't. The MFB doesn't cover two-thirds.

**Mr PANDAZOPOULOS** — Whatever it covers — half of Melbourne — at the moment local councils pay a contribution to the fire services out of their rates, and we need to ensure that that is passed on. The rates notices that have gone out do not indicate that.

At the end of the day this reform is going to have a lot of unintended consequences. There always are a lot of unintended consequences. The reality is that no-one likes paying tax, and when the bills come out a whole lot of people are going to be saying — —

**Mr Walsh** — It is not a tax; it is a levy.

**Mr PANDAZOPOULOS** — A levy is a tax. A tax is a tax. A duty is a tax. They are all charges, and charges by government are taxes.

When the rates notices come out there will be people who complain because some people would not have paid it in the past, but that is the intention of this levy. There could also be additional charges, as I said. People will complain about the implementation of the levy, such as having to pay the levy as part of the rates for multiple properties. In some circumstances people will face additional charges. You cannot have underinsurance — one-third of properties not being insured — without some people now paying more. I expect we will hear a lot from people saying it is an unfair burden; nonetheless, this is the way that fire services are normally paid for around Australia. It is an important reform, and I ask the government to consider our amendments.

**Mr WALSH** (Minister for Agriculture and Food Security) — I rise to make a contribution to the debate on the Fire Services Property Levy Bill 2012. The bill establishes a fire services property levy to replace the insurance-based funding arrangements for Victoria's fire services. I congratulate the Premier, the Treasurer and the Minister for Police and Emergency Services on one of the most important reforms that Victoria has ever seen introduced to this house of Parliament. It is a great thing for all of Victoria, and it is particularly a great thing for country Victoria.

I have listened to the contributions made by opposition members, and it seems they have been hard pressed to find something negative to say. They were nitpicking

over little things to find something negative to say instead of standing up, showing some leadership and congratulating the government on doing something good — as they would if they were responsible. We have done what they would not do over the last 11 years. People have been lobbying for this for 11 years.

The Deputy Premier talked about the Victorian Farmers Federation. In my time as the president of the VFF I presented a number of pre-budget submissions to the then Treasurer, John Brumby. We kept putting the fire services levy front and centre in those pre-budget submissions. The Deputy Premier was very kind in what he said about that. In one of those meetings we put a budget submission across the table and the then Treasurer just threw it back and said, 'Don't present this shit ever again or I won't talk to you'. He was not interested in listening to suggestions to make some changes to the fire services levy. It is true. He would not listen to any reason as to why this should change. It took a coalition government — —

**An honourable member** interjected.

**Mr WALSH** — He did spit out that word.

**Mr Herbert** — I don't know about that.

**Mr WALSH** — He did. I will get you the quote.

**The ACTING SPEAKER (Mr Morris)** — Order! We will not have conversation across the table, thank you.

**Mr WALSH** — Thank you for the advice, Acting Speaker. The previous government — the then Treasurer and the then Premier — would not do anything about this, so the coalition in opposition took some leadership on the issue. We said we would do it, and the Labor government was dragged kicking and screaming in its dying days to form a half-baked idea as to how it would do something about this. It took the Baillieu-Ryan government to actually deliver on this promise, and we are proud of doing that.

**Sitting suspended 1.00 p.m. until 2.03 p.m.**

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Country Fire Authority: funding

**Mr ANDREWS** (Leader of the Opposition) — My question is directed to the Premier. Will the Premier guarantee that his decision to cut \$41 million from the

Country Fire Authority (CFA) will not affect the preparedness of incident management teams on the most extreme fire risk — code red — days?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. We addressed these issues last week when the Assembly sat in Ballarat. I made the point then that the budget for the CFA this year is higher than it was in the 2010–11 year, and budgets — —

**Mr Andrews** interjected.

**Mr BAILLIEU** — The budgets for the fire services are set on an annual basis. The Leader of the Opposition asks, ‘What the about the year in between?’. The year in between included significant capital investments from this government as a result of recommendations of the 2009 Victorian Bushfires Royal Commission, recommendations which the now opposition when it was in government would not fully implement. We are committed to the fire services, and we will not misrepresent the bushfires royal commission’s recommendations, unlike the member for Monbulk, who misrepresents them, unlike the Leader of the Opposition, who continues across the table to misrepresent them.

**Mr Andrews** interjected.

**The SPEAKER** — Order! The Leader of the Opposition has asked his question.

**Mr BAILLIEU** — The government has increased the funding for the fire services since it came to office, and that is a fact. The bushfires royal commission implementation monitor, Mr Neil Comrie, concluded in his most recent report that preparedness for bushfires under this government is better than it was under the previous government. That is a fact. Both the CEO of the CFA and the chief fire officer of the MFB (Metropolitan Fire Brigade) last week addressed in detail, line by line, the issues that have been raised by the Leader of the Opposition.

I know the Leader of the Opposition is keen to represent those who were on the front steps of Parliament House today — and good on them; it is their right to be on the steps. I note there were a number of members of the Construction, Forestry, Mining and Energy Union there as well, standing together with the Leader of the Opposition.

*Honourable members interjecting.*

**The SPEAKER** — Order! The house will come to order, particularly the Leader of the Opposition. He

asked a question, but he has not stopped interjecting since the Premier started answering it. How he expects to get an answer in that way, I do not know.

**Mr BAILLIEU** — We continue to invest in the fire services. We have also introduced the fire services levy on a property basis — something the previous government never did — which will put fire services funding on a much more sustainable basis.

**Ms Hennessy** — On a point of order, Speaker, the fire services levy bill is currently on the notice paper, and I ask you to remind the Premier of the rule of anticipation and ask him to come back to answering the question he was asked, which was about giving a guarantee.

**The SPEAKER** — Order! Raising a point of order is not a chance to ask the question again.

**Mr Ryan** — On the point of order, Speaker, very obviously it was a passing reference by the Premier. The Premier was not discussing the content of the legislation, and accordingly the point of order is out of order.

**The SPEAKER** — Order! I do not uphold the point of order, but I ask the Premier to return to answering the question.

**Mr BAILLIEU** — We continue to provide increased resources for the CFA and the MFB, and that is a commitment of this government. Anybody who has been a fair-minded observer of what has been occurring over the last 12 to 20 months would know absolutely that we have supported the fire services. We have supported the bushfires royal commission’s recommendations. We have introduced legislation to change to a more equitable basis the fire services levy. The thing we have not done is run around and misrepresent the royal commission; nor have we run around and scaremongered.

### **Economy: government initiatives**

**Mrs VICTORIA** (Bayswater) — Can the Premier update the house on the steps the government has taken to make Victoria more attractive for investment, the growth of jobs and the establishment of businesses?

**Mr BAILLIEU** (Premier) — I thank the member for Bayswater for her question and for her fundamental interest in the economy and investment and the growth of jobs in this state. Indeed this coalition is made up of parties that are committed to jobs and committed to being pro-business and pro opportunities for growth. Since we came to office we have implemented a

number of policies in that regard, and those policies have followed a very clear course, first of all, to put the budget back onto a sustainable basis.

**Mr Andrews** interjected.

**Mr BAILLIEU** — That is mocked again across the table by the Leader of the Opposition. He does not care about the budget.

*Honourable members interjecting.*

**Mr BAILLIEU** — We are interested in maintaining a surplus. We are interested in maintaining a AAA rating. We are interested in maintaining a responsible wages policy. We are interested in ensuring that we get good value out of enterprise bargaining and that we get good value for money out of capital investment and in terms of the investment we make in services.

Likewise we have made a fair effort to advance the case for productivity improvements, something that was ignored by the previous government. Whether it be the construction costs inquiry that will take place on a national basis as a result of this government's work, whether it be the new construction industry guidelines and the compliance unit, which some people want to be rid of, whether it be declining the commonwealth's demand that we introduce new occupational health and safety laws that would cost Victorian businesses \$3.5 billion over five years, we have done what is necessary and we have done whatever we can to advance the cause of greater productivity.

With regard to growing our economy, we have conducted a series of trade missions, including the trade mission to China next week, which will involve more than 600 delegates. In addition to that, we have also committed \$1.6 billion to the very substantial growth of the port of Melbourne, and that is something which some people oppose. We have committed to advancing the east–west link, something which some people seek to oppose. We have adjusted the regional rail project, the major components of which were substantially underfunded.

**Mr Andrews** interjected.

**Mr BAILLIEU** — Even now the Leader of the Opposition, who claimed he would not be ceaselessly negative, seeks to be ceaselessly negative from across the table about the regional rail link.

*Honourable members interjecting.*

**Mr BAILLIEU** — We will continue to advance these major city-shaping, transformational projects. We have made a substantial submission to Infrastructure Australia. We have sought assistance from the commonwealth. That assistance has been substantially denied. You would think that the opposition would join us in inviting the commonwealth to provide some assistance. We have made the appropriate declarations about the port of Melbourne and the east–west link to ensure that those projects can advance when the funding becomes available.

It is important to stick to the basis of the government's approach, a course where the budget capacity is central, productivity is central, growing our economy is central, growing our infrastructure is central and helping businesses to transition is central, unlike some who seek to simply be negative at every opportunity and talk the state down.

### **Employment: regional and rural Victoria**

**Ms KNIGHT** (Ballarat West) — My question is to the Premier. I refer to Australian Bureau of Statistics (ABS) data released today which shows that in August alone 10 100 jobs were lost in the Barwon-Western District region and 1800 jobs were lost in the Gippsland region, and that 33 900 full-time jobs have been lost in regional Victoria since the Premier came to office. Will the Premier acknowledge that these job losses are a tragedy for these country families and finally develop a plan to keep regional Victorians in work?

**Mr BAILLIEU** (Premier) — Clearly the member was not listening to the previous answer. I am more than happy to repeat what I said, but I will stand by the answer I just gave. These are challenging international and national times, including the national challenges recorded in the media today that show that uncertainty prevails in Canberra with regard to major policy decisions concerning the distribution of GST revenue and leadership. The fiscal position in Canberra has not received the attention it deserves from the commonwealth government. We stand by the plan that we had all along. We will not be party to down-talking the Victorian economy like some opposite. If I could note, ABS data — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition and the Deputy Leader of the Opposition should cut it out.

**Mr BAILLIEU** — The member for Monbulk is one of the great down-talkers of the other side. In August 2012, can I observe — —

**Ms Hennessy** — On a point of order, Speaker, the Premier is clearly debating the question. The ABS is certainly not down-talking the Victorian economy by pointing out jobs figures from the last quarter, which is what the member's question was about. Does the Premier have a regional jobs plan to assist the 10 000 people in the Barwon region and the 1400 people in the Gippsland region who have lost their jobs, as demonstrated by the ABS today?

**The SPEAKER** — Order! The answer was relevant to the question that was asked. I do not uphold the point of order.

**Mr BAILLIEU** — I was about to make the point that the ABS has indicated that in August 2012 there were 308 000 Victorians working in the manufacturing sector against 295 000 last year. The number of full-time manufacturing employees in Victoria has risen from 248 001 a year ago to 258 000. When it comes to regional Victoria, the government has made a very substantial commitment, commencing with the \$1 billion Regional Growth Fund, which members opposite seek to down-talk as well. We have committed substantial additional resources to regional councils, and that has been very well received.

In Ballarat last week we had the opportunity to meet with many of the Central Highlands councils, and each and every one of them was positive about the investment the government has made in local councils. We were also very pleased to advance additional money to the Ballarat West employment zone, a project of substantial interest to the Ballarat region. Right across Victoria the Regional Growth Fund is working to assist regional communities to advance those communities. In these challenging times we stand with them and we will continue to advance on the plans that we have put in place.

### **Bushfires: preparedness**

**Mr WELLER** (Rodney) — My question is to the Minister for Police and Emergency Services. Can the minister advise the house of how the coalition government is working with emergency services agencies to prepare Victoria for the forthcoming fire season?

**Mr RYAN** (Minister for Police and Emergency Services) — I thank the member for his question. I also thank the member for Morwell for his question

yesterday, while I am on the go. The coalition government is delivering on a comprehensive approach to improve the preparedness for bushfire response and that includes very significant investment in capital works, training, exercising and organisational structures in our policies and procedures. In the recently released final report of the bushfires royal commission implementation monitor, at page 67 Neil Comrie says:

There is clear evidence that Victoria is now substantially better prepared on a regular basis to respond to bushfire risk than at the time of Black Saturday.

That is what he said, and so we are moving to implement all 67 of the recommendations of the bushfires royal commission. We are not inventing any additional recommendations of the bushfires royal commission, though; we are dealing with the 67 that were recommendations.

I am pleased to say that at this moment, at this time, the long-range forecast is for an average season for Victoria, with an elevated risk of grassfires in the western part of the state. Our government is investing very significant funding into bolstering our front-line emergency services. Funding in 2012–13 for the CFA (Country Fire Authority) and the MFB (Metropolitan Fire Brigade) is higher than in any year under the previous Labor government. I might say that key features of this funding include 250 new and upgraded fire stations over our first term of government; \$8.6 million for the Victorian emergency services equipment program, 166 grants having been made to the CFA under that program; and importantly in the context of today's events outside, \$109 million being invested in the MFB training facility out at Craigieburn.

Under the leadership of the fire services commissioner, the services are moving on with the planning and preparation for the approaching summer, and those plans are well advanced. They include the state control centre, which has been reorganised to increase its efficiency; there has been a full review of the command and control joint standards of operating procedures. All that has been undertaken and different policies and procedures have been updated. The arrangements for the deployment of the incident management teams exceed what the royal commission recommended.

The CFA preparations are very well on track. The vehicle fleet is fit for purpose, and they are all registered. Despite the scaremongering of the Labor opposition, they are all registered.

We have cured the problem, which goes back to 2004 — another mess that we have fixed up. The retrofitting of the bushfire spray protection systems in

the trucks is on track, and importantly the allocation of personal protective clothing is progressing according to plan. The Country Fire Authority, the Department of Sustainability and Environment and the fire services commissioner are now in the final stages of the planning and deployment of the aerial firefighting fleet for the fire season. There are many other elements that I could otherwise refer to which demonstrate the advanced state of preparation for Victoria for this season.

I might also say that yesterday I announced the piloting of three refuges at East Warburton, Millgrove and Ferny Creek — again something that the previous Labor government could never do. We will have Fire Action Week in the week commencing 18 November. That is all geared up and ready to provide Victorians with the appropriate warnings for the impending season. Taken in totality, the state of Victoria is well prepared for the impending threat of fire. As the implementation monitor said, in fact those preparations are better than ever.

### Transport Accident Commission: dividends

**Mr DONNELLAN** (Narre Warren North) — My question is to the Treasurer. I refer to the fact that today the Transport Accident Commission has reported an operating loss of \$1.024 billion for the 2011–12 financial year. In light of this unprecedented loss, why has the Treasurer ripped out \$140 million from the TAC in dividends, in the same year that the government has provided no additional funding for road safety measures?

**Mr WELLS** (Treasurer) — The Transport Accident Commission has posted a tax loss of \$1.02 billion in 2011–12 compared to an operating profit of \$279 million in 2010–11. The result is due to the impact of external factors beyond the control of the government due to the significant fall in the Australian bond yields, which are used to value claims liabilities.

*Honourable members interjecting.*

**Mr WELLS** — That is an important point: a significant fall in the Australian bond yields which are used to value claims liabilities. There has been a \$1.58 billion unfavourable impact on the 10-year bond rate, which dropped from 5.21 per cent as of June 2011 to 3.04 per cent as of 30 June 2012. Investment market returns are also lower due to the international markets and the rate of return is lower than expected.

But the TAC scheme continues to perform well. During 2011–12 the TAC invested \$94.5 million in road safety

improvements. In 2011 the Victorian road toll was 287, which was the fourth consecutive record low compared to 705 back in 1987, when the TAC first commenced. The dividend policy will remain as part of the government — —

**Ms Hennessy** — On a point of order, Speaker, standing order 58 requires the Treasurer's answer to be direct in the way in which he answers that question. The question was about why the government has gouged \$140 million out of the TAC fund in the same year that — —

**The SPEAKER** — Order! It is not an opportunity for the member to repeat the question.

**Mr Ryan** — On the point of order, Speaker, very clearly the Treasurer was taking the house through a series of the figures which are directly referable to the question that has been asked. He is entirely relevant to what has been asked of him, and the point of order is out of order.

**Mr Merlino** — On the point of order, Speaker, the point raised was in relation to directly answering the question. The Treasurer has spoken of every external factor except the external factor that is the Baillieu government, which has ripped \$140 million — —

**The SPEAKER** — Order! The microphone is off; believe me, it is off. This is not a time for the member to get up and debate the issue. If he has a point of order, then he should let us know what it is.

**Mr Merlino** — The Treasurer has spoken of every external factor except the government's own. The question was: in light of the billion-dollar loss, why has the dividend been taken? That is the question the Treasurer should answer.

**The SPEAKER** — Order! I believe the answer was direct and relevant to the question that was asked.

**Mr WELLS** — Let me conclude on this point about the financial results as set out by the CEO and the chairman in the TAC annual report. This is what they said:

In 2011–12, our performance from insurance operations was \$351 million compared to \$187 million in 2010–11. This is a strong result that reflects our focus on efficiencies, accident prevention and strong claims management.

**Mr Andrews** — On a point of order, Speaker, in relation to relevance and directness, whilst we have no problem with the chairman's message and what the Treasurer is reading into the record, we can read the report ourselves. The question related to the

government's taking of a \$140 million dividend, and the Treasurer ought to be directly relevant to that — that being the question — not read into the record the chairman's message. That is already available for all of us to read. He ought to answer the question he was asked.

**The SPEAKER** — Order! The question related to the TAC. It related to the loss that the member spoke about, and the Treasurer was giving people in the house an understanding of why there was a loss. I do not uphold the point of order, and the Treasurer is finished.

### China: trade mission

**Mr BURGESS** (Hastings) — My question is to the Minister for Innovation, Services and Small Business. Can the minister advise the house of the opportunities for Victorian small business and service providers from the forthcoming super trade mission to China?

**Ms ASHER** (Minister for Innovation, Services and Small Business) — I thank the member for Hastings for his question and for his interest in the Victorian economy and the benefits that are likely to flow to it from the trade mission. Members would be aware that the trade mission to China, which will be led by the Premier, will commence on Saturday, and I would like to update the house on that mission.

There are 658 delegates going, 408 companies and organisations will be represented and 13 cities will be visited. China is now Victoria's largest trading partner, and exports from Victoria to China are worth \$3.6 billion a year. In answer to the member's question, there will be significant opportunities for both small business and service providers arising from this mission. The service industries in which China now features prominently are international education, whereby Chinese students are 30 per cent of our total, and tourism, whereby Chinese tourists comprise 15 per cent of our total tourism. There will be significant opportunities to build on these numbers, and this has been recognised by the delegation participants.

Of interest to the house will be that representatives from tourism account for 7 per cent of the delegation; education, 5 per cent; financial services, 7 per cent; clean tech, 4 per cent; professional services, 7 per cent; and sustainable urban design, an area where Victoria is really getting prominence, 9 per cent. Food and beverages will be the biggest sector — that is, 22 per cent of the delegates are from that sector. The next largest sector is ICT.

I am sure members will be interested to know that 20 per cent of the delegates are from regional Victoria. A total of 2000 business meetings have already been arranged for the delegation. It will interest members to hear that 80 per cent of the organisations going are small and medium enterprises, 42 per cent of which are new to the Chinese market and 32 per cent of which are not current exporters. Of interest to me, at least, is that 22 per cent of the delegates are female, which in my experience of trade missions is quite a large proportion. Small businesses will be able to access a trade mission assistance program grant of \$3000 to offset their expenses. The estimated expenses for these small businesses will be in the order of \$12 000, so this shows that every delegate is making a substantial contribution. It is a considerable investment for a small business to participate in this mission.

One always likes to look for clippings to see how the media is assessing things, and I was interested to see an article by Rowan Callick on page 28 of today's *Australian* headed: 'As China FTA' — free trade agreement — 'stagnates, Baillieu gets on with business'. The journalist went on to say that there are a range of problems at the federal level, including negotiations in relation to the FTA and other areas, and that given these problems at the federal level:

It's all the more important, then, that the states — led by Victoria — are getting on with business.

We will embark on a comprehensive program of larger missions and inbound trade missions, and in preparation for an extraordinary delegation by world standards, we will help Victorian companies enter into the Chinese market this week.

### Fire services: minimum shift requirements

**Mr ANDREWS** (Leader of the Opposition) — My question is to the Premier. I refer to the requirement for the Metropolitan Fire Brigade to offer — —

**Mr Ryan** interjected.

**Mr ANDREWS** — Because you are not the Premier. He is, and he might answer it, maybe.

*Honourable members interjecting.*

**Mr ANDREWS** — I need protection, Speaker.

*Honourable members interjecting.*

**The SPEAKER** — Order! I am on my feet and members are still going. The Deputy Premier will be careful in his interjections. Is the Leader of the

Opposition happy now? Does he have the protection he needs?

**Mr ANDREWS** — I am indebted to you, Speaker. My question is to the Premier. I refer to the requirement for the Metropolitan Fire Brigade (MFB) to operate a minimum shift of 270 firefighters and the Country Fire Authority (CFA) to operate a minimum shift of 99 firefighters to protect people and of course property, and I ask: will the Premier guarantee that there will be no reduction in these minimum shift requirements?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. I am grateful for the opportunity to say that our firefighters, whether they be full-time or whether they be volunteers, whether they be CFA or whether they be MFB, do a fantastic job. We have sought to make their job better resourced, and we have provided additional resources to that effect. As I said in my earlier answer, the funding for the CFA in particular and for the MFB is higher this year than it was in 2010–11, the last year of the previous government. Funding is made available on an annual basis, and we have sought to ensure that in the future it will be on a more sustainable basis by making sure that the fire services levy is collected on properties, not on insurance.

**Mr Andrews** — On a point of order, Speaker, on the issue of relevance, the question went directly to minimum shift requirements for both the MFB and the CFA. I ask you to remind the Premier that his answer should be directly relevant to those minimum shift requirements and the guarantee that was sought of the Premier that there will be no reductions in those minimum requirements.

**The SPEAKER** — Order! I do not uphold the point of order. The Leader of the Opposition would know that.

**Mr BAILLIEU** — We support the CFA, we support the MFB, and we support their management in the way that it seeks to ensure that the resources are best allocated, to ensure that the support available to the firefighters is maximised and to ensure that front-line fire services get the focus of attention they deserve. That has been the focus of government.

When it comes to training centres and supporting our firefighters, we have a new training centre, the Craigieburn centre, which is a substantial investment, and additional trucks. I would have hoped that the opposition leader, given that he has been a minister in a government, would understand that the CFA and the MFB leadership — —

**Ms Hennessy** — On a point of order, Speaker, the Premier is required to be relevant in the manner in which he gives the answer to his question. There is a growing lack of correlation between the question asked and the answer being given. The Premier was simply asked whether he was prepared to give a guarantee about whether there will be a reduction in the minimum shift requirements. I ask that you draw his attention back to answering the question rather than allowing him to set himself up to adversely reflect on people on this side of the house.

**The SPEAKER** — Order! I ask the Premier to come back to answering the question.

**Mr BAILLIEU** — In regard to the shift requirements, they are a matter for the CFA and the MFB. Where shift arrangements overlap with EBA (enterprise bargaining agreement) arrangements, that is a matter for the EBA process to go through. We will continue to support the CFA, we will continue to support the MFB and we will continue to support the volunteers. We will continue to give support across this state to our fire services, and we will not talk them down.

### Electricity: feed-in tariff scheme

**Mr KATOS** (South Barwon) — My question is to the Minister for Energy and Resources. Can the minister update the house on the government's actions to provide a fairer, sustainable solar feed-in tariff for Victorians, and whether he is aware of any alternative policies in this area?

**Mr O'BRIEN** (Minister for Energy and Resources) — I thank the member for South Barwon for his question. The government implemented its election commitment to task the independent Victorian Competition and Efficiency Commission to inquire into and report on the design of feed-in tariff schemes. VCEC has delivered its report and the government has broadly accepted its recommendations. As a result, we are closing the transitional feed-in tariff and introducing a new fair and efficient feed-in tariff based on the adjusted wholesale rate for electricity, which initially will be at 8 cents a kilowatt hour.

We are also extending eligibility for this new feed-in tariff to all forms of renewable and low-emission generation, not just solar. We are the first state in Australia to do this. As a result of this reform, new low-emission technologies will for the first time in this country be eligible to receive a feed-in tariff. The managing director of Ceramic Fuel Cells, Brendan Dow, said:

We welcome the Victorian government's decision to extend the feed-in tariff to low-emissions generators like our BlueGen product. We hope that other states will follow Victoria's lead ...

VCEC recommended establishing a feed-in tariff that is predictable, sustainable and free from cross-subsidies. Energy systems of less than 100 kilowatts will be able to access the new feed-in tariff from 1 January next year. Importantly, customers currently on the premium or transitional feed-in tariffs will not be affected by these reforms. Those programs will continue until their legislated end dates of 2024 and 2016 respectively.

The background to these reforms is that the cost of solar has fallen by around two-thirds since 2009 and continues to fall. The falling cost of solar and the rising price of electricity are primarily driving the take-up of solar, not the feed-in tariffs. I should note that these subsidies are not paid for by the government and they are not paid for by electricity companies; the subsidies in these feed-in tariffs are paid for by other electricity users.

The Australian Bureau of Statistics showed in its most recent report on 28 August this year that overwhelmingly the lowest quintile — the lowest 20 per cent — of household incomes had the lowest access to solar. These are regressive subsidies. It means those households that are earning the least had the lowest access to the solar subsidies. This is a regressive subsidy, and we are standing up for affordability of electricity by reforming it.

Some people were apocalyptic about our previous changes. One person said on 1 May that we were effectively killing off the industry; that was the member for Mill Park. The Clean Energy Council warned on 1 September last year that the jobs of many of the approximately 3400 people employed by the Victorian solar industry were at risk. How did those predictions turn out?

**Mr Andrews** — On a point of order, Speaker, I simply make the point that given that the member for Mill Park is absent from the house today because she is attending a family funeral, the minister might perhaps take a moment to reflect on that in the 57 seconds he has left.

**Mr Ryan** — On the point of order, Speaker, with the very greatest respect, we on this side of the house did not know of the circumstance which the Leader of Opposition has now outlined to the house. I think it important that we all recognise that such is the case.

**The SPEAKER** — Order! I am sure the minister will reflect on his answer.

**Mr O'BRIEN** — The Clean Energy Council said that as of 1 September last year 3400 jobs in the solar industry in Victoria were at risk as a result of the government's reforms. One year later the Clean Energy Council put out another release about our latest reforms, and it said that 4800 jobs in the solar industry in Victoria are at risk. In one year we have actually increased the number of jobs in the solar industry by 1400. So despite the council's claims and all the Chicken Little, Henny Penny stuff that the sky is falling, in one year we increased solar jobs in this state by 1400. The number of installations did not flatline or decline; it rose by 33 per cent.

This is a sensible reform, a fair reform and a progressive reform that will set the industry up for a long-term, sustainable, predictable and fair system of support and Victorians, whether they have solar or have to pay the subsidies, will be better off for it.

### **Firefighters: vocational training**

**Mr ANDREWS** (Leader of the Opposition) — My question is to the Premier. I refer to the decision to close Country Fire Authority TAFE training courses at the University of Ballarat, which will force Victorian CFA trainees to undertake distance education from the Western Sydney Institute to learn the firefighting skills which protect our community, and I ask: will the Premier now reverse these cruel cuts so that our front-line firefighters — that is, our Victorian firefighters — can be trained in Victoria?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. First of all, let me be clear: the Country Fire Authority in its own right is a registered training organisation that delivers training to its members. The CFA, despite being a training provider, is not contracted to deliver government-subsidised training and therefore recent changes in the public subsidies for its courses will have no impact on the CFA's training offerings.

The University of Ballarat has chosen to cease delivery of certificate III in public safety, firefighting, and certificate IV in fire technology. Had the university continued to offer the certificate III in public safety, its hourly funding would have declined minimally from \$10.10 to \$9.50 an hour. Had the university continued to offer certificate IV in fire technology, it would have enjoyed a significant increase in the public subsidy, from \$10.10 to \$11.25 — a more than 10 per cent increase. We have seen a number of training providers

use the opportunity of changed subsidies to cease courses they no longer wish to offer. Even in instances where subsidies have gone up and even though we have given them greater freedom in the fees they can set, some providers have chosen not to continue with those courses.

In this case the university has chosen to cease these courses, and that is its choice. We are disappointed by that, but the department will work with the sector to ensure that essential courses continue to be provided. Yet again the opposition is scaremongering, yet again providing misleading information and yet again providing misleading commentary about the government's reforms to vocational training in Victoria. David Battersby summed this up when he said that there had been some mischief reporting over the past couple of days about the discontinuation of our training for the CFA. I think that says it all. David Battersby is the vice-chancellor of Ballarat University. This was a university choice. The training continues to be provided by the CFA, and online training will be available through the CFA as well.

### **Suicide: prevention**

**Mr BATTIN** (Gembrook) — My question is to the Minister for Mental Health, and there is no better day to ask this than R U OK? Day. Can the minister advise the house on the support the government is giving to measures to help people deal with challenges, especially in the area of depression and youth suicide in Victoria?

**Ms WOOLDRIDGE** (Minister for Mental Health) — I thank the member for Gembrook for his question. It is a very relevant question, as he said, because today is R U OK? Day. This is a national day of action to inspire people of all backgrounds to regularly ask the simple but important question, 'Are you okay?'. Initiatives such as this and also Mental Health Week in October help raise awareness of the importance of the community working together in a positive way to encourage good mental health and support each other through life's ups and downs. This week we also had World Suicide Prevention Day on Monday.

Last year approximately 500 people in Victoria took their own lives, and for each person that takes their life there are about another 30 who attempt it. To prevent or reduce suicide is very complex and requires work by the whole community. Only last week I saw this in action when I spoke at a forum of 100 community leaders in the outer south-east convened by the local youth suicide steering committee. There has been a

disturbing number of youth suicides in the area and this has mobilised the community.

I was very pleased to join with the member for Gembrook at the forum. He has worked tirelessly with his local community on this issue. At the meeting I announced that the Victorian coalition government will fund a dedicated Casey headspace worker to provide leadership and coordination for local suicide prevention activities, working with a range of people in the local community. I also launched the steering committee's youth mental health resource kit that has been developed for community leaders. It provides them with the information they need to effectively support young people in their community. Well done to the steering committee, the advisory group and all those who have been involved in developing this great resource and for their broader work at this very difficult time.

More broadly, the Victorian Department of Health is advising and working with the local steering committee, with the local council, with schools and with youth service providers in Casey and coordinating a range of activities to make sure that we can effectively respond to young people presenting with mental health issues and also to try to minimise the risk of further suicides occurring.

This government is committed to tackling the issue of suicide. We have provided additional funding to Lifeline, which will enable it to take an extra 12 000 calls per year. We are investing in headspace sites. We have invested in targeted gay, lesbian, transgender and intersex suicide prevention activities, and we are currently working with the commonwealth to expand Early Psychosis Prevention and Intervention Centre across Victoria. This will all be wrapped in a broader and comprehensive suicide-prevention strategy, which is currently under development.

This government is committed to working with our communities, with our health and community service providers and with our schools to try to minimise the risk of suicide occurring, and to make sure that we can respond effectively if it is attempted or if it occurs. But this is an issue that is much bigger than government. If we are to reduce the scourge of suicide, we need to reflect on what is happening currently in communities like Casey. Government at all levels, organisations big and small, and individuals young and old must all work together for the positive mental health and wellbeing of all Victorians.

## FIRE SERVICES PROPERTY LEVY BILL 2012

*Second reading*

### Debate resumed.

**Mr WALSH** (Minister for Agriculture and Food Security) — I rise to continue my contribution to the second-reading debate on the Fire Services Property Levy Bill 2012. Just as we broke for lunch I was saying that members of the opposition are hard pressed to find anything wrong with the bill but they nitpick to try to find little details where they believe it may not work. This is one of the biggest changes Victoria has ever seen to the way the system works and in particular to how fire services will be funded in the future.

Earlier I spoke about the pre-budget submissions that the Victorian Farmers Federation used to make, trying to get changes made in relation to this issue. I note with interest that Peter Tuohy, the current VFF president, has been very supportive of what the coalition government has delivered on the fire services levy. The key issues the VFF was always talking about in terms of wanting reforms to the funding of fire services was the need to make sure that everyone makes a contribution to that funding, not just those who take out insurance. The bill delivers on that promise. The other invidious aspect of the current fire services levy is that it involves a tax on a tax — the issue of GST and stamp duty. Again this is something that this government is delivering on with this bill — taking away that tax on a tax. The VFF and farmers in general were very concerned about that, because in effect it doubled the cost of paying the fire services levy. By the time you had the fire services levy, GST and stamp duty, it in effect doubled the amount of money that the fire services levy cost farmers. We are delivering on a key commitment, not only from before the election but also in relation to the 2009 Victorian Bushfires Royal Commission.

I note with interest the contributions by members on the other side about the way they believe people were not consulted on the bill. Representatives from the councils in my electorate that I have talked to all support these changes to the fire services levy. They understand that local government is best placed to collect the levy. Councils have a system in place where they send out rate notices, and this levy will be clearly set out on the rate notices. Councils will be recompensed for the work they do on this. The Municipal Association of Victoria — that branch of the Labor Party in Melbourne — might have something to say, but if you talk to the real councils, the people who do the work of

delivering services in councils, you find they are supportive of the changes the bill makes.

I will finish on the contribution of the member for Yan Yean. She said people will be too frightened to live in particular areas because the government is cutting funding to the Country Fire Authority. Nothing could be further from the truth. Again this is another misrepresentation and distortion from those on the other side of the house. Labor members are losing all credibility when it comes to putting forward factual issues, particularly financial issues, because they are getting it wrong so often. The people in the media gallery are losing faith in what opposition members say, because they have been continually getting it wrong.

There is more money going into the CFA this year than was ever put into it in any given year by Labor when it was in government. This is a great step forward for Victoria. It is a key reform that the Baillieu-Ryan government is implementing. I commend the Premier, the Treasurer and the Minister for Police and Emergency Services for bringing it forward. I wish the bill a speedy passage.

**Mr SCOTT** (Preston) — I rise to make a contribution to the second-reading debate on the Fire Services Property Levy Bill 2012. As a large number of speakers have said, the bill replaces the previous fire services levy on insurance premiums with a property-based charge. As was stated previously, it is not being opposed by the opposition. There are a number of issues and concerns I wish to raise and place on the record in contributing to this debate. I note that the Minister for Agriculture and Food Security is leaving. I was intrigued to hear him refer to the opposition as nitpicking. For those who are fans of *This is Spinal Tap*, it seems similar to the response of a character in that movie, Nigel Tufnel, to a review, but I digress.

The shadow Treasurer referred to Aesop's fables in drawing analogies to the trust that the government has placed in the insurance industry — a trust that perhaps would not be shared by many in the community. The two fables were *The Scorpion and the Frog* and *The Farmer and the Viper*. I think they both provide useful frames of reference for understanding the issue. There will obviously be subsequent legislation, which we have not seen and have to take on trust, in terms of consumer affairs — or we certainly hope there will be subsequent legislation, because that is what has been promised, although it is not here — but the bill requires us to trust the insurance industry to pass on the benefits it will receive by not having to pay on to the

government the fire services levy through lowering insurance premiums.

As I am sure members would be aware, in one of the Aesop fables that was alluded to, *The Scorpion and the Frog*, it is a case of a scorpion stinging a frog, leading to both their deaths. I think *The Farmer and the Viper* is a more appropriate Aesop fable to represent this. That was alluded to by the shadow Treasurer. In *The Scorpion and the Frog* both the frog and the scorpion are consumed by the water, whereas in *The Farmer and the Viper* the viper bites the poor farmer, who then bitterly reflects on the foolishness of trusting the viper, and the viper happily continues on its way. The insurance industry will happily continue on, and it will continue seeking to make profits for its shareholders, as is its fiduciary duty.

We are trusting the insurance industry not to take advantage of the situation and to fully pass on all the benefits that will accrue from the previous fire services levy now being charged as a property tax. I think we should carefully reflect upon that with some concern, and obviously we have to take on trust that there will be a regulatory framework and a consumer affairs protection framework, which, as I said, is alluded to but is nowhere to be found in this particular bill. There is apparently further legislation to emerge, but that legislation is not available to us. We cannot have full confidence.

I note that the Minister for Agriculture and Food Security talked at some length about the economic credibility of the opposition. Being a member of the Public Accounts and Estimates Committee (PAEC) I am obviously very familiar with the work of the Treasurer and others, and I am happy to let others judge opposition members and the Treasurer in terms of who has done more damage to their credibility on financial matters. I am very happy in terms of the statements that have been made. I remember the statement made during PAEC's estimates hearings that when the mining states do well, Victoria does well. I remember that very clearly.

I will return to the bill. One other issue of concern the opposition has is that the concession does not extend to health-care card holders and essentially extends, as far as I am aware, to those who receive a concession on their rates. It brings into line the concessions, but it does not extend the concession to all health-care card holders.

A further issue of some concern that I raise is that about 30 per cent of residential properties in Victoria are held by renters. A large number of renters are on a low

income, yet the persons who own the rental properties obviously would not receive the concession. There are issues in some cases about people who are very socially disadvantaged, and there are issues that relate to the fact that some insurance would have previously been held by the property owner but some insurance would have been held by the renter. The property owner is likely to pass on any increased cost to the tenant, so there are issues there that need to be explored. I am raising this as an issue of concern and an issue that should be examined in this bill, particularly as we do not have the consumer affairs protection legislation before us. We hope that legislation will be brought before the house. I would hope that consumers are protected, but I cannot have confidence in that, knowing the government as it is. We would hope that the trust we have to show in supporting this bill is not betrayed. I hope that consumer affairs protection is forthcoming, but it is a sad situation we face.

Furthermore, I put on the record that obviously the bill is reliant not just on the insurance industry passing on the concessions but on local government having to bear the political consequences of collecting the levy, which would become one of the fees listed on rates notices. I understand that local governments cannot issue a separate notice — it has to be included with the rates notice — and that they will have to collect the levy. The political odium associated with the levy will accrue in part to local government, and I understand there are many in the local government community who are concerned about this. Obviously this is an issue that should be made clear to ratepayers, and I would hope that local government has the freedom to make clear who is responsible for this charge and what it relates to. I understand the provisions are quite punitive in terms of how local governments can be treated if they do the wrong thing. I would hope that when they do the right thing they are able to clearly say that this is a state government levy and ensure that those who are paying it clearly understand the full context of that cost. I am not seeking for anyone to be misled, but I would hope that would be clearly evident.

In short, as has been stated by previous opposition speakers, this is a bill that is an acquittal of a government policy, and we are not opposing that acquittal. It relates to the 2009 Victorian Bushfires Royal Commission; from memory I think it was recommendation 64 of that royal commission. The government is acting on that recommendation, and as such we will not be opposing the bill. However, we would like to place on record a number of issues of concern to which we hope there might be some response by the government and from which we hope no adverse consequences will arise for the community.

Before concluding I also say that in such a complex series of policy areas there has not been a guarantee that no person will be worse off as a result of the implementation of this policy. That is something the opposition will be watching with some interest. I cease my contribution there.

**Mr ANGUS** (Forest Hill) — I am pleased to rise this afternoon to make a brief contribution in relation to the Fire Services Property Levy Bill 2012. At the outset I note that it was an election commitment made by the coalition that in government it would implement the 2009 Victorian Bushfires Royal Commission recommendation that the state replace the fire services levy (FSL) with a property-based levy and introduce concessions for low-income earners. I note also that this new system will be effective from 1 July 2013.

There has been wide-ranging community consultation over a long period of time in relation to these changes. I note that the options paper went out in June 2011 and that there were many community consultation meetings held throughout the state. I personally attended several of those, and I was a host of one in my electorate of Forest Hill, so there has been wide engagement with a broad cross-section of the community.

One of the important aspects of this reform is that it eliminates the tax on tax in the current FSL system. A number of other speakers have touched on that, but suffice to say that, from my point of view, that is a situation that grates very heavily on people. It seems so wrong that we can be suffering under a situation like that, where a tax is paid on a tax on a tax. This reform will resolve that situation, and the average insured property owner will pay less under the new model, which is clearly a great thing. A fire services levy monitor will be established to provide a consumer protection function during the transition period.

All in all, this is a really great reform for Victorians, and I certainly congratulate the Treasurer and his team, along with the Premier, for the huge amount of work that has been done in the process and the fact that this will result in a fairer outcome for all Victorians.

In passing I note that the member for Richmond talked in his contribution about respect for other levels of government. I can assure him — and I am sure he already knows this — that local government was shown respect by the government. There were extensive consultation processes undertaken and discussion papers released, as I said. Submissions were made by various groups and councils, including the Municipal Association of Victoria and so on, and there has been extensive discussion. It was quite incorrect for the

member to make that implication. Frankly, if that is what the member really thinks, he should be calling the Prime Minister and telling her to show some respect to the state premiers, which she clearly has not shown, particularly with regard to the national disability insurance scheme discussion recently. It really needs to be a consistent theme if the member for Richmond is going to go down that track.

Clause 1 of the bill, the purposes clause, captures the essence of the bill. Paragraph (a) outlines that one of the purposes is to impose a fire services property levy on all land in Victoria, unless the land is specifically exempted, to fund the necessary services. Another purpose is to provide for the appointment of each council as a collection agency in respect of its municipal district. There has been much contributed in relation to this aspect as well, but the fact is that extensive support mechanisms for councils will be put in place. Resources will be allocated to support local councils, and despite the misleading contributions made by some members on the other side, this levy will be included as a separate line item on rates notices.

There will be absolutely no uncertainty in the eyes of the ratepayer as to the nature and quantum of this levy and the arrangements surrounding it. There will be no muddying of the water, so to speak. Rather, the levy will be clearly identified and laid out on rates notices when they come around. This will enable the collection of the levy to take place via the extensive mechanisms in the bill, which I have touched on to a certain extent. The commissioner of state revenue will be receiving the fire services levy from the collection agencies on a regular basis. The State Revenue Office will have an important monitoring role, and there are powers in the bill to enable the SRO to deal with any councils that decide for any reason not to do the right thing.

Clause 1(f) empowers the Essential Services Commission to review the movement in the cost of insurance premiums following the enactment of the bill. That is very clear protection for consumers. The bill goes on to make a whole range of consequential amendments to various acts, including the Country Fire Authority Act 1958, and so on. As I said at the outset, I am going to keep my comments very brief so others can make contributions. I commend the bill to the house and strongly support it.

**Mr NARDELLA** (Melton) — I want to pick up on a number of points that have been made by honourable members on the other side of the house. Members will be aware that we in opposition will be supporting this bill, but we have circulated some amendments for the house's consideration to make the bill better.

The Deputy Leader of The Nationals, who is also the Minister for Agriculture and Food Security, unfortunately, like other honourable members on the government side, makes things up. I will provide a bit of history. In 1998 a Mr Peter Walsh became the president of the Victorian Farmers Federation (VFF). Members will remember that in 1998 the Kennett government was in power. For seven long, dark years the Kennett government ruled this state, and it was that government that Mr Walsh would have gone to as president of the VFF pushing the policy of the VFF at that time for reform of the fire services levy (FSL). The minister came in here and used some unparliamentary language when he recounted to the house how Mr Brumby as Treasurer told him, 'I am not going to implement this', and then he read out a word starting with S and ending with T.

**Dr Sykes** — Say it!

**Mr NARDELLA** — No, I am not saying it, because it is unparliamentary. I can just imagine that when Mr Walsh went to see Mr Stockdale when he was the Treasurer, he would have sat down and Mr Stockdale would have said, 'Mr Walsh, you can go and get stuffed', because that is what he said to him twice — in 1998 and in 1999 — when Mr Walsh was president of the VFF.

**An honourable member** interjected.

**Mr NARDELLA** — Well, he was, because the policy was not implemented at that time. It was not a policy that was just made up after the 1999 state election when we won government. This was a longstanding policy of the VFF. He either went in there and talked to Stockdale, doing his job representing his members, or he was silent because he was looking for the white car at the time.

Let me go further. The honourable member for South-West Coast is in the house at the moment. Unfortunately he gets amnesia quite often. He makes things up, and he does it consistently. He has done it with this bill. He sat around the cabinet table as a minister when these issues should have been debated. These issues should have gone to the Kennett government in its seven long, dark years. The member for South-West Coast was around the cabinet table when that government rejected the policy of the VFF on the FSL at that time. He should not come in here and say that nothing happened for 11 years, because this minister has been in government for a total of almost 9 years since 1992 and it has taken him until this last period of time to get this legislation, which is 12 months late. Those opposite said, 'We're going to be

open and accountable and keep every one of our promises'. They promised this legislation would go through the house by 1 July 2011, not 2012.

The honourable member for South-West Coast, Mr Amnesia, tends to come in here and make things up. He says the Labor government did nothing, but we acted. It is true that it was not Brumby government policy to reform the FSL in this way before the 2009 Victorian Bushfires Royal Commission. However, we made a decision that we would implement recommendation 64 of the bushfires royal commission, and we went through a consultative process. We had committed to implementing it. But again the Minister for Amnesia comes in here and tells untruths and says that we did not do anything, even though we were committed to doing that.

**Dr Napthine** — You committed to doing nothing.

**Mr NARDELLA** — It was not nothing — we committed to implementing it. The people of Victoria made their decision in 2010, but it has taken 20 months to get those opposite off the pillow. It has been a bit hard to get them off the pillow to introduce this legislation.

We have this legislation here before us today, and we have put up a number of amendments. This bill fails a number of people. This bill arises from recommendation 64 of the bushfires royal commission. Remember the ironclad guarantee, the promise by the government that it would implement every single recommendation of the bushfires royal commission lock, stock and barrel? Yet what was part of recommendation 64? That health-care card holders be granted a concession for the FSL under this new legislation and policy. But, no, we have ministers and members on the other side of the house who make things up and whose actions are not consistent with what they say. The policies they implement are not the policies they went to the last election with. This bill is a demonstration of that in action. Health-care card holders and their families — that is, some of the worst off people in our society — will not get the concession under the FSL which they should have been granted by this miserable government.

We then have the outrageous claim that people will be better off. Ministers have gone through scenarios where there are three houses and one owner pays all their insurance, one does not pay for contents insurance and one does not pay any insurance at all. In fact many businesses, families and households will be worse off under this legislation. The government cannot get away from that. Members on the government side may not

want to recognise that or acknowledge that this policy is going to have a deleterious effect on not only those families but also the businesses that are struggling to turn a quid under this government. The government is going to make it harder for those businesses to make a profit. That is one of the things that is wrong with this bill.

There is also no consumer protection under this bill. One would expect a government which wants to talk about fairness to put in place mechanisms to protect families from insurance companies not passing on the \$500 million in savings, but there are no consumer protections for those families in this bill.

The last point I want to make is that local government hates this government for not only the things the government is doing with this bill but also the things it is doing in a whole raft of areas. This bill forces local councils to become tax collection agencies for the state government. Yes, there will be some compensation for that, but local councils do not want to do this. Regardless of what the Minister for Local Government and other members on the other side of the house have said, local government does not want to become a tax collection agency. It should have been the State Revenue Office. It should have been the state government and its instrumentalities. Instead of sacking people the government should be putting in place the infrastructure needed to do the job it has been elected to do, not handballing it. We are in the middle of the footy season, and here is this government handballing its responsibilities to local government. It is not correct, and the government will be condemned for it. The pain and the hurt this measure is going to cause will not be forgotten.

**Dr SYKES (Benalla)** — The Fire Services Property Levy Bill 2012 shifts the fire services levy from an insurance-based model to a property-based model. It makes an inequitable levy an equitable one. It is the most significant change in state taxation for decades. Every property owner will now pay his or her fair share of funding for the fire services, and there will be a net saving to the people of Victoria of around \$100 million, primarily as a result of the removal of a tax on a tax — that is, the removal of the need to pay GST and stamp duty on the fire services levy, which will now be property based.

There will be concessions available for over 400 000 Victorians — namely, pensioners and veterans. An implementation monitor, Professor Allan Fels, will be put in place. He will be closely watching what the insurance companies are doing to ensure that the savings achieved through this monumental change in

state taxation are passed on to Victorians. I have a lot of faith in Allan Fels and his ability to deliver on that.

I join other members in the coalition government in congratulating the Premier, the Deputy Premier, the Treasurer and the Department of Treasury and Finance staff who have been involved, as well as people such as Clay Manners in the Deputy Premier's office and Glenn Corey in the Treasurer's office, who put in countless hours working together to ensure that we ended up with a piece of legislation that covers all of the complexities of implementing a change from an inequitable insurance-based levy to an equitable property-based levy.

It is fascinating to hear those on the other side talk about what they said they were going to do. They failed to deliver. The member for Swan Hill referred to his firsthand experience, when he was president of the Victorian Farmers Federation, of the then Treasurer Mr Brumby — later the unelected and unelectable Premier of this state — rejecting outright any consideration of reform of the fire services levy.

This change will result in significant savings at a grassroots level for Victorians. Homeowners who may at this stage pay a fire services levy in the order of \$250 a year will experience about a 45 per cent reduction in that levy, down to something like \$140, and if they are a pensioner or a veteran, they will be granted another \$50 reduction, which means that they are going to be very much better off under these arrangements. The Labor Party has made an issue of it, saying that some people will be less well off. Well, they are the ones we are seeking to have pay their fair share — that is, those who had not insured, those who were underinsured, those who were self-insured and those who had insured offshore. Many of those people had deliberate strategies in place to avoid paying their fair share. They are going to be worse off, and that is the intention. We want everyone to pay their fair share. In relation to local governments, their costs of collection will be reimbursed; they will be assisted in getting systems in place as necessary.

I would like to comment briefly on some of the comments made by Labor Party members, in particular the member for Preston. He was questioning the integrity of the insurance industry. Is it not the pot calling the kettle black when a member of the Labor Party questions the integrity of another organisation? Of course it did not stop there. That same member questioned the financial management skills of the coalition government, including the current Treasurer. This is a member of a party which, each and every year when it was in government, spent more than it earned.

Again, that is an amazing example of Labor Party members not getting it.

I wish to finish my contribution to enable others to speak. This is a fantastic piece of legislation. I and many others have lobbied very hard to achieve this outcome. I am very pleased that the bill is before the house, and I wish it a speedy passage.

**Mr CARBINES** (Ivanhoe) — I am pleased to make a brief contribution on the Fire Services Property Levy Bill 2012. I want to confine my remarks to some of the aspects that affect the most vulnerable people in the communities I represent in the Ivanhoe electorate. I have been listening to the vast majority of the debate on this bill, and I am somewhat taken aback by the lack of desire on the part of government members, particularly backbenchers, to make a contribution in relation to this bill. I get the impression that ministers want to protect members of the government from being held accountable and having to explain to their communities why they support the propositions in the bill that has been put before the house.

My view is that the bill is clearly a con on the people of Victoria. The truth is that recommendation 64 of the final report of the 2009 Victorian Bushfires Royal Commission states that:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

When we on this side of the house talk about low-income earners we are talking about pensioners, veterans card holders and certainly health-care card holders. Health-care card holders are not being provided with concessions by the government under this bill. The government does not outline any consumer protections in this bill. What the government is saying in this proposition is, 'Trust us and trust that the insurance companies that have been collecting the fire services levy on behalf of the government are somehow going to forgo the \$600 million and say, "No worries. We'll no longer continue to collect those funds and remit them to government on behalf of Victorians. We instead will forgo those funds, and you will notice that miraculously appearing on your insurance bills in the future"'. It beggars belief. There are no consumer protections or obligations outlined in the bill in relation to how Victorians will be protected from price gouging by insurance companies and the insurance sector.

This bill is going to have a detrimental effect on local governments, which not only are going to have inflated rates and inflated rate increases through having to collect this tax on behalf of the government but are going to find it harder to justify to their communities

the rating decisions they make to provide genuine community infrastructure for their residents. Residents are going to be shocked and stunned at the increase they will see in their rates from 1 July next year, which is happening purely because local governments are being asked to collect this fire services levy or tax which the bushfires royal commission indicated in its final report should perhaps be dealt with by the State Revenue Office, not by local government.

Local councils are feeling very aggrieved about this matter. I think it will affect their capacity to generally provide resources and generate income for their core and prime responsibilities around community infrastructure and services in their local communities because their ability to undertake those activities will have to be offset by the amount they are now going to collect under this tax or levy.

It is clear that the government is relying on the very heroic assumption that insurance companies that have been collecting the fire services levy will somehow determine that they will discount insurance bills by the amount they have been collecting for the government. The government has not outlined how it will provide for accountability in the insurance sector. From 1 July next year we will see residents' rates going up significantly by the amount of this tax or levy. They will not see decreases in their insurance premiums. They are going to be hit at both ends. This is despite claims by the government that it would implement the bushfires royal commission recommendations, lock, stock and barrel.

I will quote recommendation 64 again for the record. It clearly recommends that:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

Who are low-income earners? On page 385 of its final report the bushfires royal commission outlines that:

The commission is aware that changing to a property-based model might create problems for some uninsured property owners with low incomes. This group would find themselves paying the new levy out of limited income, without a compensating reduction in their insurance costs. The commission notes that jurisdictions with a property-based levy offer concessions to seniors, pensioners and concession card holders.

That includes health-care card holders. This government is not providing concessions to those people.

Several members of the government have chosen to be critical of people who are underinsured and have said that this levy will somehow pick these people up and

make them accountable. The bushfires royal commission makes it very clear on page 385 that many people who are underinsured and many people who are uninsured are also people on very low incomes. It should be the desire of members of the government to protect those people and ensure that what they will be forced to pay under this levy or tax will be remitted to them in their insurance premiums and levies. There is no way to tell from this bill how those consumer protections will operate.

Members on this side of the house stand up for people who are seniors, who are concession card holders and who are health-care card holders and want to see them protected not only from being hit in their rates from 1 July next year but also from being hit by insurance companies, which are going to pocket a windfall, provided by this government, of some \$600 million. It is disgraceful that the Victorian community is being asked to trust the government and to trust the insurance companies. Somehow we are meant to believe that insurance companies are going to gift back to Victorians some \$600 million that they have been collecting on behalf of the government. It just beggars belief.

We will continue to stand up for low-income earners in my electorate who are being rebuffed, particularly those health-care card holders who will find themselves hit on both sides, in both their rates and their insurance, by the government's decision in relation to this bill.

**Mr SOUTHWICK** (Caulfield) — I rise to speak on the Fire Services Property Levy Bill 2012. I begin by saying that this is yet another government election commitment that we are implementing. This bill has had extensive consultation. I am certainly proud to say I was part of that consultation, along with a number of other members. I would like to also recognise the members for Forest Hill and South Barwon, and Phil Davis, a member for Eastern Victoria Region in the other place, who undertook extensive consultation. I visited the area of Mildura and met with councils and local residents about this new levy. I also had the opportunity to meet with people in my electorate, including both of my local councils, to get a good sense of their take on this new levy.

This, without question, is a more equitable levy. It is a fairer levy. It means that everybody will be now responsible for paying a fire property services levy across the board. What we had before was a situation where there was a levy that some people paid, where some people paid only a certain amount so they were underinsured and some people were not insured at all. That meant some people had to compensate for those

who were either underinsured or not insured at all. It was not a fair system.

We waited for 11 years for the previous government to signal whether it would introduce such a levy. It certainly had the opportunity to do so, but it did not take up this important change until the very last minute, just at the final siren, in the lead-up to the last election, when the 2009 Victorian Bushfires Royal Commission recommended in recommendation 64 in its final report that:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

That is what we are doing. That is very important. It is important to also acknowledge the fact that there will be significant savings for people across the board. If I could just give an example, in an MFB (Metropolitan Fire Brigade) area, for an average property that sells for about \$580 000 the current estimate is \$195. That will be reduced to \$145, so in the metropolitan area there is at least a \$50 saving for those homeowners. In a CFA (Country Fire Authority) area, for an average home that sells for about \$300 000, the previous levy was \$260 and the new levy will be \$140, so again it is a significant change for those homeowners. That is, very simply, because we are spreading the load right across the board. We are ensuring that everybody is insured, that everybody pays and, most importantly, that everybody is covered.

We saw what happened in relation to Black Saturday, and we do not want people to experience anything like that again. That is why the bushfires royal commission made this recommendation: to ensure that everybody was covered and that we would not have to go through the emotional fallout from bushfires such as occurred after Black Saturday because people would know their homes were covered and they could get on with their lives. That is absolutely important when it comes to this part of the new law.

The other part relates to the savings, which are in addition to the figures I have just given. By introducing this reform we are eliminating a tax on a tax. What we mean by that is that the current fire services levy includes GST and also stamp duty. We are removing the GST and stamp duty components so that there is not a tax on a tax. The tax saving will be approximately 20 per cent, and it will be worth approximately \$20 million. It will have an impact on our budget, but we believe this is very important and significant. It will have a \$95 million budget impact in terms of the state contribution, but as I have said, it is very important that we introduce this levy. That is why we in the coalition

are standing up and putting some money forward to ensure that everybody is covered through this new levy.

There are obviously differentials between country areas and metropolitan areas. There is a need to take into account risk and to also take into account, most importantly, cost. Property owners located in metropolitan areas will contribute to the MFB, and likewise those in the country will contribute to the CFA, so these differential rates will apply. Importantly, there will be a \$50 concession for eligible concession card holders.

This is a great reform. I congratulate the Treasurer and the coalition, and I commend the bill to the house.

**Mr McGUIRE** (Broadmeadows) — I rise to make a contribution in the public interest to the debate on the Fire Services Levy Bill 2012. The public interest has been defined by the Minister for Ports, who during today's debate made the declaration that this bill will deliver benefits to all Victorians — not some, not many, not most, but all Victorians. This is the government's commitment today to this Parliament. This is the test the coalition has set itself. This is the test on which the opposition will scrutinise and hold the government to account.

The reason is the difference between the gives and the gets in this legislation. Guaranteed is almost \$600 million to the insurance industry. But there is no guarantee that insurers will lower premiums. The entire reform is predicated on the assumption that the insurance industry and local councils in the Metropolitan Fire Brigade area will pass on in full the savings that flow to them from the abolition of the existing fire services levy.

The assumption can only be tested where there is credible, detailed information about the incidence of the existing levy and where there are stronger consumer protection measures to prevent price exploitation. The absence of these elements in this bill raises concerns that are rightly being placed on the record in the Parliament by the opposition in the public interest.

Through this legislation and today's debate Parliament is being asked to take on trust that the insurance industry will deliver the money, local governments will deliver on the collection of fees, and the state government's reform will deliver benefits to all Victorians. Among these partners there are reservations, suspicions and objections. Where are the guarantees that this bill will deliver benefits to all Victorians? Where are the definitive consumer

protections? Where are the specific powers for the fire services levy monitor?

The Deputy Premier proclaimed during today's debate, 'I say to the insurance industry, make sure you return the money'. But that is where it ended. His rhetorical flourish trailed off into the air; there was no conclusion. 'Make sure you return the money' or what? What will happen? Do not tell me that the law-and-order coalition that prides itself on its punitive approach has not only failed to secure a bankable guarantee but has also failed to provide sanctions for non-compliance.

This legislation leaves these critical points hanging. They should be guaranteed in black letters in this legislation. The response from the Deputy Premier and the Minister for Local Government is that Professor Allan Fels will fix it. I hope Allan Fels can fix the government's problems, but it is a big call without the necessary legal powers.

The Parliament is being asked to vote for the bill in the absence of the necessary consumer protections. Labor has circulated amendments to address critical concerns. This is the duty of the opposition. It is the responsibility of the government to give them due consideration. The Deputy Premier proclaimed during today's debate that this bill is one of the great public policy reforms. I hope he is correct. The first test will be the implementation. The second test will be the level of public disclosure and transparency. The third test will be the benefits for all Victorians, as promised today in this house. The people of Victoria will then determine the level of congratulations. I commend the amendments to the house.

**Mr BLACKWOOD** (Narracan) — It is with pleasure that I rise to speak in the second-reading debate on the Fire Services Property Levy Bill 2012. This is a significant tax reform from the coalition government. It is based on a promise that we made prior to the election and the need to put in place a much fairer and more equitable property-based levy to fund our fire services as compared to the current insurance-based levy collection. I have only a short time, so in order to give others a chance I will try to concentrate on issues that are pertinent to the people who live in my electorate of Narracan, which is made up mainly of residential households, businesses and farmers. The overwhelming thrust of this bill is that it is much fairer and more equitable than what currently applies. It also removes a significant impost on country businesses, which in many cases were paying an insurance-based fire services levy that was as much as 100 per cent of the value of their insurance premium.

I will look firstly at how this will affect residential households. The benefits that will flow to residential households because of this reform will total about \$60 million. There will be a \$40 million saving to residential property owners through the removal of a tax on a tax. As other members have explained, the tax on a tax has been a huge impost. This change amounts to a 20 per cent reduction in the total amount recovered from insurance policy-holders due to the removal of the GST and stamp duty charged on the fire services levy component of insurance premiums. In addition, the Victorian government will provide a \$20 million concession program for pensioners and veterans, or gold card holders.

Following the introduction of the new property-based levy, the contribution of the average household in a Country Fire Authority area to fire services is expected to reduce from an estimated \$260 in 2011–12 to \$140 in 2013–14. Similarly the average household in a Metropolitan Fire Brigade area will have its contribution reduced from an estimated \$195 in 2011–12 to \$145 in 2013–14. The levy will be calculated on the capital improved value of a property and will consist of a \$100 fixed component plus a variable component calculated as a percentage of capital improved property value.

My electorate of Narracan cuts across both the Baw Baw shire and the city of Latrobe. I will give members a bit of a comparison about what will occur in these areas compared to previous years once this legislation goes through. Under the insurance-based fire services levy an average property owner in Baw Baw shire with a capital improved property valued at \$278 000 would have paid a contribution of \$240. Under the property-based fire services levy they will pay \$130, which is a reduction of 43 per cent. Under the insurance-based fire services levy the owner of an average property in the city of Latrobe with a capital improved value of \$207 000 would have paid \$215. Under the property-based fire services levy they will only pay \$125, which is a 42 per cent reduction. Significant benefits will flow to residential households under this new regime.

Victorian non-residential property owners will also be significantly better off as a result of this reform, with a total saving of \$45 million across the state. Business property owners will benefit enormously from the removal of the tax on a tax on insurance premiums. The reform will result in insurance being more affordable and assist more businesses to adequately insure by removing a major charge on insurance premiums. That is a huge incentive for both residential landowners and business owners to insure, an incentive which is not in

place under the old regime. With those few words I will end my contribution. I commend the bill to the house.

**Mr MADDEN** (Essendon) — I rise to make a contribution to debate on the Fire Services Property Levy Bill 2012. It will be a relatively concise contribution. I have to say I am concerned about the gloating that we have heard from the government before we have seen the implementation of this bill. There is no doubt that major reforms mean that there is a lot of hard work to be done, but the hard work is not completed until the public endorses those reforms right across the community. Whenever you present a very significant and major reform, particularly in the area of finance or taxation, you have to be very careful. Treasury modelling will give you a global modelling framework to deal with, but at the end of the day it is the details that will kill you. It is the one-offs; it is the handful of people who are affected by the reform that you, or in particular Treasury, never anticipated. We have heard gloating statements from the government such as, ‘This is going to benefit all Victorians’, or, ‘No-one will be worse off’, and I suspect it will not be able to deliver on them.

**Dr Napthine** — Nobody said that. It is all because it is a fairer system. Do not put words in people’s mouths. This is not the Hotel Windsor — —

**Mr MADDEN** — I take up the minister’s interjection — —

**The DEPUTY SPEAKER** — Order! The minister will cease interjecting. I ask the member for Essendon not to take up interjections.

**Mr MADDEN** — I have already taken up the interjections from the government — —

**The DEPUTY SPEAKER** — Order! I ask the member for Essendon to not take up the interjections.

**Mr MADDEN** — The government is already backtracking from the gloating and the promises it has made.

**Dr Napthine** — No, we are not backtracking; we want you to tell the truth.

**Mr MADDEN** — From your place please, Minister. The government is backtracking from the promises that it made. We heard the Deputy Premier and Minister for Police and Emergency Services crowing about how magnificent this already is. I say that it is much better to underestimate than to overreach. I have seen time and again in a whole lot of areas of performance those who overreach often being compromised at the end of the

day. I look forward to seeing how this pans out, how it is delivered and how the government will, I suspect, have to backtrack on the sorts of grandiose statements it has made in relation to what it is setting out to achieve and what it has already promised it can deliver.

I suspect that before long we will have ministers standing before media packs not apologising but being very close to apologising, or refusing to apologise, on the basis that the thing about which they got very excited, about which they gloated before it was ever delivered and implemented, has been very hard to actually qualify.

There is much anticipation that this is going to come together in exactly the way Treasury has modelled it. From my previous experience in government, I know that for all the great work that Treasury officials and all the technicians who put great work into these sorts of things do, it is always that human factor or that unexpected story that no-one ever anticipates that comes back and bites you on the backside. I look forward to seeing the government say, 'Ouch', when that bite on the backside comes along.

I commend the member for Broadmeadows for his suggested four-part test, which will be the real test at the end of the day. I support the amendments that Labor has proposed. I look forward to those amendments being debated further if we get an opportunity to do so — if not in this chamber then in the other chamber. The old saying is 'The proof is in the pudding', so I will look forward to seeing how it comes out of the oven.

**Mr BULL** (Gippsland East) — It is with great delight that I rise in support of the Fire Services Property Levy Bill 2012. My electorate of Gippsland East is one of the most fire prone in the state — probably in the country — and has also been listed as being one of the most fire prone in the world. It goes without saying that we rely heavily on our fire services. There are a number of communities in East Gippsland that are very susceptible to fire, such as Mallacoota in the far east, Cann River, Omeo, Orbost, Maffra and Heyfield, which are all on the interface with bushland. It is therefore terrific news that there will be a fairer fire services levy to replace what was a very unsafe insurance-based levy.

Previously the situation existed where we could have two houses side by side, one insured and the other one not insured, and therefore one owner was contributing to the fire services levy and one was not but would still expect the same level of protection from the emergency services. It was not fair at all. It is not only private properties that are protected by our emergency services;

they also protect public infrastructure and public assets. In times of fire, when public infrastructure and public assets are under threat, everyone right across the Victorian community should be contributing to that protection. Clearly that was not the case.

On estimates released to date, based on the average house prices in my electorate, people will be \$105 or 45 per cent better off in a much fairer system in which everyone is contributing. On top of that, the government has also announced \$20 million in concessions for pensioners and gold card veterans — a big win for that sector, which previously had no additional support. Furthermore, unlike the fire services levy on insurance, there will be no GST or stamp duty on the new property levy. That abolishes a tax on a tax, which was a big thorn in the side of many Victorian people. That will now be rectified. The appointment of a fire services levy monitor will oversee the phase-out of the insurance-based levy and make sure that the savings are passed on. We have heard concerns about that process from the other side of the house, but I have every confidence in that process.

Victorians have been calling for this change, which reflects a similar system in place in many other states of Australia, for many years. They want this change. It is important that we strongly support our fire services and those who put their lives at risk protecting us. In my electorate new fire tankers have recently been received by the Coongulla, Briagolong and Kalimna West Country Fire Authority brigades, and there were new vehicles for Sarsfield and the retrofitting of tankers in a number of locations, including Omeo, Maffra and Toorloo Arm. There has been a really big investment in fire services in my electorate.

It has been well documented that one of the recommendations of the 2009 Victorian Bushfires Royal Commission following the events of Black Saturday was that the previous insurance-based levy system was unfair and that a property-based levy system should be adopted. The royal commission found that under the insurance-based levy model people were underinsuring and that uninsured property owners did not contribute at all. Under the previous system there was an incentive to underinsure, and there was no incentive to insure. The move to a property-based levy is consistent with reforms in the Australian Capital Territory, Western Australia, South Australia and Queensland, which have all introduced similar systems. Interestingly, all these levies are collected by local government in those states.

In finishing, there is one other aspect of the new system I will comment on — that is, the state government

contribution to the fire services will be retained in lieu of a property levy on state government property. The state is making a very solid and significant contribution in relation to its assets. We know there has been some criticism that the state is not contributing, but the state is contributing. Local councils, which will collect the levy, will receive both a set-up fee for performing the associated administrative functions and an ongoing fee to support that function as well. Councils will be supported, and the state government will be contributing. In clarifying those two matters, I commend the bill to the house

**Ms CAMPBELL** (Pascoe Vale) — I rise to make a brief contribution to the debate on the Fire Services Property Levy Bill 2012. In making my contribution I pose a number of questions to which clear answers should be provided to members of this house so that we and our constituents know exactly what the government envisages this bill will do. How much will individual constituents in my electorate pay right now if I were to give the Treasurer a list of properties, home values and property values? What will they pay? That information cannot be provided, yet we are expected to vote on this legislation tonight.

The Premier and the Treasurer have refused to guarantee that no insured Victorian property owner will be worse off as a result of this legislation. Members understand that there is a requirement for us all to contribute to fire services. That is understood, but what has to be answered from the perspective of my constituents — and I am sure for the constituents of the members for Bentleigh, Frankston and Burwood — is: what is actually going to happen in the case of a property owner who happens to reside in any one of our electorates?

The minister has refused to provide the variable component of the new property-based levy, and without that Victorians are being kept in the dark. It is utterly illogical for the government to say it can release the average residential 2013–14 property levy for every local government area and yet not release the variable component percentage on which that levy is based. That is what should have been provided to this house, and that is what should have been provided to each of our constituents before we vote on this.

As usual the Baillieu government is a backflip government. It says one thing in opposition and it does a very different thing in government. For example, in opposition it said it was going to adopt the 64 recommendations of the 2009 Victorian Bushfires Royal Commission. There were 64 recommendations that the coalition promised to implement lock, stock

and barrel; and as a result of the legislation we have before us, we know that is not going to be delivered.

The previous speaker claimed that pensioners are going to benefit from this legislation, but pensioners do not believe the backflip Baillieu government. Why do they not believe it? It is because the most recent example of how pensioners were treated is that the energy concessions that were provided previously to those who needed support to pay their energy bills were removed by \$41 — \$41 was taken away. They have had that money removed, and guess why? It was the largesse of the federal government. It is totally —

**Dr Naphthine** — On a point of order, Speaker, the member speaking is straying from the bill before the house. I ask that you bring her back to the bill.

**The SPEAKER** — Order! I ask the member to come back to addressing the bill before the house.

**Ms CAMPBELL** — I am very happy to do that, Speaker. While the Deputy Speaker was in the chair, the previous speaker from the government side outlined the advantages for pensioners contained within this legislation. I am saying that the backflip Baillieu government constantly acts with smoke and mirrors. It says to pensioners, ‘We will look after you’, when in fact it does the opposite — it does the direct opposite.

If you talked to Mrs Pat Austin-Reed in my electorate, you would know that she has had \$41 taken off the support previously provided to her. It is totally inappropriate that government media releases claim one thing, yet pensioner bills show the complete opposite. Victorians are entitled to have answers to these questions. It is utterly reasonable to have those answers presented prior to us voting on this legislation this afternoon. The amendments proposed by the opposition will provide a great improvement to this legislation, and I look forward to supporting them.

**Mr MORRIS** (Mornington) — I want to address a couple of issues that have come up in the debate regarding local government. The Municipal Association of Victoria resolved in May 2012 that it should make representations to the Minister for Police and Emergency Services supporting in principle the state replacing the current fire services levy with a property-based levy. There have been some rather noisy voices, but in fact I am sure the vast majority of people in local government do support what is proposed — that is, those who are not prone to knee-jerk reactions.

We need to remember that metropolitan local governments will benefit from the abolition of the Metropolitan Fire Brigade levy. The government will

fund the establishment costs for local government, and I understand negotiations are proceeding on that basis. There will be fees received for the administration of the process, and perhaps most significantly councils will have the opportunity to retain the interest earned on the levy, so there are significant benefits to local government. While one or two noisy voices may be complaining about what is proposed, I know most local councils welcome what is proposed. I am sure local government is keen to play its part in this process. We need to do even more to protect Victoria against the scourge of fire. However, having said that, I congratulate the Treasurer and all concerned with the presentation of the bill. It is good legislation and a good initiative, and I commend the bill to the house.

**The SPEAKER** — Order! The time set down for consideration of items on the government business program has expired, and I am required to interrupt business.

**Motion agreed to.**

**Read second time.**

*Third reading*

**The SPEAKER** — Order! As the required statement of intention has been made under section 85(5)(c) of the Constitution Act 1975, the third reading of the bill must be passed by an absolute majority. I ask the Clerk to ring the bells.

**Bells rung.**

**Motion agreed to by absolute majority.**

**Read third time.**

**PLANNING AND ENVIRONMENT  
AMENDMENT (VICSMART PLANNING  
ASSESSMENT) BILL 2012**

*Second reading*

**Debate resumed from 12 September; motion of Mr CLARK (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**CIVIL PROCEDURE AMENDMENT BILL  
2012**

*Second reading*

**Debate resumed from earlier this day; motion of Mr CLARK (Attorney-General).**

**The SPEAKER** — Order! The question is:

That this bill be now read a second time and a third time.

**House divided on question:**

*Ayes, 44*

Angus, Mr	Mulder, Mr
Asher, Ms	Napthine, Dr
Baillieu, Mr	Newton-Brown, Mr
Battin, Mr	Northe, Mr
Bauer, Mrs	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
Bull, Mr	Ryall, Ms
Burgess, Mr	Ryan, Mr
Clark, Mr	Shaw, Mr
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Southwick, Mr
Dixon, Mr	Sykes, Dr
Fyffe, Mrs	Thompson, Mr
Gidley, Mr	Tilley, Mr
Hodgett, Mr	Victoria, Mrs
Katos, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr
McCurdy, Mr	Watt, Mr
McIntosh, Mr	Weller, Mr
McLeish, Ms	Wells, Mr
Miller, Ms	Wooldridge, Ms
Morris, Mr	Wreford, Ms

*Noes, 40*

Andrews, Mr	Howard, Mr
Barker, Ms	Hutchins, Ms
Beattie, Ms	Kairouz, Ms
Brooks, Mr	Kanis, Ms
Campbell, Ms	Knight, Ms
Carbines, Mr	Languiller, Mr
Carroll, Mr	Lim, Mr
Donnellan, Mr	McGuire, Mr
Duncan, Ms	Madden, Mr
Edwards, Ms	Merlino, Mr
Eren, Mr	Nardella, Mr
Foley, Mr	Neville, Ms
Garrett, Ms	Noonan, Mr
Graley, Ms	Pallas, Mr
Green, Ms	Pandazopoulos, Mr
Halfpenny, Ms	Perera, Mr
Helper, Mr	Richardson, Ms
Hennessy, Ms	Scott, Mr
Herbert, Mr	Thomson, Ms
Holding, Mr	Wynne, Mr

**Question agreed to.**

**Read second time.**

*Third reading***Motion agreed to.****Read third time.****PRIMARY INDUSTRIES AND FOOD  
LEGISLATION AMENDMENT BILL 2012***Second reading***Debate resumed from 11 September; motion of  
Mr WALSH (Minister for Agriculture and Food  
Security).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****FREE PRESBYTERIAN CHURCH  
PROPERTY AMENDMENT BILL 2012***Second reading***Debate resumed from 11 September; motion of  
Mr CLARK (Attorney-General); and  
Ms BARKER's amendment.**

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be deferred indefinitely'.

**House divided on omission (members in favour vote  
no):***Ayes, 44*

Angus, Mr  
Asher, Ms  
Baillieu, Mr  
Battin, Mr  
Bauer, Mrs  
Blackwood, Mr  
Bull, Mr  
Burgess, Mr  
Clark, Mr  
Crisp, Mr  
Delahunty, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr  
Hodgett, Mr  
Katos, Mr  
Kotsiras, Mr  
McCurdy, Mr  
McIntosh, Mr  
McLeish, Ms

Mulder, Mr  
Naphine, Dr  
Newton-Brown, Mr  
Northe, Mr  
O'Brien, Mr  
Powell, Mrs  
Ryall, Ms  
Ryan, Mr  
Shaw, Mr  
Smith, Mr R.  
Southwick, Mr  
Sykes, Dr  
Thompson, Mr  
Tilley, Mr  
Victoria, Mrs  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Weller, Mr  
Wells, Mr

Miller, Ms  
Morris, Mr

Wooldridge, Ms  
Wreford, Ms

*Noes, 40*

Andrews, Mr  
Barker, Ms  
Beattie, Ms  
Brooks, Mr  
Campbell, Ms  
Carbines, Mr  
Carroll, Mr  
Donnellan, Mr  
Duncan, Ms  
Edwards, Ms  
Eren, Mr  
Foley, Mr  
Garrett, Ms  
Graley, Ms  
Green, Ms  
Halfpenny, Ms  
Helper, Mr  
Hennessy, Ms  
Herbert, Mr  
Holding, Mr

Howard, Mr  
Hutchins, Ms  
Kairouz, Ms  
Kanis, Ms  
Knight, Ms  
Languiller, Mr  
Lim, Mr  
McGuire, Mr  
Madden, Mr  
Merlino, Mr  
Nardella, Mr  
Neville, Ms  
Noonan, Mr  
Pallas, Mr  
Pandazopoulos, Mr  
Perera, Mr  
Richardson, Ms  
Scott, Mr  
Thomson, Ms  
Wynne, Mr

**Amendment defeated.****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****DRUGS, POISONS AND CONTROLLED  
SUBSTANCES AMENDMENT BILL 2012***Second reading***Debate resumed from earlier this day; motion of  
Mr RYAN (Minister for Police and Emergency  
Services).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****Business interrupted pursuant to sessional orders.****ADJOURNMENT****The SPEAKER** — Order! The question is:

That the house now adjourns.

### Western Ring Road: noise barriers

**Ms CAMPBELL** (Pascoe Vale) — Our health requires a good night's sleep. Without it our wellbeing suffers emotionally and physically — just talk to any new parent and those whose worries stop them sleeping. People living near the widened Western Ring Road — —

**The SPEAKER** — Order! Who is the member addressing this matter to?

**Ms CAMPBELL** — The Minister for Roads.

**The SPEAKER** — Order! Good; thank you.

**Ms CAMPBELL** — People living near the widened Western Ring Road in the Glenroy Valley are suffering from sleep disruption due to high traffic noise, particularly from trucks. Overnight traffic volumes have increased and will continue to increase, particularly when the fruit and vegetable market moves to Epping. Daytime traffic noise spoils recreation in the Glenroy Valley's open space and along its wetlands and its walking and cycling paths. Trucks and cars will be closer to homes when the new lanes are opened.

Other parts of Victoria have had noise walls installed when major roads have been widened by the construction of extra lanes. I am calling on the Baillieu government to give us the same consideration as was provided by the former Labor government on the Monash Freeway. When they were in opposition the current Minister for Energy and Resources, the current Minister for Health and the current members for Burwood and Mount Waverley argued for road widening to be accompanied by noise walls, and the Labor government provided them. I am asking for the same quality noise walls and equal treatment for the north-west. The Minister for Roads travels home near Anglesea Road, and he would know that when that road was widened by one lane new, quality noise walls were provided by the Labor government. We in the north expect the same treatment from the coalition government.

Working in partnership with the Moreland City Council and residents, I am advocating for quality noise walls which both protect the vista of the Glenroy Valley and allow enjoyment of sunlight in our backyards and open space. Ironically the new bridge across Moonee Ponds Creek has been built above the original bridge and wooden noise walls. An effort was previously made, to the standards of bygone times, to provide some noise wall amelioration for passive recreation users in the valley. The new bridge will have no noise walls. Noise

reverberates down that valley when the north wind travels, and it blows long distances.

The Minister for Roads needs to ensure that noise walls are built alongside the Western Ring Road, particularly along the valley between Gowanbrae and Glenroy, to ensure that the quality of life of residents in my electorate and surrounding electorates is not affected and that there is equality with other parts of Victoria.

### Family violence: community leaders forum

**Ms RYALL** (Mitcham) — I wish to raise a matter for the attention of the Minister for Women's Affairs. My request is for the minister and her department to assist me to establish a local community leaders forum on family violence. This is an area close to my heart and something I want to see stamped out. I welcome the increased reporting of family violence, and I am pleased that the Chief Commissioner of Police and his officers have a strong emphasis on and commitment to dealing with family violence. I also value the minister's emphasis on and understanding of family violence, in particular her recent announcement of further funding to provide services to the increased number of women who need them as a result of having reported family violence.

I do not believe any member in this house would think for a moment that our communities are immune from domestic and family violence. To a large extent it is hidden and not spoken of. Victims feel guilt and shame and on the outside present to friends, family members and the community as if everything is fine, yet inside they are shattered and vulnerable. Nonetheless, there are sometimes signs and hints, and it is vital that our community is able to understand what these might be. More importantly, it is vital that our community leaders and others within our community know and understand what they should or can do and what is not helpful in relation to family violence.

I have asked community leaders to what extent they are aware of family violence in our community and whether they would know what to do if it came to their attention. To a large extent that knowledge is not there. It is a difficult area that needs to be handled sensitively and managed carefully. Sometimes a lack of knowledge of domestic violence may mean nothing is actually done and the violence-related circumstance continues. Community leaders have indicated to me that they would appreciate gaining an understanding of the extent of family violence, what the signs are, what to do and what services are available.

Family violence can no longer be hidden. We owe it to those who are suffering the effects of family violence to provide the safest and best circumstances so that this violence is no longer tolerated or hidden from our community, so that those who are exposed to it can receive support and care and so that a hand is provided to them by our community, particularly our community leaders.

### **Ruthven Primary School site: future**

**Ms HALFPENNY** (Thomastown) — I raise with the Minister for Education yet another public education crisis in the northern suburbs that has been caused by this government. It concerns the former site of Ruthven Primary School. The action I seek from the minister is that he take urgent steps to secure and maintain the site to make it safe but accessible to the local community and tell us what the government's plans are for the future use of the site.

Ruthven Primary School was closed early this year, and a brand-new, purpose-built school — a Labor-built school — was erected around the corner. It looks fantastic. It is now called William Ruthven Primary School, and it sits right next to William Ruthven Secondary College, which has been discussed in this Parliament on many occasions.

The now vacant former Ruthven Primary School site is smack bang in the middle of a quiet residential area, but the site has been left to languish unattended and become run down. It has been forgotten by the Department of Education and Early Childhood Development and its minister. What a waste! State education is in desperate need of funds, yet the government wastes money holding on to property that it does not maintain, with its dollar value decreasing with every smashed window and newly lit fire.

The former school site was not just home to a school but a recreational space for local families. If members know this area of northern Reservoir, they will know that there is very little open space, no parkland and only a few small parks and playgrounds. The school shared its facilities with the community, and it encouraged local residents to use its open space, outdoor basketball courts and football oval on non-school days and during after-school hours. The high rate of use when the school was closed also protected the school from vandalism.

However, residents have told me that the neighbourhood children, sports groups and dog walkers do not like to go there now because it is unsafe and overgrown. The buildings are run down, windows are

smashed and the grounds are littered with rubbish, as it is fast becoming a dumping ground for anyone's unwanted goods. The Metropolitan Fire Brigade was called out to the site twice last week due to deliberately lit fires in and around the buildings.

We know that unkempt premises attract antisocial behaviour. Vandals and others can do things they do not want others to see in the dark, hidden by the extensive buildings with no-one around to see what they are doing. Local people are worried for their safety both in using the fast-deteriorating facilities in the old school and more generally, as undesirable activities may start at the site but later affect people in the wider neighbourhood.

The solution to this problem is not merely a 3-metre-high fence around the perimeter of the site to keep everyone out. Residents have enjoyed using the school facilities for decades and should be able to continue to do so until the future of the site is determined. Again I call on the minister to clean up this site, make it safe and accessible to residents and tell us what its future use will be.

### **Bayswater North: community renewal funding**

**Mr HODGETT** (Kilsyth) — I wish to raise a matter with the Minister for Community Services. The action I seek is that the minister consider applications made under the Community Renewal Flexible Fund for two very worthwhile projects in Bayswater North in my electorate. Community renewal is a terrific initiative that brings different parts of government, community organisations and local residents together to set priorities and take action to revitalise the places where they live, work, learn and play. In Bayswater North the community renewal initiative has been well supported by all and has seen some tremendous projects delivered through the efforts and hard work of a committed group of people known as the Bayswater North community renewal team.

There are currently two projects seeking funding from the Community Renewal Flexible Fund. The first project relates to strengthening the support provided to families, and it aims to improve service coordination and linkages for vulnerable families requiring support and assistance through two core elements: case management and service coordination. The case management service will work with vulnerable families to support, guide, facilitate and advocate options and services to meet an individual's holistic needs. The service coordination component will clarify and document how business is done between agencies for families they have in common. It will define agreed

practices, processes, protocols and systems to support families in Bayswater North, resulting in better coordination of services between participating agencies.

This is a wonderful proposal that would achieve a number of outcomes, including improved collaboration and partnership between kindergartens, primary schools and secondary schools by assisting in the support of vulnerable families and linking them to appropriate services in a timely manner. A sum of \$64 000 is being sought for the strengthening support to families project, which will be a contribution towards the total project budget of \$128 480. I appeal to the minister to give favourable consideration to this request for funding for this excellent project.

The second project relates to employment and learning in Bayswater North. The aim of this project is to enhance new job and learning opportunities and increase neighbourhood volunteering and other support. Funding will allow a part-time position of 0.6 equivalent full-time to be filled for two years to support the goals of the Bayswater North community renewal employment and learning group. This is a marvellous project that would also deliver a number of worthwhile outcomes. Flexible funding of \$80 000 towards the total project budget of \$179 700 is being sought for this employment and learning project in Bayswater North. I press the case and implore the minister to consider funding this request, as this too is a tremendous project that would greatly benefit community renewal in Bayswater North.

I take the opportunity to again commend the Bayswater North community renewal team for its hard work and enthusiasm, which is well supported by the Minister for Community Services.

### **Planning: city of Wyndham**

**Mr PALLAS** (Tarneit) — The adjournment matter I raise is for the Minister for Planning, and the action I seek is that he review the situation that has arisen for landowners in Wyndham as a result of recent changes to the urban growth boundary in the area and in so doing provide advice regarding what, if any, action he intends to take to address the potentially substantial land tax increases that are likely to occur.

Approximately 300 properties across the northern and western parts of the urban areas of Wyndham have experienced valuation increases averaging about 168 per cent since the inclusion of this land within the urban growth boundary in July 2010. This change in valuation followed the rezoning of the land from green wedge to urban growth, and as a result of this the

council has had significant community protest and unrest directed at it in response to the impact on rates. The City of Wyndham already provides the most generous differential rate to property owners of any growth area council in the urban growth zone — about 90 per cent of the general rate. At the same time the Growth Areas Authority is producing precinct structure plans (PSPs) for all of this area and intends to have this work concluded by the end of 2013.

These growth corridors can provide about 30 years land supply or 100 000 lots. Landowners are seeing substantial increases in property values that are not realisable at the present time, even if the PSPs were approved, and in a great number of cases they will not be realisable for decades to come. There are not a lot of land sales happening in this area at the moment, so the problem is between asset valuation and land tax liability at the point of the uplift value. The State Revenue Office is exempting primary producers in those areas from land tax only until such time as a PSP has been approved. Even if the PSP cannot be acted upon for decades, the financial impacts of land tax are far greater than council rates, and there are many properties within the area that meet the classification of primary producer. Council does not have specific numbers on how many properties maintain a primary producer status, but it is not insubstantial.

In considering the action I have asked of the minister, Wyndham City Council has identified a number of potential solutions. Rezoning the land to urban growth zone and then immediately proceeding to produce and approve precinct structure plans and a developer contribution plan is sending the wrong message to the market about realistic development time frames and therefore potentially artificially inflating land prices. It would be better to sort out what constitutes 10 years of land supply and, more importantly, what is beyond the 10-year time frame and then send a stronger message to the market. This would involve different processes for final approval of precinct structure plans — for example, separating approvals from the formal adoptions, using different zones inside the urban growth boundary and looking at establishing an independent expert advisory body to make determinations and advise government.

### **Minister for Sport and Recreation: Mildura visit**

**Mr CRISP** (Mildura) — I raise a matter for the attention of the Minister for Sport and Recreation. The action I seek is for the minister to visit Mildura and meet with sports organisations, visit locations and also talk to my local RSL. Mildura is alive with sports

venues and opportunities for participation. However, one venue was destroyed in the floods of February 2010. The Cardross football, netball and cricket ground was flooded for a long time. The oval, the pitch and the courts were ruined. The changing rooms, the equipment and other club facilities were lost. The coalition has led the way in restoring Cardross, with \$1.6 million being made available to restore the courts, the pitch and the oval, as well as the changing rooms and clubroom facilities. The members of the Cardross Football Club have been able to train on the club's home ground in the second half of the season, and the netball courts are now at an advanced stage. The oval is looking good, and work on the changing rooms is now being started. Players of all sports played there hope to be able to play on their home ground next season.

The sports clubs have been busy raising money to further enhance the ground and the facilities. As I understand it, the football club's fundraising ability shows no bounds. It won a prize on *The Footy Show* last week. I am sure club members would welcome an opportunity to meet at the oval and discuss progress with the minister. They are good people who are working hard and passionately for their sports and their sports facilities.

The RSL is an integral part of my community. It has a long service heritage dating back to post-World War II soldier settlement. As the Minister for Sport and Recreation is also the Minister for Veterans' Affairs, it would be important for him to spend time talking to members of the RSL.

Mildura has for some time aspired to having a motor sports complex. The Mildura Rural City Council has been developing a proposal, and in recognition of this work I would like to be able to update the minister on progress on the proposed site. I look forward to the minister visiting Mildura in the not-too-distant future.

### **City of Casey: election oversight**

**Mr DONNELLAN** (Narre Warren North) — The matter I raise today is for the Minister for Local Government, and the action I seek is for the minister to ensure that the local government branch of the Department of Planning and Community Development keeps a close watch on the City of Casey council election to ensure that there is no political interference by state members of Parliament, which we know is against the law under the Local Government Act 1989. We know Casey very much has the smell of scandal over it, and it does not really need any more encouragement.

Recently I was provided with a leaked copy of handwritten notes of a conservative councillor —

**Dr Napthine** — On a point of order, Speaker, I ask you to rule on this matter. The member is raising for the Minister for Local Government an issue to, in his own words, keep a close watch on something. My understanding of the rules with regard to the adjournment debate is that members must ask for specific and definite action. I suggest that keeping a close watch on potential issues in the future is not specific action under the terms of the adjournment debate, and it would seem that this member is about to launch into a tirade of political attacks. He is just using this as a guise to make politically motivated attacks on various people, and I ask you to rule his adjournment matter out of order and that he be required to seek specific action as required under the rules of the adjournment debate.

**The SPEAKER** — Order! I uphold the point of order and ask the member to ask for a specific action.

**Mr DONNELLAN** — The specific action is that I ask for the minister to get the local government inspectorate to oversee the City of Casey council elections.

As I mentioned, I have a leaked copy of notes by a conservative councillor, Amanda Stapledon. Over the years we have seen her in many pictures with various Liberal Party members. We know that earlier this year one Liberal Party member had meetings at the Berwick RSL for City of Casey council candidates. However, let me go back to the leaked notes. The notes list various potential candidates who are running in various wards. Some are members of the Liberal Party, and some are not.

**Dr Napthine** — On a point of order, Speaker, this member has an unfortunate reputation for using the cowards castle of Parliament to slander people and to raise a whole range of mischievous information in politically motivated attacks. I think you should counsel him, Speaker, to ensure that he is not just using the guise of an adjournment debate, which provides members with the opportunity to raise genuine issues of importance to their local community, to run purely political attacks on people in his community. He has a previous disgraceful record.

### **Moe Racecourse: upgrade**

**Mr BLACKWOOD** (Narracan) — I wish to raise a matter for the Minister for Racing, and the action I seek is that he approve the funding application from the Moe

Racing Club for the upgrade of its track and associated works. The Moe Racing Club is seeking funding assistance for the construction of a reinforced sand profile track at its racecourse. Realising that the industry has spent a significant amount of money installing lights at Cranbourne and with the expansion of synthetic racetracks in the state currently on hold, the vision of the Moe Racing Club provides solutions for both the industry and the future of racing in Gippsland.

Moe is situated 134 kilometres east of the centre of — —

**Mr Pallas** — On a point of order, Speaker, I believe this member has not with sufficient particularity identified what action he is seeking. In fact, having failed to do that, he has done nothing more than simply restate the problem without enabling this issue to be — —

**The SPEAKER** — Order! I have heard enough on the point of order. The member for Narracan has been asked to seek a specific task be undertaken.

**Mr BLACKWOOD** — It is that the funding application of the Moe Racing Club be approved, Speaker.

Moe is located on the V/Line Gippsland route, with 18 return services from the city daily. With EastLink now completed the road network east of the city makes Moe accessible — —

**The SPEAKER** — Order! I hope this is not a frivolous point of order.

**Mr Herbert** — Speaker, this is not a frivolous point of order; it follows on from the previous point of order during this debate, quite frankly. We have just heard the minister say that we must seek specific action, not some airy-fairy thing such as asking a minister to look at a bit of paper and the plan.

**The SPEAKER** — Order! I ruled on this a moment ago. I believe what the member asked for was a specific action, and I do not wish to hear any more on the point of order.

**Mr Herbert** — The specific issue was to review, was it?

**The SPEAKER** — Order! No, it was not.

**Mr BLACKWOOD** — Moe is a town on the move. Major residential and corporate developments are currently planned for the town. The future export of brown coal and the commitment of this Victorian

coalition government to the continued use of brown coal for domestic power generation will encourage significant growth in coming years.

The Moe Racing Club has a sound financial future with its investment in the Turfside Tabaret and the Bairnsdale Sporting and Convention Centre, and it has strong support from the Latrobe City Council and the local community. The economic benefit to the community of the racing facility and the prospect of future growth will mean that this support will continue well into the future. The Moe Racing Club is determined to ensure that the upgrade of its track will be a sustainable and long-term solution for both the club and the industry. I urge the minister to support the Moe Racing Club's application for funding assistance and reward the hardworking, dedicated volunteer committee and CEO for their professionalism and significant contribution to the economic and social fabric of the Moe community.

### **Rail: Montmorency power substation**

**Mr HERBERT** (Eltham) — I raise an issue for the Minister for Public Transport. The action I seek is that he organise public consultation with residents on landscaping works to screen the new power substation on Stephen Street, Montmorency, that will service the Hurstbridge train line. On 6 June this year I advised the house that construction of the substation was causing great concern to residents of Stephen Street. At that time I advised the house that it appeared the substation involved the construction of a large concrete building measuring 10 metres by 20 metres and surrounded by razor wire on the edge of a quiet suburban street known for its ample vegetation and peaceful character.

At the time my office was told by Public Transport Victoria that no landscape or restoration works to return the street to its former character were planned. Residents were outraged. Following my comments in the house and local media reports I received a response to an earlier letter to the minister about the substation which advised of a backflip by the department on the issue of landscaping. The letter advised:

Public Transport Victoria (PTV) is now working with Banyule City Council to develop landscaping concepts that are in keeping with the local area and will provide adequate screening of the substation.

I thank the minister and give him credit for acting in this regard. The letter further advised:

The landscaping strategy concepts will be shared with local residents who will be able to provide feedback on the design and species ...

It also advised that residents would be able to offer feedback on a final landscaping concept. However, it is now two months from the date of the minister's letter and the residents of Stephen Street have had no contact from Public Transport Victoria. They have still not seen a landscaping strategy or been advised that one exists, and they certainly have not been given any opportunity to provide feedback.

I regularly drive past Stephen Street on my way to Greensborough. The monstrosity that is the new substation is more hideous than I could have imagined, and the fact that this government has to be dragged kicking and screaming to consult with residents on this issue is a disgrace. As residents know, the monstrosity needs more than a few trees to stop it detracting from the beauty and character of the area. The substation must be adequately screened and the whole area from Sherbourne Road up to Stephen Street — it is not a large area — needs to be beautified to enable this to occur.

While I appreciate the minister's workload — and the minister is in the chamber now — I ask that he get the department to get cracking on meeting his commitment to ensure that there is consultation with residents on producing a landscaping plan and that he work with the council to try to beautify a street which has on it, as any member of Parliament driving by would see, something that is an ugly blight on the landscape of Eltham.

### **Tourism: food and wine promotion**

**Mr SOUTHWICK** (Caulfield) — The matter I wish to raise tonight is for the Minister for Tourism and Major Events and is near and dear to my heart — and possibly my belly — as it concerns good food. I ask that the minister provide information on the government's efforts to promote Victoria as a tourism destination for travellers interested in quality food and wine. There is no doubt that Melbourne, and more widely Victoria, is known as an international destination for food and wine visitors — that is, tourists who dine in restaurants and visit wineries. They sometimes do that while they are on their way to other places.

In the year ended June 2011, 1.5 million international overnight food and wine tourism visitors to Australia travelled to Victoria as part of their trip. This accounted for some 36 million overnight stays. Food and wine tourists represent 87 per cent of all international overnight visitors to the state. It is an important area of tourism. Victoria has the great reputation as being the no. 1 state when it comes to food, wine and good eating. However, my concern is that we keep our no. 1

status, so I would like to hear from the minister how we intend to do that. If we look at the same period — the year ended June 2011 — we see that Victoria hosted an estimated 9.4 million domestic overnight food and wine visitors. Victoria has the best food and wine when it comes to degustation.

I would like to single out some restaurants in my electorate. Attica was named Restaurant of the Year and awarded three chefs hats in 2012 by the *Age Good Food Guide*, up from two hats in 2011. Jacques Reymond is a restaurant located close to my electorate and is a great favourite of mine. It was awarded three chefs hats by the *Age Good Food Guide*. Donovans on the St Kilda foreshore is also close to my electorate. It is a family-owned restaurant on the beach and was favourably reviewed. Glick's and Almazett are local favourites which people visit to enjoy great food.

We need to ensure that Victoria keeps its reputation for great food and wine. It is important to tourism and also to me and my colleagues that we continue to do so. I am keen to hear from the minister how we can keep up this great reputation here in Victoria. We want to ensure that tourism in the area of food and wine grows so that once people come to visit, to have something to eat and drink and enjoy the great hospitality, they also visit Melbourne and Victoria and enjoy our hospitality, helping to build good local businesses here in Victoria.

### **Responses**

**Ms ASHER** (Minister for Tourism and Major Events) — The member for Caulfield has asked me what the government is intending to do to maintain Victoria's well-deserved reputation as an international destination for quality food and wine. The member referred to Attica in his electorate. I would like to congratulate that outstanding restaurant on the awards it has received from *Australian Gourmet Traveller* and the *Age Good Food Guide*. However, as the member for Caulfield indicated, this is not about one particular restaurant; this is about the reputation Melbourne and Victoria have internationally as food and wine destinations.

The coalition government is delighted to have recently secured the *MasterChef Australia* television series for Victoria. We have secured two consecutive series. *MasterChef* is a very popular TV show that is watched by over 2 million Australians and shown in 36 countries around the world. The series will be filmed at the Melbourne Showgrounds and there will be a range of off-site challenges. We have stipulated that those off-site challenges are to be filmed in regional

Victoria to showcase the best produce and products that we have in Victoria.

*MasterChef Australia* coming to Victoria will provide a number of opportunities for this state. First of all, it will result in over \$70 million of production expenditure and up to 200 jobs. It will increase gross state product by \$13 million per annum over the period of the project. Most importantly, it will showcase the food and wine experience available in Victoria. It will offer significant broadcast exposure for us. It will provide an estimated \$13 million advertising value equivalent, promoting Melbourne and Victoria to a national television audience.

The tourism benefits of this show will be invaluable and, as I said, there will also be \$70 million of direct production expenditure as a result of it. I am absolutely delighted that *MasterChef Australia* has chosen Melbourne and regional Victoria. We will be able to showcase Victoria's fresh produce, innovative chefs, quality restaurants such as Attica in the member for Caulfield's electorate, and our outstanding winemakers.

**Dr NAPTHINE** (Minister for Racing) — The member for Narracan raised with me concerns about the track at the Moe Racing Club. The member for Narracan is somebody who certainly understands the importance of the racing industry and the racing club to the quality of local life and to jobs and employment in the community. The Moe Racing Club is a historic racing club dating back to early last century.

**Ms Campbell** — He is not even here.

**Mr Mulder** — He is.

**Ms Campbell** — Oh, he is.

**Dr NAPTHINE** — The member for Narracan is here, but I think the member for Pascoe Vale is missing in action!

In recent years the Moe Racing Club has conducted 13 meetings a year, with the biggest meeting being the Moe Cup, usually held in October each year. The Moe Racing Club, and indeed the whole Moe community, has benefited significantly from the changes to public holiday legislation brought about by the coalition government. The town had developed a great tradition of holding a big market day for the local shops on the morning of Moe Cup Day and then having a public holiday in the afternoon. That was stopped by the stupid city-centric rules of the previous Labor government, but fortunately because of the efforts of people like the member for Narracan and other country members the coalition government has listened to

country communities and provided more flexibility with public holidays so that the Moe community can go back to their great tradition of having a shopping bonanza in the morning and cup day activities in the afternoon.

Last year 24 trainers operated out of Moe, with close to 600 starters. Racing provides an enormous number of local jobs and local economic activity. However, as the member for Narracan said, in the past three years we have seen 18 race meetings scheduled for Moe either cancelled or relocated due to the condition of the track. This year Racing Victoria has been forced to postpone all racing at Moe indefinitely until improvements are made to the track. One of the biggest issues with the track is the proliferation of winter grass, or poa annua. This is a shallow-rooted species with low persistence throughout the year. Because it is shallow rooted, when the horses run on the track they dig up large divots and make the track unsafe. That damage has been exacerbated in recent times by poor drainage and heavy rainfall.

The club, working with the member for Narracan, has quite rightly sought expert advice and determined that the best long-term solution is to remove the existing grass and soil and replace it with a sand-based track with upgraded turf made of kikuyu grass, which is better suited to the climate and the needs of racing and training. This will deliver a safer and more weather-tolerant track and allow the Moe Racing Club to return to its rightful place as a major training centre and a great racing centre in Gippsland.

I give credit to the member for Narracan for his hard work with the Moe Racing Club. The club has a terrific committee and a great CEO in David McKinnon and has worked positively with Country Racing Victoria and Racing Victoria to develop a strong proposal to rebuild this important racing track. This proposal has been built into a significant business case, and that business case — with the support of the member for Narracan, the Moe Racing Club, the broader Moe community, the local council, Country Racing Victoria and Racing Victoria — has now arrived on my desk for consideration.

It is a very professional and very sound business case, and as Minister for Racing I will give that business case proper consideration, because we are very determined to work with the club and the member for Narracan to get the Moe Racecourse a good racing surface and training surface and get it back to work as a great racetrack. I assure the member for Narracan that as Minister for Racing I will give the business case and the funding request full and proper consideration. I will

certainly take into account the enormous amount of lobbying and hard work he has done on behalf of the Moe Racing Club, which has assisted in getting this before me as the minister.

**Mr MULDER** (Minister for Public Transport) — The member for Eltham raised an issue with me in relation to a new power substation in Stephen Street. This new power substation forms part of the coalition government's \$225 million Maintaining Our Rail Network Fund to upgrade the rail network. As I am sure the member would realise, after 11 years of neglect of the metropolitan rail network a lot of the substations were run-down and dilapidated. We had to put in new substations to cater for the increased patronage growth and also the almost 1000 new train services that we have introduced as a new government.

If you put new trains on the network, you definitely need more power. We have just ordered seven new trains. Those seven new trains are on the way to being delivered later this year and through the course of next year. We are preparing the business case for 33 additional trains to complement those seven. Once again, those trains will require power to make sure that we can carry more and more of the member's constituents safely into and out of the city and provide them with the services they need. Those services were neglected for 11 years by the former government. Members would know that the performance of the network has improved substantially since the Baillieu coalition government came to power.

The member raised an issue with me in relation to landscaping around the substation. I wrote to him I think about 60 days ago, and he has not seen a tree planted since I wrote to him. I remind the member that when I took over from the former minister there had been some commentary about how former ministers handled correspondence and briefs. It was not uncommon for the department to have to come down and take briefs back because the briefs had sat there for so long without being signed that the information was out of date. We turn our correspondence around pretty quickly. We make sure that we carry out comprehensive investigations into the issues that are raised with us, and we give comprehensive answers to members of the opposition who are making representations on behalf of their constituents.

I will follow the matter up with Public Transport Victoria to make sure that the appropriate level of consultation takes place. We have a great record in relation to consultation. I recall the consultation process the former government put in place for the people of Footscray before the regional rail link project got under

way. Do you remember that sham? It was an absolute sham compared to the way we handled it. I invited those people into Parliament, sat around a table with them and treated them with the level of respect that they deserved.

The member for Pascoe Vale raised an issue with me in relation to noise barriers at Gowanbrae and Glenroy. What the member is asking me to do is to try to unravel the former Labor government's arrangement with the federal government for the M80 ring-road upgrade. As the member for Pascoe Vale would know — she was probably a minister at the time — these VicRoads guidelines applied when that application was put to the federal government and the former Labor government put in place the arrangement with the federal government. The member for Pascoe Vale is asking me to overturn those arrangements on her behalf.

I will give the member for Pascoe Vale just a little bit of an understanding of the guidelines that were applied to this project by the former Labor government, exactly how they work and what the situation is at the moment. The VicRoads noise reduction policy outlines acceptable noise levels for new and existing roads and aims to ensure consistency across the state. The policy details an acceptable noise level of 63 decibels for noise levels that are exceeded for 6 minutes in each hour between 6.00 p.m. and midnight, once averaged, for new roads and road upgrades which add two or more lanes of traffic and remove buildings that previously provided protection from traffic noise. The Deer Park bypass, Geelong Ring Road and EastLink are recent projects where a noise limit of 63 decibels applied.

As the M80 ring-road upgrade does not remove buildings — as I am sure the member would understand, as the project did start under her government — it is covered by the policy's provision for retrofitting. Under that provision, noise attenuation on existing roads would be considered where noise levels exceed 68 decibels. The recently completed M1 upgrade is another project to which a 68-decibel limit applied. Where existing noise barriers need to be removed for construction, upgraded barriers will be provided. They have been designed to attenuate the 68 decibels for at least 25 years.

In order to assess noise levels, the M80 upgrade team engaged AECOM Australia to monitor noise at 28 locations between the Calder Freeway and Sydney Road to determine existing traffic noise levels and to model noise levels between the Calder Freeway and Sydney Road for the day of opening of the upgrade works. Noise levels are expected to remain below 68 decibels in Gowanbrae and Glenroy when the

upgraded road opens in early 2013 under the policy that was put in place with VicRoads and accepted by the former Labor government as it applied to this project.

Based on these results, AECOM has confirmed that there is no requirement to install new noise barriers in Gowanbrae or Glenroy or to replace the existing timber noise barriers in Glenroy to achieve the 68-decibel limit. This, I point out again, is under the agreement that was reached with the federal government and put in place by the former Labor government. Further noise monitoring will be carried out six months after the upgraded section of the road opens to traffic to confirm that no areas exceed the 68-decibel trigger.

That is the situation we inherited. They are the guidelines under which the arrangement was reached with the federal government. The member may have been a minister around the table when those issues were finalised. If she was not, I am sure she would have put her hand up in the party room and asked for those matters to be addressed at the time — not now that there is a new government in place that is charged with trying to fix up the mess that was left behind.

**Mr DELAHUNTY** (Minister for Sport and Recreation) — I rise to respond to the matter raised with me tonight by the member for Mildura. He requested that I visit his great electorate of Mildura. As we know, this member has been a strong advocate for healthy and active communities, and I support him in his endeavour to achieve this.

The member for Mildura spoke tonight about the Cardross Recreation Reserve and the enormous damage that was done there in the 2011 floods. We can all remember seeing photos of that reserve covered with water — not only the football ground but also the courts, the cricket pitches and obviously the pavilion. We heard the member say tonight that \$1.6 million was given to this ground from the Flood Recovery Community Infrastructure Fund. He highlighted the fact that training on the oval was able to resume in the second half of this year. I also was at home last week for a change, and on WIN TV I saw on Channel 9's *The Footy Show* that the Cardross group had received another \$10 000. Its members will be very appreciative of that.

The member for Mildura also spoke about the opportunity to go up and visit the RSL. There are a lot of activities going on in the veterans area, and the RSL has a very important role in that. It has a great facility up there in Mildura, and I look forward to going to talk with members up there about opportunities in the future

and maybe have a discussion about the centenary of Anzac Day, which is coming very quickly towards us.

The member also spoke about motor sport. I know the area from my time living up there, and I have a son and a couple of grandkids who still live up there. They are really into sport, particularly motor sport, and it will be interesting to see what they are doing up there.

The hard work that has been done by this member in supporting sport and recreation has already paid off. He has been encouraging his communities to look at a range of grants under my portfolio of sport and recreation. Earlier this year I was delighted to join the member in his electorate to announce the netball court resurfacing program at Hopetoun. That is nearly 1 hour and 40 minutes south of Mildura. Most members driving as far as that down here would cover 12 electorates in that time. Mildura is a big electorate. Down at Hopetoun they got a \$60 387 grant through the country football-netball program. Also, through that program nearly \$38 000 was made available to install lights at the netball courts in Mildura. They are very appreciative of that and the hard work of the local member.

Interestingly, I was up there in March this year to announce that \$15 000 was being provided through the Significant Sporting Events program for the 2012 UIM World Circuit Powerboat Championships. That was unbelievable; it was a great event. The Mildura Rural City Council has also received \$22 000 from the community facility funding program. Applications are in for the next round of funding in that program. Last year there was funding out of that program for lighting at the Nangiloc Recreation Reserve. So funding has been delivered not only in Mildura but also in other towns in the member's electorate.

Last year I enjoyed going with the member to Mildura West Primary School to encourage them to take part in the Ride2School program. Many years ago a lot of people used to ride to school; about 50 per cent of students used to ride to school. Unfortunately that figure has dropped down to less than 10 per cent, so we are encouraging people in that regard.

We gave some money for the Mildura Masters Games, and I also had conversations with the council and the Sunraysia Football and Netball League.

In conclusion — —

*Honourable members interjecting.*

**Mr DELAHUNTY** — I am making up for the time I missed out on last week at Ballarat. I want to say that

we have a very hardworking member for Mildura; he is very diligent in working with his community. I will accept his offer to go to Mildura to have a conversation with these people, and I encourage him to contact my office to arrange a date that is suitable to us both.

**Ms WOOLDRIDGE** (Minister for Women's Affairs) — I begin by thanking the member for Mitcham for raising her adjournment matter and for her longstanding interest in issues relating to domestic and family violence. One thing that is very clear that the member identified is that we as local members are in a unique position to tackle issues that are important to our constituents and communities and to take a leadership role by bringing people together, sharing information and connecting and resourcing.

I congratulate the member for Mitcham on her initiative to have a local community leaders forum on this important issue. It will assist those local community leaders who often do not know where to go, how to assist and how to identify that family violence might be an issue. My department and I, along with local community organisations, will develop a program for local community leaders to increase their capacity to be able to address this important issue. I would be pleased to assist and to offer the assistance of my department in contributing to this local community leaders forum. I very much look forward to working with the member for Mitcham, and I congratulate her on her initiative in relation to this important issue.

Family violence is an issue that the coalition government takes very seriously. As I have already talked about a number of times in this house, the government invests over \$85 million a year in initiatives to prevent, intervene in and respond to family violence and to support the victims of such violence. We are in the process of developing a whole-of-government action plan, and just last week the Premier announced additional funding for counselling and support services for sexual assault, family violence and case management services along with funding for men's behaviour change programs. I would be happy to work with the member for Mitcham, and I congratulate her on her initiative in this regard.

I also want to recognise the work of the member for Kilsyth, who chairs the strategic partnership group for the Bayswater North community renewal group. He has been a very active participant in and leader of this group. He regularly updates me on what is happening with his Bayswater North community renewal group and takes every opportunity to lobby me for funding, which of course is the subject of his adjournment matter tonight. In the recent past Bayswater North has initiated

a number of great projects that the government has been pleased to fund, including neighbourhood house capacity building, the Glen Park community garden, exercise programs in the park and safety lighting for the Dorset Road underpass.

The great thing about community renewal projects is that they are initiatives that come from community members working collaboratively together. I also want to congratulate Chris Payne, the team leader of the Bayswater North community renewal group. He is the Maroondah City Council officer dedicated to community renewal, and he is supported well by project officer Michelle Parsons.

One of the challenges for all the community renewal groups is how to think about the transition to sustainability for the future and how they can embed this collaborative approach into the day-to-day activities of communities. I congratulate the steering committee and the strategic partnership group, which at a recent joint governance meeting adopted a new sustainability framework for the Bayswater North group. In October there will be a lovely event to celebrate five years of the Bayswater North community renewal group's work.

Clearly what the member for Kilsyth was advocating for was funding for two new community renewal initiatives for Bayswater North. I am pleased to inform the member that the government will be able to fund both of these initiatives for the benefit of his community. One of the things we have done as a government is try to change the nature of the guidelines a bit by narrowing them down in terms of what the funding is meant to support — that is, really practical measures in the community that focus particularly on the economic participation for community members.

One of the initiatives the member for Kilsyth mentioned, the employment and learning project in Bayswater North, is about enhancing new job and learning opportunities and increasing neighbourhood volunteering and other support. It goes to the heart of that notion of economic participation for community members. I want to congratulate the group on this initiative, which will obviously be very valuable. It will be provided with \$80 000 in funding. Additional funding will be leveraged, and the total project budget will be \$179 700. It is a very significant investment, and it includes significant leverage of other people who will contribute both financially and in kind to this important initiative.

The other initiative mentioned by the member for Kilsyth relates to strengthening the support provided to

families, particularly service coordination and linkages. Everything we see in relation to this says that we have to coordinate and link the services that people access much more effectively so that they are provided with the full range of support they need. The community renewal group was seeking \$64 000 from the state government for this project, which we will provide, but once again that will be leveraged to a total project budget of \$128 480.

In concluding, I want to congratulate all the community renewal participants on their work. The member for Kilsyth, as I have said, has been a fantastic advocate for the Bayswater North community renewal group. He chairs the strategic partnership group and does an excellent job of that. Congratulations to him and his community on their advocacy, and I wish them the best for these important projects.

**Mr McINTOSH** (Minister for Corrections) — The member for Thomastown raised a matter for the Minister for Education. The action she sought was the undertaking of urgent maintenance work on the vacant site of the proposed new Bruthen Primary School. I will ensure that the minister receives that request for action.

The member for Tarneit raised a matter for the Minister for Planning asking him to review the impact of land in the Wyndham area being included in the expanded urban growth boundary.

I think that is it. The member for Narre Warren North — well, he was just bewildered.

**The SPEAKER** — Order! I would like to thank all the ministers for the full and wholesome answers they have given, including the money-riddled one the minister gave to the member for Kilsyth.

I declare the house adjourned. We look forward to being back here in about three weeks. I hope everybody will look after themselves and have a good time.

**House adjourned 5.08 p.m. until Tuesday,  
9 October.**