

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Thursday, 9 February 2012

(Extract from book 1)

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

By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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| | |
|--|-----------------------------------|
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| Minister for Public Transport and Minister for Roads | The Hon. T. W. Mulder, MP |
| Minister for Ports, Minister for Major Projects, Minister for Regional Cities and Minister for Racing | The Hon. D. V. Napthine, MP |
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Legislative Assembly committees

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

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

Joint committees

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Dr Napthine 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 Foley, Mr Noonan 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

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Mrs C. A. FYFFE

Acting Speakers: Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Eren, Mr Languiller, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Dr Sykes, Mr Thompson, Mr Tilley, Mrs Victoria and Mr Weller.

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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 |
|--|--------------------|-------|---------------------------------------|------------------|-------|
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| Andrews, Mr Daniel Michael | Mulgrave | ALP | McCurdy, Mr Timothy Logan | Murray Valley | Nats |
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| Katos, Mr Andrew | South Barwon | LP | Wooldridge, Ms Mary Louise Newling | Doncaster | LP |
| Knight, Ms Sharon Patricia | Ballarat West | ALP | Wreford, Ms Lorraine Joan | Mordialloc | LP |
| Kotsiras, Mr Nicholas | Bulleen | LP | Wynne, Mr Richard William | Richmond | ALP |
| Languiller, Mr Telmo Ramon | Derrimut | ALP | | | |

¹ Resigned 21 December 2010

² Resigned 27 January 2012

³ Elected 19 February 2011

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Thursday, 9 February 2012

The SPEAKER (Hon. Ken Smith) took the chair at 9.33 a.m. and read the prayer.

QUEEN ELIZABETH II: DIAMOND JUBILEE

Mr BAILLIEU (Premier) — By leave, I move:

That the following resolution be agreed to by this house:

To Her Majesty Queen Elizabeth II:

Most Gracious Sovereign,

We, the Speaker and members of the Legislative Assembly, in Parliament assembled, express to Your Majesty our warm congratulations at this time of celebration of the diamond jubilee of your accession to the throne.

We express our respect and high regard for the dedication you have shown in the service of the commonwealth of Australia, and in particular the state of Victoria, and for the consistently high sense of duty you have displayed throughout Your Majesty's reign.

This week marks a very significant milestone: the 60th anniversary of the accession of Her Majesty Queen Elizabeth II to the throne. Only two of Australia's monarchs have reached their diamond jubilee: Queen Victoria, after whom our great state is known, and our present sovereign. The Prime Minister of the United Kingdom put it aptly when he said earlier this week that Her Majesty had reigned with 'experience, dignity and quiet authority'. I would add to that description one additional word: 'consistency'. The Queen has impressed all because she has carried out her duties without regard for trends or fads or the influences of the politics and pressures of the day. Queen Elizabeth has been a figure of stability in an ever-changing world. I observe that there would be few in this chamber who have known in their lives a monarch other than Queen Elizabeth.

It is a fact we should remember that Her Majesty was not born to be Queen. It was not until her uncle's abdication in 1936, when she was already in her eleventh year, that she found herself destined for that role. The premature death of her father, King George VI, aged only 56, on 6 February 1952 suddenly brought her to the throne. However, from that day, 60 years ago, she has committed herself to service.

The Queen has visited Victoria many times during her reign. Her most recent visit to Melbourne at the end of last year was a great success. Thousands came to see Her Majesty and His Royal Highness Prince Philip, the Duke of Edinburgh, at Federation Square and at her

official opening of the Royal Children's Hospital, 47 years after opening its predecessor. It was a heart-warming occasion.

With this visit fresh in our minds, it is important to recall that when she came to Australia and to Melbourne in 1954 no other King or Queen of Australia had done so. The photographs that adorn the corridors of Parliament House record those events. It is said that almost half of Australia's population saw the Queen in person on that visit. Its significance in our state's social history and our country's national history is profound.

Across the globe Queen Elizabeth II is regarded as a wise and thoughtful head of state. As Queen, Her Majesty has seen countless political leaders come and go, including twelve Australian prime ministers and ten premiers of Victoria. She has remained dignified, consistent and totally impartial.

Today we pause to mark this special diamond anniversary. We thank the Queen for the manner in which she has graced her role, and we also thank the Duke of Edinburgh for his constant support at her side. We respectfully congratulate Her Majesty the Queen on her service for our state, for our country and as head of the Commonwealth of Nations. We wish Her Majesty good health and happiness in this special diamond jubilee year.

Mr ANDREWS (Leader of the Opposition) — I am pleased to join the Premier in offering my congratulations and the congratulations of the parliamentary Labor Party to Her Majesty, Queen Elizabeth II, on this, the occasion of her diamond jubilee. As the Premier noted, only one other monarch has reached a diamond jubilee. This is a very special occasion, a special event, and one that I am sure fills Her Majesty with modest pride at all that she, ably assisted by His Royal Highness Prince Philip, the Duke of Edinburgh, has achieved over that long period of time.

The Premier noted that Her Majesty has been a constant in an ever-changing world, and that puts it well. Her Majesty has been a source of unity; someone above and beyond fads, above and beyond the fray of the political contest and someone whose stoic leadership and — I also quote from UK Prime Minister David Cameron — 'quiet authority' has been a great source of stability over that long period of time for all her subjects and all those around the world who look to her for leadership and guidance.

Whilst this motion is important, we as Victorians had an opportunity to pay our tribute to Her Majesty the

Queen and acknowledge and honour her service and dedication last year when she graciously visited our state and, in so doing, opened the new Royal Children's Hospital. That was a very special occasion. As a community we had an opportunity at that time — there were adoring, large crowds who came to see Her Majesty and Prince Philip — to pay our collective tribute to her for her 60 years of service. I simply say on behalf of the parliamentary Labor Party that with grace and dedication Her Majesty has delivered 60 years of service and leadership. We are better for it. We wish her health and happiness and extend our gratitude for all she has done over her long reign. May it continue.

Motion agreed to, honourable members showing unanimous agreement by standing in their places.

Mr BAILLIEU (Premier) — By leave, I move:

That the following address to the Governor be agreed to by this house:

We, the members of the Parliament of Victoria, in Parliament assembled, respectfully request that you will be pleased to communicate the accompanying resolution to Her Majesty the Queen.

Motion agreed to.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! Notices of motion 3 to 12 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Yabbies: harvesting

To the Legislative Assembly of Victoria:

The petition of concerned Victorian conservationists draws to the attention of the house the potential to reduce a food source for native fauna in Victoria by a fisheries regulation that is not consistent with other states and is seen to be 'a potentially threatening process'. The regulation compared to other states does not require the return of captured female yabbies carrying eggs and permits the harvesting of 25 times more bait-sized yabbies (size dependent) per person per day.

The petitioners therefore request that the Legislative Assembly of Victoria introduce regulations that would make the recreational harvesting of yabbies consistent with New South Wales and South Australia.

By Mr KATOS (South Barwon) (86 signatures).

Yabbies: harvesting

To the Legislative Assembly of Victoria:

The petition of concerned Victorians draws to the attention of the house the dangers and potentially threatening processes that can be caused by fisheries regulations that increase catch or bag limits with no scientific data to show sustainability and the effects excessive catch limits would have on the food source for our native fauna in Victoria. Please refer to the following examples.

Swimmer shrimp — daily take increased from 100 to 0.5 litres (0.5 litres is over 2000 shrimp). There was no scientific data to support the increase and the effects this would have on a food source for our native fauna.

Yabbies — daily take increased from 20 litres to 30 litres of whole yabbies or 5 litres of tails. There was no scientific data to support that the increase to 30 litres was better equivalent to 5 litres of tails. Since there was no size restriction 30 litres can be over 5000 bait-sized yabbies (size dependent) per person per day. There was no scientific data to show the impacts these increases would have on the sustainability of this resource. There was no requirement to return females carrying eggs. There was no scientific data to show the impacts that this would have on yabby populations.

Note — New South Wales and South Australia have a limit of 200 yabbies per person per day with no size restriction and a requirement to immediately return female yabbies carrying eggs.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to immediately seek independent scientific data to verify whether or not:

1. 30 litres of whole yabbies corresponds to 5 litres of yabby tails (not yabby tail meat);
2. to determine whether the increase from 100 swimmer shrimp to over 2000 per person per day is sustainable and would not impact on the available food source for our native fauna;
3. to determine whether the regulation that does not require the immediate return of female yabbies carrying eggs would impact on yabby numbers; and
4. to determine whether the regulation that is based on a daily volumetric take with no size restriction which allows for the taking of 25 times more bait-sized yabbies per person per day when compared to our neighbouring states would impact on this resource into the future.

By Mr KATOS (South Barwon) (11 signatures).

Yabbies: harvesting

To the Legislative Assembly of Victoria:

The petition of concerned Victorian fishermen draws to the attention of the house the potential to reduce a food source for our native fish in Victoria by a fisheries regulation that is not consistent with other states and is seen to be a 'potentially threatening process'. The regulation compared to other states does not require the return of captured female yabbies carrying eggs and permits the harvesting of 25 times more bait-sized yabbies (size dependent) per person per day.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to look at the regulations in relation to the harvesting of yabbies to determine if it should be consistent with our neighbouring states of New South Wales and South Australia and with haste release a fisheries notice requiring the immediate return of female yabbies carrying eggs.

By Mr KATOS (South Barwon) (10 signatures).

Yabbies: national food standards code

To the Legislative Assembly of Victoria:

The petition of frustrated Victorian yabby producers draws to the attention of the house the effects of PrimeSafe Victoria's interpretation of the national food standards code is having on the yabby aquaculture sector. The New South and South Australian food authorities do not require live yabbies to be purged if they are to be sold for human consumption. All of the states use the same national food standards code to formulate their food policy. PrimeSafe Victoria demands that yabbies be purged before sale for human consumption. This makes Victorian yabby producers less competitive due to increased costs. The result is increasing numbers of wild catch and aquaculture yabbies being imported into Victoria with no purging requirements.

The petitioners therefore requests that the Legislative Assembly of Victoria urge the Baillieu government to look at PrimeSafe's implementation of the national food standards code for yabbies to determine if it should be consistent with our neighbouring states of New South Wales and South Australia.

By Mr KATOS (South Barwon) (4 signatures).

Murray crayfish: monitoring program

To the Legislative Assembly of Victoria:

The petition of concerned spiny crayfish conservationists draws to the attention of the house the potential to impact on a future fishery by not annually monitoring the recreational take of Murray spiny crayfish which is listed under the Flora and Fauna Guarantee Act but has an open season to recreational fishing. There is no annual monitoring of the health of this species which is subjected to increasing fishing pressure as the number of recreational fishers increases.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to introduce an annual monitoring program which includes a check box on every recreational fishing licence with an additional fee for the taking of Murray crayfish. This will help to determine how many recreational fishermen target this listed and protected species.

By Mr KATOS (South Barwon) (4 signatures).

Government: unanswered correspondence

To the Legislative Assembly:

The petition of Stephen Chara and Co. draws to the attention of the house that questions enclosed with three letters directed to the Baillieu government have not been answered.

Letter dated 7 January 2011. Titled 'Metric units or imperial units' and asking the following question:

'Have we metricated or are we reverting back to the imperial units or are we going to settle for a confusing mix?' A thank you reply does not resolve the issue.

Letter dated 17 April 2011. The principal question was, 'Who runs the state of Victoria, the bureaucrats or the politicians?' I voted for a politician not a bureaucrat. The question was based around issues I have with PrimeSafe and Fisheries Victoria. The Baillieu government made a pre-election commitment to move the aquaculture industry forward. This cannot be done when PrimeSafe bureaucrats interpret national legislation differently to other states. There are no explanations as to why this is the case. With Fisheries Victoria questions were asked of the previous government with replies similar to the following example (2 + 2 = 5). Pre-election promises were made by a Baillieu government representative and when the same questions were asked of the new government the replies received were similar to the following example (2 + 2 = 5). With the same bureaucrats you get the same answer. Nothing changes and you end up with an 'issue' stagnant government and ride the merry-go-round.

Letter dated 11 June 2011. Titled, 'Bureaucrats' and asking the following question, 'Will your government dismiss bureaucrats that supply the public or politicians with erroneous, misleading deceptive or deliberately evasive information?'. No response has been received.

The petitioners therefore requests that the Legislative Assembly of Victoria urge the Baillieu government to answer the questions and consider sidestepping bureaucratic CEOs and their senior management if responses received to questions asked by the public or politicians can be shown to be erroneous, misleading deceptive or deliberately evasive.

Also if bureaucrats make Victorian businesses uncompetitive due to incorrect or inconsistent interpretations of national acts without clearly explaining their interpretations and why they are different, they be dismissed immediately.

By Mr KATOS (South Barwon) (4 signatures).

Tabled.

DOCUMENTS

Tabled by the Clerk:

Financial Management Act 1994 — Reports 2010–11 under s 53A:

A.C.N. 151 803 628 Pty Ltd

Candacal Pty Ltd

Erinbol Pty Ltd

Gapmint Pty Ltd

Kenasha Pty Ltd

Laprica Holdings Pty Ltd

Leleque Pty Ltd

Maygain Pty Ltd

Nardia Pty Ltd

Resdev Pty Ltd
 Rombar Pty Ltd
 Sugase Pty Ltd
 Trevyn Pty Ltd
 Waslyn Pty Ltd

Land Acquisition and Compensation Act 1986 — Certificate under s 7

State Electricity Commission — Report 2010–11

Water Act 1989 — Upper Ovens River Water Supply Protection Area Water Management Plan under s 32A.

BUSINESS OF THE HOUSE

Adjournment

Mr McINTOSH (Minister for Corrections) — I move:

That the house, at its rising, adjourns until Tuesday, 28 February 2012.

Motion agreed to.

MEMBERS STATEMENTS

Chinese New Year

Mr ANDREWS (Leader of the Opposition) — On Sunday, 29 January, I had the great privilege of attending the 2012 Melbourne Federation of Chinese Associations Chinese New Year festival, which was organised very ably by the FCA. The annual festival was held in Chinatown, right in the heart of Melbourne. The festival is of particular significance to the Chinese community and indeed the broader Victorian community. I had much pleasure in visiting the Chinese Museum and joining in the dragon and lion dance parade, which brought life to our great city.

Chinese New Year is one of our most colourful and vibrant celebrations. It is a great opportunity for all of us to share in and celebrate Chinese culture, Chinese cultural heritage and the great contribution that the Chinese community has made to Victoria. It was a great, well-run family day and a credit to all those involved. As one of the largest and most significant communities in our brilliantly multicultural Victoria, the Chinese community has much to be proud of. This event was a great opportunity to celebrate all those achievements.

I would like to congratulate Vincent Chow, the president of the Federation of Chinese Associations, Grand Master Louey, who was in attendance, and the many other distinguished guests from across the Chinese community and our other multicultural communities, including Chin Tan, the chair of the Victorian Multicultural Commission. It was a great day to celebrate what makes Victoria a great place — cultural diversity, harmony, respect, colour and celebration. Well done to all concerned.

Australia Day: City of Manningham

Ms WOOLDRIDGE (Minister for Mental Health) — I would like to bring to the attention of the house four Manningham residents who were awarded 2012 Australia Day honours and to recognise their service to our community.

Graeme Patterson received an OAM (Medal of the Order of Australia) for his lifetime service to AFL umpiring and as an administrator and historian. Graeme, 69, has been umpiring football since he was 19 years old.

Retired commander John Wilkins, 79, received an OAM for his services to the Royal Australian Naval Reserve. John rose to the rank of commander and the head of reserve naval intelligence. John has dedicated the last 52 years to naval service, with special service in the preservation of Australian naval history.

Faddy Zouky came to Australia as a teenager from Lebanon. He is now 45 and was awarded an OAM for services to business and our multicultural community in Victoria. He is well respected within our community.

I would also like to acknowledge Fergus Ryan, who was made an Officer in the Order of Australia for distinguished services to the business and finance sectors, and service to the community through philanthropic contributions to cultural, social welfare and educational organisations. I worked with Fergus when he was the federal government's strategic investment coordinator, and I know how widely respected his leadership is right across the country.

It is an honour and a great pleasure to commend these citizens to this house for their outstanding contributions to our community, to our state and to our country as a whole.

Australia Day: Shire of Yarra Ranges

Mr MERLINO (Monbulk) — I rise to congratulate a number of Yarra Ranges Shire Council Australia Day award winners.

The Environmental Achiever of the Year award was awarded to Macclesfield resident Irene Pearey. Her passionate commitment to the environment was rightly applauded. Her work with the Macclesfield Landcare Group and the Friends of the Helmeted Honeyeater community nursery, to name just a couple of groups, shows that Irene is a worthy recipient.

The Ken McIntosh Memorial Award for Young Environmental Achiever of the Year went to Jordan Crook for his work promoting environmental education for students and for his social justice advocacy.

The Ian De La Rue Community Lifetime Achievement Award went to Margaret Brooks for her volunteer work with Girl Guides Victoria, Oxfam and her local church, and for her great advocacy work for people with disabilities.

A certificate of recognition was awarded to Alice Keogh for her work with Girl Guides Australia and for her community work in Mount Evelyn.

The Citizen of the Year award went to Upwey resident Andrew Fullagar, whose tireless efforts — particularly with the Friends of Glenfern Valley Bushlands and the Upwey Township Group — were recognised with the Yarra Ranges' premier community award. Andrew is quoted in the *Ranges Trader Mail* of 31 January as follows:

'Receiving this award is undoubtedly a highlight of my life', he said.

Mr Fullagar said he was privileged and honoured to accept the award 'on behalf of all the volunteers in Yarra Ranges and the community of Upwey'.

'There are thousands of volunteers throughout the shire, working hard in so many areas, many unnoticed', he said.

'To those I say, "Please keep going — your contribution does make a difference to the character and strength of the community"'.⁴

I could not have said it better.

These community awards were reflected in local municipalities across the state. They provide a great opportunity to applaud and thank individuals who are quietly doing extraordinary work. They do it not because they seek recognition but because they love their communities and find personal happiness in their work.

Alf Smith

Ms ASHER (Minister for Innovation, Services and Small Business) — I wish to pay tribute on behalf of the government to the stellar contribution of Dr Alf

Smith to the Victorian public sector. Sadly Alf died on 17 January 2012.

He gave a lifetime of service to the Victorian public, initially researching and lecturing at the University of Melbourne from 1973 to 1980. After that he took on a range of senior positions in the Victorian public service, including in the Department of Premier and Cabinet, the former Department of Management and Budget, the former Department of Planning and Development, the Department of Transport, the former Department of Infrastructure and my own department, the Department of Business and Innovation.

Alf played a key role in delivering the Melbourne CityLink project and also played significant roles in the delivery of key infrastructure projects such as EastLink, the Southern Cross railway station, the synchrotron, the convention centre, the showgrounds, the Melbourne Recital Centre and many more significant projects. He has left an impression on the Victorian landscape. He was an outstanding public servant to governments of both political persuasions. He was also an outstanding person. He was deeply involved in the scouting movement.

The number of current and former ministers present at his funeral I think said it all about Alf. My condolences and I am sure the condolences of all of those across the government go to his wife, Rhonda, and to his children, Ashley, Dale and Nicole. He will be very, very sadly missed.

Wendy Allen

Ms NEVILLE (Bellarine) — Today I pay tribute to Wendy Allen, an exceptional person whose untimely death on Sunday has deeply saddened people throughout the Geelong region. Wendy made a significant contribution to the communities in Geelong through her work at the Geelong West and City of Greater Geelong councils, and for 14 years as a respected Victorian public service officer.

I first met Wendy about 10 years ago when I was a newly elected member of Parliament and she was the regional manager of sport and recreation. We worked closely on so many local projects, from the Monahan Centre in Queenscliff to projects such as the tennis courts in Clifton Springs and Point Lonsdale, the pool for Bellarine and the Potato Shed in Drysdale. Later, following the establishment of the Department of Victorian Communities, Wendy played a significant role in establishing the Whittington community renewal program, working to turn around the disadvantage of so many in that community.

Wendy was a senior public servant who had a genuine demonstrated interest in and commitment to the local community that went way beyond the requirements of her professional role. She won two outstanding achievement awards: in 2006 for her leadership in establishing the then new Department of Victorian Communities and in 2008 for her role in the Armstrong Creek development. I relished the opportunity to work with Wendy on so many projects. She was a real problem solver, and she was often my first point of reference on many local issues. She made a lasting and meaningful contribution to Geelong and Bellarine.

My thoughts are with Wendy's family, Chris, Tim and Merryn, and also with her many colleagues from the Department of Planning and Community Development's Barwon south west region, who will miss her greatly.

Bushfires: Black Saturday anniversary

Mr WELLER (Rodney) — Tuesday, 7 February, was the anniversary of the Black Saturday bushfires, Australia's worst ever fire disaster. It was a time to remember the 173 people whose lives were lost and the many more who lost their homes and livelihoods on this day three years ago. The Redesdale fires burnt across the southern end of the Rodney electorate. On this third anniversary of the devastating fires it is timely to acknowledge and thank our Country Fire Authority volunteers, who were constantly on stand-by on Black Saturday to assist in controlling the terrifying fires. All CFA volunteers are at the ready every day of the year to come to our aid in the event of a fire. The volunteers in every CFA group within our electorates are all members of our community. They give up their precious time and often risk their lives to protect both the people and properties of our towns and rural areas. CFA volunteers regularly sacrifice important tasks in their homes, businesses or on their farms to drop everything and come to our aid in the event of a fire.

These volunteers come from many walks of life in our community, and include self-employed business people, mothers at home, students and retirees. They all have a common goal — to serve the community in the event of a fire. If the situation arose for our CFA volunteers to lend a hand to other volunteer firefighters across Victoria or indeed Australia I know they would not hesitate in giving their support, and for that I thank them.

Planning: Point Cook

Ms HENNESSY (Altona) — I rise today to express to the house my deep concern about the Growth Areas

Authority and the activities of the Minister for Planning, Mr Guy, in respect of ongoing development at Point Cook West and Point Cook East. The Point Cook East green wedge is currently under threat. As I understand it the Growth Areas Authority has a set of recommendations that sits on Minister Guy's desk, and there is great and deep anxiety in our local community about the potential for the development of 3000 new houses in that area. That comes on top of the authority's current consideration, which may in fact deliver 5800 new houses in Point Cook West within the precinct structure plan. There is insufficient allocation of funding for local infrastructure and local services. This is to say nothing of the fact that we have ongoing population growth that outstrips job growth and that there is a deep and growing concern in the local community around access to infrastructure, congested roads, insufficient public transport, the capping of local schools and the fact that we need to preserve local open space.

The Minister for Planning and the Growth Areas Authority recently cancelled a planned community consultation. Community concern continues to grow. I urge the government to take this community concern seriously.

Bulleen Road–Golden Way, Bulleen: traffic lights

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — After 11 long and dark years of inaction and neglect by the Bracks and Brumby Labor governments, the residents of Bulleen are finally being heard by a caring coalition government. The coalition government is delivering on yet another election commitment, with works starting next week on the installation of traffic lights at the T-intersection of Bulleen Road and Golden Way, Bulleen. I raised this matter many times under the Labor government and it ignored my requests. The works will result in greater safety for road users in the area.

The community wanted lights at the Bulleen Road–Golden Way intersection, and the Victorian government is happy to say that it has listened and delivered. This is a busy intersection, and the addition of traffic lights will ensure that road users can enter and exit Golden Way more safely. The lights will also improve the regulation of traffic flow, meaning that merging will be a lot easier, particularly during peak periods. There were three crashes at this intersection in the five years to 31 December 2010. The \$400 000 works also include the installation of pedestrian crossings, the upgrading of street lighting, asphalt resurfacing and new signage. Cyclists on

Bulleen Road will enjoy the new start-box line markings, which will assist in ensuring their safety, while also allowing pedestrians to cross.

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

Murray McGregor

Mr DONNELLAN (Narre Warren North) — I want to congratulate three people today. Firstly I want to congratulate Murray McGregor, who was the original instigator of the document signing service at Dandenong police station. It is estimated that this service has saved police the equivalent of three full-time officers. The service at Dandenong station signs about 110 000 documents per annum. Murray is one of the few people who have performed this service from when it commenced. Ill health forced Murray to retire in October 2011.

Vietnamese Lunar New Year celebrations

Mr DONNELLAN — I also want to congratulate the Victorian chapter of Vietnamese Community Australia on the Tet festival it put on over the weekend. Bon Nguyen and his team, who are all volunteers, put on a very successful Tet festival at the Sandown racetrack. It was also attended by federal and state colleagues including Simon Crean, Mark Dreyfus and Youhorn Chea, the mayor.

Tom Payne

Mr DONNELLAN — I also want to congratulate Tom Payne, a long-time friend and good man and also the owner of the Old England Hotel in Heidelberg, on being recognised with an Order of Australia medal in the Australia Day honours last week. Tom is a kind, generous individual who has done an enormous amount of work for the Australian Hotels Association over many years and contributed greatly to its success. Congratulations, Tom.

Schools: government achievements

Mr DIXON (Minister for Education) — I wish to thank Victorian schools for the smooth start to the 2012 school year. Across Victoria over 860 000 children started school for the year, and that included 70 000 prep children. For Victorian government schools, 2012 will be a great year. For example, 100 new maths and science specialists have commenced work in our primary schools; 56 extra primary schools will have the services of a welfare officer; student support service officers such as speech pathologists and psychologists will be working more

closely with our staff and students; and hundreds more schools will commence the eSmart program with our partner, the Alannah and Madeline Foundation.

Schools are already noticing a drop in red tape, emails from the department and top-down management directives. This is just the start of our default autonomy policy, which entails the government in a professional way trusting schools to drive reforms that best meet the needs of children and their schools. Although last year's NAPLAN (national assessment program — literacy and numeracy) results showed once again that Victoria is Australia's best performing state and although our participation rates rose for the first time for years, we have to improve from being a good system to being an excellent, internationally competitive system.

One of this year's challenges, which is also an opportunity, is the release of the federal government's response to the Gonski report, the *Review of Funding for Schooling*. I have indicated to Mr Gonski the clear Victorian position: no Victorian student or school should be disadvantaged, states must retain full management of education in their jurisdictions and there must be increased commonwealth support and fair transitional arrangements.

Marlene Campbell

Mr FOLEY (Albert Park) — I rise to honour the memory and the life of Marlene Campbell, who contributed so much to her family, community, the education system and the labour movement. Marlene was the genuine article, the true believer on whom so much of the labour movement's great historical achievements and ongoing mission is based. I knew Marlene over the past 20 years in her role as an activist in the endless forums of the Labor Party, as a state conference delegate, federal electorate assembly president, education policy official and local branch president. Indeed she convened our own Melbourne Ports left group for more years than I can recall.

Marlene's contribution to the Labor Party, and therefore her own community, was immense, selfless and delivered in a way that never sought self-advancement. For Marlene it was always about the issues and building a better, more just and sustainable society, particularly for children and especially through the state's role in education reform, most notably for those children most disadvantaged in our community.

Besides being a pillar of the party, Marlene was active in many areas of her community's life. Together with her husband Peter she raised seven fine children to

successful adulthood. 'Family, community and the party' summarised Marlene's life. She was a fine woman. I express my sympathy to her family in this sad time. Vale a true believer; vale Marlene Campbell. We are richer for having known her and poorer for her passing.

Alpine National Park: cattle grazing

Mr BULL (Gippsland East) — I rise to condemn the federal Labor government's recent move to prevent cattle grazing in the Alpine National Park. When in opposition this state government announced a clear-cut policy 12 months out from the 2010 election. It was well publicised, and the Victorian public voted for it at that election.

Fire is an ongoing risk for Victorian communities, and all bushfire mitigation measures should be explored. To have one option removed from further consideration is extremely disappointing and borders on negligence. The federal Labor-Greens coalition cannot have it both ways. It says the area is pristine. If that is the case, it has been pristine throughout cattle grazing dating back well over 100 years. The federal government uses the term 'pristine' very loosely, given the thousands of feral deer, horses, pigs and goats that are well established. Both its arguments are flawed.

Mountain cattlemen care for the high country and have a long history of doing so. We do not need metropolitan-based Greens dictating to country people what they can and cannot do.

Toorloo Arm Primary School: rebuilding

Mr BULL — I am delighted to state that works have started on the new Toorloo Arm Primary School as part of this coalition government's pre-election commitment of delivering quality education facilities across the state. It was not a bipartisan commitment, I might add, despite the clear need for a rebuild because of various safety issues. My thanks go to our proactive Minister for Education for responding to this clear need, and my congratulations go to the school community for its work in bringing this project to fruition.

Damon Morton

Mr BULL — I take this opportunity to congratulate Damon Morton, who is currently competing in Europe with the Australian youth biathlon team over a 10-week period leading up to his competing at the world titles.

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

Val Holten

Ms BARKER (Oakleigh) — On Sunday, 5 February, the Oakleigh Cricket Club gathered to celebrate Val Holten's 50th year with the club. The day was filled with cricket activities, with interclub games starting at 7.45 a.m. with the under-11s and followed by games as part of the MILO in2CRICKET program with the under-13s, under-15s and under-17s. A legends match made up of the Val Holten XI versus the President's XI was to be held, but it was not able to go ahead with the change in the weather.

It is most appropriate that Val's 50th year with Oakleigh was celebrated in this way, along with a luncheon, as Val is dedicated to the great game of cricket, particularly to ensuring that children and young adults are given every opportunity to participate, learn the game and compete. Val is a legend in subdistrict cricket, and in 2008 he was inducted into the club's hall of fame. He started his cricketing life at the age of 16 with the district club of Melbourne before moving to Prahran, Malvern and then to Oakleigh. He is regarded by many as the best batsman to have appeared at the subdistrict level and was named in the Malvern, Prahran and Oakleigh teams of the century.

Val is not only active on the ground; he served as Oakleigh Cricket Club's president and association delegate for a great number of years, and he continues to support and encourage Oakleigh cricketers in many ways. Val is a gentleman and a shining example of what it means to be an honest and dedicated competitor in the great game of cricket. His contributions have been remarkable, and the Oakleigh Cricket Club continues to value them, both past and present. Congratulations to Val and his lovely wife, Dorothy, as they celebrate their 60th wedding anniversary in March.

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

Merchant Navy Memorial

Mr THOMPSON (Sandringham) — Last Saturday the new Merchant Navy Memorial was dedicated at the maritime precinct in Melbourne, just proximate to the Melbourne Convention and Exhibition Centre. It commemorates the enormous sacrifices that were made by merchant mariners during the various wars and conflicts Australia has been involved in. These conflicts extend back as far as the Boer War and include World War I, World War II, the Korean War and the Vietnam War. As a nation we owe a never-ending depth of gratitude to the merchant navy personnel, both past and present. I congratulate Lou Guihenneuc, James Taylor,

Major-General David McLachlan, the Merchant Navy War Service League Australia, the RSL Anzac House and other personnel for their hard work and contribution to this special event.

Hihett West Cricket Club: 50th anniversary

Mr THOMPSON — Saturday, 4 February, marked Hihett West Cricket Club's 50th anniversary event. The Hihett West Cricket Club entered its first junior under-16 team in the City of Moorabbin Cricket Association in 1962. Starting off with little success in the F grade, the club was promoted to playing in the A grade after seven seasons. At one point the Hihett West club had eight cricket teams over the senior and junior ranks, but overall the club has been a relatively small community and family-run club. I congratulate and acknowledge the important contributions of its office-bearers and committee members, including the late Warren Olle, Tony Corr, Winton Corr, Robert Ridgway, Kim Stewart, Amber Flahive and Michael Flahive.

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

Tony and Mary Rizzo

Ms PIKE (Melbourne) — Sixteen years ago Tony and Mary Rizzo took up the management and running of the Pide Bread Bakery at the Queen Victoria Market, in my electorate of Melbourne. Over the last 16 years on every market day Tony and Mary have got up very early and set up their business in the food court at the Victoria market, and over that time they have served wonderful, delicious food to the hundreds of thousands of people who visit that market every single year.

Tony and Mary had an absolute commitment to excellence. They are friendly, vibrant and engaging people who not only ran their business but also contributed to the overall flavour of our wonderful Victoria market, which is an absolute icon in our city. During that time Tony and Mary were assisted by Mary's son Andrew, who is a musician but who was willing and able, in a very friendly way, to get up every day he could to assist Tony and Mary. Tony and Mary have sold the business and are now heading towards a well-earned retirement. I wish them all the very best for the future.

UnitingCare East Burwood centre: Christmas hampers

Mr ANGUS (Forest Hill) — Before Christmas I had the great pleasure of attending at the UnitingCare East

Burwood centre for its annual distribution of Christmas hampers. It was a privilege to be there and participate in this great program. The looks of surprise and overwhelming gratitude from many of the recipients as they received their hampers was something to behold. It was a practical example of the wonderful work that is being done by the UnitingCare East Burwood centre as well as other agencies in the electorate of Forest Hill. I congratulate all those involved in these organisations and commend them for their generous contributions and service to the community.

Orchard Grove Primary School and Whitehorse Club: security lighting

Mr ANGUS — I congratulate the Orchard Grove Primary School and the Whitehorse Club on being successful in receiving grants for the installation of security lighting under the coalition government's Community Safety Fund program. These grants will go a long way to improving the security at these local premises.

Chinese New Year

Mr ANGUS — In recent weeks it has been a great pleasure for me to celebrate Chinese New Year with the local Chinese communities of Whitehorse and Monash. With a significant number of residents of Chinese descent living in the electorate of Forest Hill, I am pleased to wish all of them a happy Chinese New Year.

Carbon tax: economic impact

Mr ANGUS — It has been interesting during the course of this week to hear those opposite raising the very important issue of jobs here in Victoria. The coalition government in Victoria is working tirelessly to create an environment in which it can assist business as much as possible to grow and increase the number of jobs throughout the state.

The biggest threat to jobs currently in Victoria has to be federal Labor's deceitful carbon tax. This disgraceful socialist wealth redistribution tool will hurt all businesses and consumers in Victoria. Those opposite should be condemned for not standing up for all Victorians and lobbying their federal colleagues to prevent the carbon tax from being implemented.

Tom Boik

Mr BROOKS (Bundoora) — The Diamond Valley Little Athletics Centre is one of the state's largest little athletics centres and is a great place for families to come together to see their children participate in a healthy and supportive environment. Volunteer-based

organisations such as this stand on the efforts and contributions of people who give selflessly of their time and efforts. Sadly the Diamond Valley Little Athletics Centre lost one such person, a legend at the centre, Mr Tom Boik, last Sunday, 5 February.

Over the past 40 years Tom devoted a large part of his life to the Diamond Valley Little Athletics Centre and the Willinda Park athletics facility in Greensborough. Tom became involved in little athletics when his children started competing for the Montmorency Little Athletics Club at Willinda Park in 1968. He went on to serve the club as an official and as a respected facility caretaker and manager, spanning four decades. During this period he organised equipment and maintained the facilities for all the little athletics competitions as well as midweek school competitions. Tom was also instrumental in building a strong working relationship with the former Diamond Valley, now Banyule, council, and that relationship exists to this day.

Although he did not seek recognition, his efforts were properly marked when he was awarded life membership of the Montmorency Little Athletics Club, life membership of the Diamond Valley Little Athletics Centre in 1980, the Victorian Little Athletics Association distinguished service award in 1990 and the inaugural Willinda Park committee of management service award in 2011.

Our community is stronger and all the better for the contribution of Tom Boik, and I consider it an honour to have worked with him. My thoughts are with his family, his friends and the Diamond Valley Little Athletics Centre community.

Aspendale Gardens Residents Association: activities

Mrs BAUER (Carrum) — Late last year I had the pleasure of attending the Aspendale Gardens community fun day, jointly run by the Aspendale Gardens Residents Association and Ritchies Supa IGA. The rain did not dampen the spirits of the hundreds who attended, and I congratulate Ken Carney and the AGRA committee and also Fred Harrison, chief executive officer of Ritchies, and his team on organising such a wonderful day for their community. It is always inspiring to see communities that are proactive in strengthening community bonds and supporting their local businesses.

Aspendale Garden Residents Association is a fantastic example of a volunteer group that supports its local community and works with all levels of government advocating on local issues. One of AGRA's projects is

to reduce traffic congestion in the local area. AGRA has long been advocating for the Dingley bypass and the Mornington Peninsula freeway extension. The extension was promised by the previous government 12 years ago, but once elected, that government was quick to break its commitment and abandon the south-eastern suburbs to suffer the consequences of its broken promises.

AGRA is now looking forward to the commencement of the Mornington Peninsula Freeway extension study, an election commitment of this coalition government. AGRA is also seeking adequate internet services in its area. They are currently substandard, an issue the group is taking up with its federal member. I offer my support to AGRA on its upcoming projects and encourage all Victorians to get involved in their local communities and speak up. This coalition government is listening.

Indo-China Ethnic Chinese Association of Victoria: 30th anniversary

Mr LIM (Clayton) — I rise to congratulate the Indo-China Ethnic Chinese Association of Victoria on its 30-year anniversary of serving its community. Over the 30 years this association has provided valuable services and has greatly contributed to the lives of newly arrived refugees and migrants from Indochina and other Chinese-speaking regions. Providing settlement services during refugees' and migrants' early time in Australia is not an easy task, and members and volunteers in this great community should be warmly congratulated on their efforts. I would like to particularly mention the unique contribution of Cuong Diep, the founding president, who served with distinction during the first 10 years of the association's existence.

The association has grown from performing its initial volunteer work to the provision of services in other important areas, including providing ethnic meals within the local government areas of Melbourne and Boroondara, providing consultation support services, providing community learning programs in the form of Chinese computer typewriting classes, operating youth programs and adventure camps and assisting with the first Chinese scout group in 2011. Another important achievement is the maintenance of a treasured history exhibition program at Museum Victoria and the Chinese Museum.

I congratulate the Indo-China Ethnic Chinese Association of Victoria on its 30 years of community service and hope that the year 2012, the year of the dragon, brings all peace and prosperity.

Murray Marathon

Mr McCURDY (Murray Valley) — Participating in the 2011 YMCA VicSuper Murray Marathon with the Minister for Water and other team members really put the icing on 2011 for me. The majestic Murray River is one of Australia's great icons, and you do not have to be an elite athlete to participate in this amazing event. There is a great opportunity for schools, football-netball clubs, other groups and families to take part, and I urge anyone who has a bucket list of things to achieve before they turn 100 to consider this event. Participants this year were aged between 15 and 75.

Yarrowonga Health: intern program

Mr McCURDY — Congratulations to Yarrowonga Health, which will host two medical interns in 2012 as part of the Murray to the Mountains intern program, developed over the past 18 months. The program, designed to establish and maintain a training program for interns based in the Moira and Indigo shires, is a partnership between Yarrowonga Health, Numurkah District Health Service, Cobram District Health and Alpine Health. The interns will do their GP rotation at the Yarrowonga Denis Medical Group. Terry Welch and the board should be commended for their proactive approach and commitment to this program.

Wangaratta: health survey

Mr McCURDY — We all know that an active lifestyle is the key to staying fit and healthy, and the 2009 Victorian population health survey indicated that almost 70 per cent of Wangaratta males and over 60 per cent of women met exercise requirements. It also stated that more people were butting out, with just 12.8 per cent of males and 10.1 per cent of females listed as smokers. However, that same study indicated that Wangaratta had a growing obesity problem, and together we will address these issues in our community. I encourage walkers and runners to compete in the upcoming fun run on 26 February.

Shirley McDonald

Ms CAMPBELL (Pascoe Vale) — Thank you, Shirley McDonald, for your warm smile, good humour and totally professional service in the parliamentary dining room since 1993. No matter who you served, you made us all feel special. May your next workplace appreciate your magnificent humour and wonderful smile!

The DEPUTY SPEAKER — Order! The time set aside for members statements has expired.

PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2011

Second reading

Debate resumed from 8 February; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Mr WELLER (Rodney) — It gives me great pleasure to rise today to speak in the debate on the Parks and Crown Land Legislation Amendment Bill 2011. The Barmah and Gunbower national parks are an important part of the Rodney electorate, and I note that the opposition is proposing an amendment to not extend the firewood collection period. We need to background and understand this issue. The legislation that created Barmah and Gunbower national parks in 2010 enabled, until 30 June 2011, the cutting and taking away for use as firewood for domestic or camping purposes outside the park of sawlog harvesting residue remaining on the ground from harvesting operations in designated areas of the two parks prior to 1 July 2009. The designated areas are former sawlog harvesting areas defined on the plan specified in the National Parks Act 1975.

The bill extends until 30 June 2015 the period during which wood as I have described may be cut and taken away from the designated areas of the two parks for firewood for domestic or camping purposes outside the parks. In line with current government policy the bill will remove the need to obtain a firewood collection permit. Instead a person will be able to cut and take away firewood from the designated areas in accordance with conditions and times determined by the Secretary of the Department of Sustainability and Environment. The bill does not alter the designated areas from which firewood may be collected, the nature of the wood that may be cut and taken away or the purposes for which the wood may be used.

The reason for the extension — although the member for Bellarine denied it — is that there were floods in the Barmah and Gunbower forests from September 2010 right through until three weeks ago. There was still water in the parks three weeks ago when I was there. It is receding and is almost gone now, but it has been there for 18 months. The amendment takes into account the possibility of future floods, because there could well be future flooding of those forests. If you have a look at the Hume Dam and the Dartmouth Dam you will see that they are near capacity. There is a fair chance that there will be floods again this coming spring.

The amendment will not undermine the National Parks Act 1975 or set Victoria's parks management back

decades. It simply extends the period during which firewood may be collected from 30 June 2011 to 30 June 2015. It also reflects that those on this side of Parliament understand the community's need for firewood. In her contribution yesterday even the member for Macedon spoke about the need for firewood and how she would like more designated areas in her electorate for the collection of firewood. In the Rodney electorate the government understands the need for an extension to obtain sawlog residue from the forest.

The amendment is consistent with the approach taken in the Parks and Crown Land Legislation Amendment (River Red Gums) Act 2009, which was introduced by the previous government. That amending act specifically provided for permits to cut and take away forest produce for firewood. The times and conditions associated with firewood collection will be determined by the Secretary of the Department of Sustainability and Environment. Someone operating in accordance with a determination will not be committing an offence under the National Parks Act 1975 or regulations.

Consistent with the firewood collection periods across the state, firewood collection will be permitted in designated areas from 1 March until 30 June and from 1 September until 30 November. These are the two seasons in which firewood may be collected so that in winter people are not bogging the park and in summer they are not creating a fire risk. Parks Victoria will continue to police firewood collection in Barmah and Gunbower national parks, as they have always done. It will not be open slather, as was implied by the members for Macedon and Bellarine. Firewood collection will be policed. People collecting firewood will be advised of the terms and conditions of the collection of firewood. Signs will be placed at firewood collection sites. Parks Victoria staff will conduct regular patrols to ensure that members of the public are aware of the terms and conditions of collection. Existing offence provisions will be used where an offence is committed.

From 1 September 2011 a permit will no longer be needed to collect firewood for personal use from state forests and those parks where collection is allowed. Firewood collection is allowed in designated firewood collection areas. These areas will be marked by official signs and tape. Designated firewood collection areas are, where possible, located to avoid sites of environmental and cultural significance and to make use of the by-products of activities such as commercial timber harvesting and road construction.

Firewood collection is allowed during two statewide seasons, as I have already indicated, from 1 March to

30 June and from 1 September to 30 November, because that is the best time to do it from an environmental and bushfire risk perspective. To minimise the fire hazard, the seasons are consistent across the state. Designated firewood collection areas are located in accordance with prescriptions that seek to protect the environment and maximise the use of residual timber. The rules for collection include several aimed at minimising environmental impacts.

Government members are asked the question: why did this government take away the need for a permit? The answer is that this government gave an election commitment that it would do so in 2011 and that it would take away red tape. We gave an election commitment to take away red tape, and that is what we are doing; we were up-front about doing it.

The member for Bellarine spoke about the Minister for Environment and Climate Change not being out there. He is out there, and he has been around visiting the community. I think people should be judged by their actions. When Mr Jennings, a member for South Eastern Metropolitan Region in the other house, was the Minister for Environment and Climate Change in the Brumby government, I asked him to meet with groups in the Barmah forest, but he would not do so. He was afraid of the Barmah wildflower ladies group, who invited him out into the forest; he would not come into the Barmah forest to meet them.

Mr O'Brien interjected.

Mr WELLER — Ferocious! I must admit I accepted their invitation. I was appreciative, having morning tea with scones and jam and cream, while we looked at the important native peas, the moraea, the grasses and the other stands of many important species that are out there.

The former minister in the Brumby government also gave a commitment to the Barmah Forest Preservation League that, prior to bringing in legislation amending the National Parks Act 1975 in 2009, he would return and speak to members of the league. He never did. He was there in about 2007, but he gave a commitment to return and discuss what he was going to do — and he never returned.

Members of this government are very consultative. We work with communities, and we understand their issues and needs. Just as the member for Macedon said her community needs firewood, other members of this government and I have listened to the communities of Cohuna, Gunbower, Leitchville, Picola and Nathalia and know they all depend on firewood. Working-class

people go out on the weekend and get their firewood. They need firewood, and they love the bush; that is why they are members of the Barmah Forest Preservation League. They will not go out there and destroy it, as the member for Macedon would have us believe from her contribution last night. They understand how to use a chainsaw. I will not stand here and say that my constituents do not know which end of a chainsaw to use, as the member for Macedon said last night of her constituents.

I understand that the people of our rural communities appreciate the bush but need access to firewood. We are giving them permission to harvest sawlog residue for another four years. That residue is there because it has not been utilised due to the flooding of the forest. It is a resource that we need to allow our working-class people to use for heating their homes where they do not yet have a natural gas supply. This government is looking at a \$1 million investment in developing a plan to connect natural gas to the Murray River towns so that people there can use gas as well as firewood for heating. I commend the bill to the house.

Mr SCOTT (Preston) — I rise to make a brief contribution to the Parks and Crown Land Legislation Amendment Bill 2011. As the member for Rodney is aware, I have a personal connection to the Barmah forest area, where some of my family hail from. In relation to issues relevant to that fine area of Victoria, which both of us would agree is a fantastic place, I trust the judgement of the member for Bellarine rather than the member for Rodney — as vocal as the member for Rodney is. It is a small issue, but I noted two microphones were on during the speech by the member for Rodney. I suspect none are required for us to hear his advocacy. As much as I enjoy a loud and rowdy contribution, I humbly suggest that it is not necessary to have two microphones for his future contributions!

Returning to the bill, the concerns raised by the opposition essentially relate to clauses 12 and 13: the extension of firewood collection in the Barmah and Gunbower national parks. As I said, I am particularly aware of the Barmah forest as I have some connection to the area, and it is a fantastic part of Victoria. The concerns of the opposition regarding this issue have been echoed by the Victorian National Parks Association and the Northern United Farm Forestry Group. I hope the issues raised by the member for Bellarine will be addressed by the government and that the opposition's concerns are accepted.

Before finishing I note the critical importance that national parks play within our community for preserving the bounteous beauty of nature that exists in

the wonderful state of Victoria. I will cease my contribution because there is other important business to conduct in the house. This is an important bill, and national parks play a critical role in our society. I hope the concerns raised by the member for Bellarine are addressed by the government.

Debate adjourned on motion of Mr O'BRIEN (Minister for Gaming).

Debate adjourned until later this day.

EMERGENCY SERVICES LEGISLATION AMENDMENT BILL 2011

Second reading

Debate resumed from 7 December 2011; motion of Mr RYAN (Minister for Police and Emergency Services).

Ms GREEN (Yan Yean) — It is with great pleasure that I speak on the Emergency Services Legislation Amendment Bill 2011. This bill amends several acts: the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958, the Victoria State Emergency Service Act 2005, the Emergency Management Act 1986, the Emergency Services Telecommunications Authority Act 2004, the Forests Act 1958 and the Summary Offences Act 1966.

At the outset I say that the opposition does not oppose the bill. We support an all-hazards, all-agencies approach to the delivery of emergency services to support our community in times of increasing climate and emergency events of the like we have seen, particularly over the last decade, with the horrific Black Saturday fires and the two megafires in the alpine district and a number of other serious fires in Gippsland, Yea and the Brisbane Ranges. We know Victoria is one of the most bushfire-prone areas in the world, but in recent years we have had more than our fair share of these events. We have also seen some devastating flood and storm events. I know it is not generally popular with those on the other side of the house or in particular with the climate change deniers and the flat earth society in Canberra, but it is a fact. The emergency services personnel, like the canaries in a mine, see events firsthand, just like farmers who are seeing the first impacts of climate change. It therefore behoves all of us in this Parliament to support our emergency services with the increasingly difficult and dangerous work they do.

The bill increases penalties in the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades

Act 1958 in line with the Sentencing Act 1991. It creates offences for actions that prevent fire services from promptly responding to emergencies, including interference with fire indicator panels, false reporting of fire and deliberately resetting fire indicator panels. As any firefighter knows — and in my work as a CFA (Country Fire Authority) volunteer I have attended many call-outs, particularly to health and aged-care facilities and large industrial settings — these fire indicator panels are incredibly important. Even in this place where we work, the Parliament, it is incredibly serious for building managers or owners to do anything to interfere with or impede fire indicator panels. It is very appropriate that these penalties be brought in, but I put the government on notice that it is going to have to be incredibly careful that its agencies and authorities do not find themselves the subject of penalties under this legislation.

In August or September last year I was visiting a friend at the Austin Hospital when I witnessed firsthand a call-out from the Metropolitan Fire Brigade (MFB). Due to cutbacks to maintenance staff, some maintenance supervisors who had been there for decades were actually finishing work on that day. I just happened to be there and observed firsthand the chaos, the lack of control, management being completely oblivious to the operation of the panels and the fact that the panel had not been isolated. Some welding work was being done at Austin Health which had set off the fire alarm and caused the MFB to turn out. It was particularly due to the fact that maintenance and administrative staff had been virtually eliminated from employment at the Austin Hospital, an incredibly unsafe situation. That meant the MFB had been called out on a false alarm, and it took a long time to find out what was going on.

I put the government on notice that, with its cutbacks to budgets in health, education and community services and its claim that the cutbacks will not impact on front-line services, when we are cutting half a billion dollars from health, education, community services and many other — —

Mr O'Brien — On a point of order, Deputy Speaker, I appreciate that lead speakers on bills have some latitude, but the idea of alleged budget cuts is straying well outside the content of the bill, and I ask that the member be brought back to debating the bill before the house.

The DEPUTY SPEAKER — Order! I take the point made by the minister that lead speakers are granted wide latitude in their contributions, but I was wondering where the member's contribution was

leading in relation to the bill, and I ask her to return to debating the content of the bill.

Ms GREEN — Thank you, Deputy Speaker. The opposition very much supports the new penalties proposed for deliberate interference with fire indicator panels and the appropriate use of the fire indicator panels, but the important mechanisms to alert the fire services and to alert the occupants of buildings to an emergency are too important to be tampered with. The government needs to be mindful that its decisions about funding may well lead to an unsafe situation and cause it to be the subject of these offences.

The bill extends immunity provisions in fire services legislation to interstate and international firefighters. Our own, home-grown firefighters in this state already have this immunity. It is a hallmark of firefighters that internationally there is a brotherhood and sisterhood so that whenever there is an emergency, assistance is rendered to neighbouring fire services wherever they may be in the world. It is very important to support the firefighters who have come from other states and elsewhere, particularly from New Zealand and the United States, to assist us during our time of need.

The bill empowers the CFA chief officer to close roads to traffic in the event of smoke impairing visibility. The chief officer and his delegates currently have the power over roads, but extending it to smoke-impaired visibility is an important power for the chief officer and his delegates to have, and the opposition applauds this provision. The bill removes distinctions between the urban and rural fire brigades in legislation which is consistent with current approaches to administration. The CFA is undertaking a project at the moment to solidify and adopt one approach so that brigades have both responsibilities and there is no distinction. This is reflected in the training that brigade members get.

The bill extends the injury compensation scheme to members of the forest industry brigades. It allows the chief officer of the Metropolitan Fire and Emergency Services Board to delegate power and issue prevention notices. This is consistent with the last round of changes that put that power into the CFA act, and now this bill puts it into the MFB act.

The bill clarifies that the Victoria State Emergency Service may engage in fundraising and promotional activities and allows members who are claiming compensation for injury to have recourse through the accident compensation conciliation service and medical panels. This has been done across the other services and it is important to extend these rights to SES volunteers who have done so much over many years, but

particularly over the last year — and none more so than during the horrible storms on Christmas Day 2011 just past.

The bill empowers senior sergeants to declare an emergency area on their own authority for the purposes of the exclusion of the public. This power was previously vested in inspectors, and it makes sense when there could be a series of emergencies on one day to delegate this power to senior sergeants so that appropriate action can be taken swiftly to protect the community.

I address in more detail the opposition's views on this bill. We do not oppose the legislation. It is one thing to have things in legislation and to say the words 'an all-agencies, all-hazards approach', but what we have seen in recent months falls far short of that and the government needs to lift its game. With what is a part-time minister for the emergency services there are many things that need to be acted on but are not being undertaken by this government. I query the actions of the Minister for Police and Emergency Services when we consider what he has done to ensure that Victoria is ready for the threat of bushfire, flood and other natural disasters.

In the lead-up to this fire season we saw very little preparation. There was a two-month delay in Fire Action Week, and by the time it came around more than a quarter of the state had been declared to be in the fire danger period. As we know, once we are in the fire danger period there really is no recourse for land-holders who wish to carry out any fuel reduction using fire, and it therefore takes away from them one of their important tools. There needs to be a continuous effort to make Victorians aware of what they need to do in the lead-up to a bushfire season.

The opposition and the community have expressed their deep concern about the fact that the minister knocked back requests from the agencies for three *Elvis*-type air crane fire helitankers and instead funded only two. The government's cost cutting should not be an excuse for failing to give fire agencies what they need. Because of the amount of rain we have had over the last year or so, there has never been more vegetation around. There is a need for the agencies to have every tool at their disposal. The Minister for Police and Emergency Services has let down the fire agencies. If it was good enough to allocate fixed-wing aircraft and small water bombing helicopters in the Ouyen area and for the those at the CFA to say how fantastic that was to protect crops at that time — and we support that — it should be good enough to support Victoria's populated areas by providing a larger helitanker. The minister needs to

reprise his cost-cutting approach, take the advice of experts and act on it.

We have seen delay and obfuscation and a pulling away from the implementation of all 67 recommendations of the 2009 Victorian Bushfires Royal Commission. The government failed to meet its promise of the 30 December deadline for making important safety changes to Victorian planning provisions. Earlier I talked about the postponing of the annual Fire Action Week by almost two months. There has been a delay in the release of the final report of the Victorian Powerline Bushfire Safety Taskforce. It was six months late, and it was brought down in secret between Christmas and New Year.

Mr O'Brien interjected.

Ms GREEN — I see that the Minister for Gaming, who is at the table, is laughing; he thinks it's a joke. He is calling me a dope. Members look at him and they think he is an idiot; he opens his mouth and there is no doubt.

Members of my community, including farmers, were horrified and businesspeople across the state were horrified that they had no notification that from 23 January they would not have power restored on a bad fire day and that it could be a very long period of time before it was restored. If they have no power, they may not have water. They also may not be able to charge their mobile phones, which would mean they would not be able to receive emergency alerts. The minister at the table may think it is a joke, but Victorians in fire-prone areas who were left out of the responsible minister's plans in relation to this area do not think it is a joke at all.

The minister at the table might also think it is a joke that the government has funded only 60 CFA stations across the state when in fact 250 are needed. I know the Minister for Police and Emergency Services is saying he will fund those 250, but nowhere in the budget papers does it say there are funds for 250 fire stations. Firefighters across this state know they have been left out.

The government has failed to meet its own controlled burning targets. I know government members when they were in opposition were very good at dishing out the dirt to us when we were in government responding to and supporting communities after the horrific events of three years ago. Horrible and venal things were said to us. They said we had blood on our hands for the deaths of those people. It was a horrific misuse of the deaths of those people; it was done in the most venal

way. I actually lived through this. I lived through the misery of what those people went through, and I stand by them. Government members when in opposition talked a lot about controlled burning, but the fact is that figures of the Department of Sustainability and Environment show that in relation to the central region, which includes Melbourne, the Kinglake Ranges and the Otways, only 16 per cent of the government's own targets were burnt before the start of this fire season. That has jeopardised the safety of those communities.

I move on to deal with the emergency alert system. When we were in government we pleaded at ministerial council meetings for six years and to the then Prime Minister, John Howard, for a national approach to an emergency alert system (EAS). There is a need for carriers to be compelled through legislation, which only the federal government in federal Parliament can pass, to ensure Victorians and Australians will get a warning. For six years we heard no support from those on the other side of the house when we asked former Prime Minister John Howard to enact a system like that. It was only when the Rudd federal government was elected in 2007 that the work began through the cooperative efforts of Labor at the state and federal levels to bring in such a system. Sadly that system was not in place in time for the horrific fires on Black Saturday that took place just over a year later. The system was brought in to have messages sent to people's billing address after that. We saw that system utilised in subsequent fire seasons. The first stage was bought in under our watch. Victoria took the lead under the leadership of the Office of the Emergency Services Commissioner, which worked with the federal government.

Since this government came to office we have seen the handbrake put on. This system was used to great effect in relation to Cyclone Yasi and the Queensland floods and moving to stage 2 involves people receiving an emergency alert transmitted through mobile towers, but the handbrake has been put on by this dithering government, including by the part-time minister. The minister has been too busy with mischief going on under his watch and interfering with the work of the police and has not delivered to regional communities, has not supported our fire services agencies and has not delivered an emergency alert system.

What we saw in Melbourne on Christmas Day was a storm event. This followed on from the floods early last year, when the government was caught flat-footed. The emergency alert system was used sparingly at that point in time. We saw the devastation and the damage, with more than 40 per cent of Victoria's landmass covered in floods. The Minister for Community Services, Minister

Wooldridge, who is responsible for emergency relief, was seen once or twice in the area, but only before the event. She was not there to support communities in their hour of need. There had been damage to roads and bridges, and the government had said it had allocated funds to local government to restore those roads and bridges, but then, as part of its budget cuts in December, the government pulled back those funds. So those communities have been left in the lurch.

Then we come to the Christmas Day storms, which were an absolutely horrific disruption to many suburbs throughout the west and north of Melbourne. The Insurance Council of Australia has reported that more damage was caused on that one day to Melbourne's northern and western suburbs than was seen over the two months of floods that covered more than 40 per cent of this state. We know that there was a terrible event, and the government has responded in some ways, but it is still not enough for those communities. What has it done about the Christmas Day storms? Neither government ministers nor the Premier have set foot in the north or the west of Melbourne. People in the north and west of Melbourne have been left to rot in their homes, and there are hundreds of people who cannot live in their homes. Fundamentally these people did not get an emergency alert. Some people in Plenty received an SMS message from their insurance company that advised them to shift their cars into their garages because of the storms that were coming. However, there was no emergency alert from the government.

Listening to the Country Fire Authority radio I heard about the acts of heroism of CFA and SES members who had to leave their families on Christmas Day. There were acts of absolute heroism that I think this government is completely unaware of. I do not think it has even asked for a report. The opposition has requested a briefing. The opposition leader and I were twice afforded a briefing through the flood events of last year, but this occurred in Melbourne's north and west, which just do not feature for this government. Those areas do not feature in this government's all-hazards and all-agencies approach. This government could not care less. There were hundreds of people affected by these storms.

The acts of heroism I heard about on the radio that day during the flash flooding throughout Melbourne's north were akin to what had occurred in Toowoomba. There was flash flooding and emergency services volunteers — SES volunteers and CFA volunteers — put their lives on the line to get some people out of trees and rescue others from roofs. Families were forced to climb up through their ceilings and onto their roofs with

their little children and pets, with only a doona and an umbrella to shelter them, and the government did nothing.

Government members had to be dragged into the public domain to actually say anything before the media. The minister took three or four days to respond. I do not know what the Premier and other government members were doing — they were all swimming, shopping or sailing. The minister at the table appeared before the media on the following two days, 26 and 27 December, talking about shopping while the people who had been affected by the storms did not have water and did not have a bed to sleep in, and their buildings were uninhabitable. Meanwhile the minister was blissfully — —

Mr O'Brien — Why do you hate consumers?

Ms GREEN — I am talking about the consumers who lost all of their Christmas presents on Christmas night and whose cars were damaged or slammed into their homes. In Eltham I witnessed a pool table that had been bought by consumers and delivered the day before Christmas and that on Christmas Day had been slammed up against a wall, completely destroying the bottom of their home. We have seen nothing from this government — no explanation and no request for an inquiry as to why the EAS was not used.

There was no explanation from the Minister for Community Services. There were people with disabilities who live in a Department of Human Services (DHS) community residential unit (CRU) who were left for seven days in a property with a caved-in ceiling and mouldy carpets. These were six adults with disabilities who have no speech; they were given no support. They had been left to rot. A number of other CRUs in that region had been inundated, and I assume that the minister has not even asked for a report.

In regard to the people in the west, the DHS had nothing on its website for four days to advise people that they could acquire emergency relief. There were families who had spent right up to their limits at Christmas who were unable to access information and who were not advised that they could access information. The opposition put information on its websites and its Facebook pages on the night of Christmas Day and on the morning of Boxing Day. We were out talking to our community while government members were snoozing, sleeping, shopping and sailing. This is a full-time job. When you are an elected member of Parliament, a minister or a Premier, you do not sleep on the watch. When our communities are in trouble, members of the government should be there.

The member for Keilor was there, the member for Eltham was there and the member for Bundoora was there. All of the members from the affected areas were there, but there was no support from this government.

There needs to be an investigation into why the EAS was not triggered. On 27 December, two days after the Christmas storms, a government spokesperson, Simon Troeth, had the temerity to say it was not that bad and that the government had received only six or seven applications for emergency relief. However, the government had not advised anyone that they could get emergency relief! There was nothing on the website. There was nothing on the DHS website from this uncaring government — a government which says it has an all-hazards, all-agencies approach. You are not judged by what you talk about, you are actually judged by what you do on the ground.

I have been talking about the government's failure to warn people on Christmas Day. Nothing could be worse than what happened last Sunday to the terribly impacted people who live in my community. The horror that occurred — —

Ms Miller interjected.

Ms GREEN — The member for Bentleigh has asked me whether I held the hands of my constituents.

The DEPUTY SPEAKER — Order! The member should not respond to interjections. I ask government members to cease interjecting.

Ms GREEN — I am proud to have supported my community in their hour of need. On Sunday, when all of us were attending memorial services in the morning, with the appalling howling wind that we had, there was a call-out for fires at Bullengarook. Later we heard about fires at Dixons Creek, a township that had been impacted on Black Saturday. The people of Dixons Creek were terrified. Then we heard about fires in Strathewen. At 1.10 p.m. there was a pager message to say that there was a grass and scrub fire in Strathewen. It was actually under control at 1.50 p.m., but at 2.00 p.m. ABC radio conveyed a message that had been on the website since 1.30 p.m. that said that people needed to implement their fire plan and that a fire was imminent. The arrival of the fire was imminent in Strathewen, St Andrews, Panton Hill and beyond. Just imagine!

I beseech those on the other side to put themselves in the shoes of the people of Strathewen and St Andrews who lost so much in the Black Saturday fires — they lost friends, family members and homes. I ask them to think about how horrific it was for those people on

Sunday to have gone through that again and to have not been warned. There was no EAS to say, ‘Yes, there is a small fire. Just watch and act. You are going to be okay’. There was no reassurance. There was no message. There was news on the radio that the fire was approaching, but later there was no message to say that the emergency was over. People had gotten into their cars in a panic, nearly hitting each other and driving on the wrong side of the road — they were absolutely terrified.

I could not believe the brush-off response we got from the minister in question time on Tuesday. He did not think that the panic, the terror and the reliving of that misery by those families warranted an independent investigation. We on this side of the house believe it does warrant an investigation. You cannot just talk about supporting communities and say mealy-mouthed things about an all-hazards, all-agencies approach. You need to be serious about it. You need to look after people. I will look after the people of Strathewen and St Andrews across my electorate. I will not let them down; I will be there 24/7. It is not just a part-time job for me. I live and breathe supporting my community, as do other members on this side of the house.

We do not oppose the amendments to the Emergency Services Legislation Amendment Bill 2011, but I call on the Premier to not have a part-time Minister for Police and Emergency Services, to start taking this seriously, to get his Minister for Community Services to start supporting people after an emergency even if she is on holidays, and to get serious about supporting our communities in the event of an emergency.

Dr SYKES (Benalla) — It is my pleasure to contribute to the Emergency Services Legislation Amendment Bill 2011. I commence by thanking the opposition for indicating that it will not be opposing the bill. I recognise that a number of people in this Parliament are experiencing stress as a result of it being close to the anniversary of Black Saturday. I also recognise that the member for Yan Yean has highlighted the key aspects of this bill. But while the member for Yan Yean is present in this place, I will provide a little bit of history for those present.

Many aspects of this bill were actually part of a similar bill that was put before the house in 2007 by the then Labor government and debated on 10 October 2007. I moved an amendment to that bill to require that where there was the power for agencies to take water from private property to fight fires, that that water be replenished. We stood our ground on that amendment, and the bill was subsequently defeated in the upper house. But along the way, in the debate on the bill in

the lower house — and on that occasion we were in opposition and the member for Yan Yean was in government, so I spoke after her — —

Ms Green — On a point of order, Acting Speaker, I put it to you that the member for Benalla is misleading the house. What he said in terms of water is not relevant to this bill — —

The ACTING SPEAKER (Mr Tilley) — Order! What exactly is your point of order?

Ms Green — He is misleading the house and misrepresenting the debate that took place — —

The ACTING SPEAKER (Mr Tilley) — Order! The member for Benalla has only just risen to his feet and started his contribution in relation to this bill.

Dr SYKES — For anyone who wants to read the detail, this debate took place on 10 October 2007. I want to draw people’s attention to the member for Yan Yean’s response to my proposed amendment. She said:

There is now very little water in dams to fight fires anywhere. One of the silly proposals in the member for Benalla’s contribution was to build firefighting dams. This might be well and good if it rained but it does not rain anymore.

I repeat:

... but it does not rain anymore.

Yet the member for Yan Yean today attacked the government, which has acted on so many things not acted upon by the previous government, saying the problem that underpins the issues we have today is that it has rained so much.

I will concentrate for a moment on the bill, and then, time permitting, I might respond to the rewrite of history by the member for Yan Yean. Actually, I will go down that track a fraction further just for the moment. The member for Yan Yean attacked this government for allegedly failing to act on improving emergency services responses. We all remember that Labor had been in government for 11 years, and we will remember the first night the new Parliament sat in December 2010, when the member for Yan Yean got up and listed in excess of 20 issues that she wanted our government to fix because the previous government had failed to deliver — —

Mr Trezise — On a point of order, Acting Speaker, firstly, I stood on my feet 30 seconds ago and asked for a point of order and you ignored me; secondly, this has nothing whatsoever to do with the bill we are debating

at the present time. I ask you to bring the member for Benalla back to the bill.

The ACTING SPEAKER (Mr Tilley) — Order! There is no point of order. The member for Benalla did indicate that he is getting on to the bill.

Ms Green interjected.

Dr SYKES — The member for Yan Yean has corrected me and said it was 33 issues that the Labor government had failed to address.

On the bill, what we have is a significant step towards the implementation of the coalition policy for more efficient delivery of emergency services. That policy has been summarised as an all-hazards, all-agencies approach. To the credit of the member for Yan Yean and the opposition, they have actually indicated their support for that overall principle.

There are a number of aspects to this amendment bill. First of all, it increases penalties to ensure that there is a sufficient deterrent for violating the law and putting other people's lives and property at risk. Penalties have gone up and new offences have been created.

One of the important components of this bill is the extension of immunity to public liability that currently exists for our own firefighters and emergency services personnel to people coming from interstate and overseas to assist us. That is absolutely essential, because we have had a period of megafires and megafloods and we recognise that it is not possible to meet the demands of responding to these events on our own. Resource sharing has become a common and very sensible practice. It is essential to provide immunity for our interstate and overseas colleagues; it will enhance the way that these disasters are responded to.

Similarly, there are requirements in the bill in relation to road closures that attempt to better address the very difficult issue of when you impose road closures in the event of a disaster — in particular, fire. It is very difficult to get the balance right, but the enabling powers included in this bill will be a step towards making that work more practically on the ground. The bill also removes the distinction between urban and rural Country Fire Authority brigades. Again, the all-hazards, all-agencies approach is about everyone working together.

There is also the delegation of powers closer to the action, which is absolutely and fundamentally necessary. If members think back to the megafires in 2003 and 2006–07, they will remember that we had situations with the chain of command, where grassroots

firefighters who wanted to, say, do a back-burn in the cool of the evening, would need to go up the decision-making authority chain to central head office, and then the decision would come back down. It would take 4 or 5 hours to get a decision on whether or not they could proceed with a back-burn, and during that 4 or 5 hours the window of opportunity would be lost. The coalition government recognises that and is seeking to streamline that and provide delegation of powers to appropriate people closer to the action. The bill also includes recognition of the emergency services workers in the State Emergency Service and makes provisions for fundraising activities.

I will speak more broadly and highlight that our government has a very strong commitment to our volunteers. We have put in place and enshrined in legislation the volunteers charter, and we are looking after volunteers. We are also looking after our career firefighters and our other career emergency services people, because we recognise that as a basic principle they need support, they need personal liability protection and they need the cutting of red tape. That is what we are moving towards.

I also indicate that whereas the government before us sought to address a number of these issues by basically using an approach of putting a bandaid upon a bandaid upon a bandaid, with the wisdom of our Minister for Police and Emergency Services, a man who has a great ability to see the issues clearly and take decisive action, we as a government are moving towards a more pragmatic approach whereby we identify the problem and come up with the simplest and most practical solution to address that problem. That is very much to the credit of the Minister for Police and Emergency Services, who is doing an outstanding job.

I also highlight that we have the runs on the board. We have substantially increased the controlled burning. Yes, there are difficulties in getting it done across the state, but we have delivered a lot more fuel reduction burning across the state than the government that preceded us did for the preceding 11 years. We have also made a commitment to deliver on all 67 recommendations of the bushfires royal commission, and we are working through that. We are also delivering to our local brigades and our volunteers, with new trucks and new fire stations. I reject outright the accusations by the member for Yan Yean that we are not delivering. This piece of legislation before the house today is a very clear example that shows the Baillieu-Ryan government is delivering for all Victorians.

Mr TREZISE (Geelong) — It is all right for the member for Benalla to have a couple of cheap shots at the member for Yan Yean, but I am very pleased to be speaking after the member for Yan Yean, a person who has been a Country Fire Authority (CFA) volunteer for virtually all her life, who actually fought the fires on Black Saturday and who has tirelessly provided strong representation and support for her community following Black Saturday. I commend her for that work. As I said, I am proud to be standing here and speaking following her contribution.

As members have previously noted throughout this week, we are debating this bill in the week of the third anniversary of the tragic Black Saturday bushfires. Furthermore, it is only about one year ago that Victoria experienced disastrous floods that, as you well and truly understand, Acting Speaker, affected much of the northern part of our state in early 2011. One only needs to look further north to northern New South Wales to see that the ongoing ravages of flood are an ever-present concern to all communities, especially those in regional and rural areas.

Other members have spoken about Black Saturday. I do not want to go back over what they have said, except to say that there are days that are etched well and truly into our memories. As is the case for most Victorians, Black Saturday is well and truly etched into my memory. No-one could forget that day. I think it was something like 46 degrees — it was a day of absolutely blistering heat. The morning was actually relatively cool. It was not until around lunchtime that you could see how disaster could unfold, and tragically it did. The tragedy of that day changed Victoria and Victorians forever. It is imperative that governments of all persuasions do everything possible within their powers to minimise the risk of tragedies occurring again on such days. That is probably just stating the bleeding obvious, but it is actually correct. This bill takes steps towards that goal; I note that, and therefore the opposition is not opposing the bill.

In talking about emergency services and disastrous bushfires, I note that my electorate of Geelong and the wider region are not immune from such tragedies. One only has to think back to December 1998, when the Geelong West fire brigade, a historic fire brigade in the heart of the Geelong electorate, lost five of its own at Linton. That tragic loss of life rocked not only the Geelong West fire brigade but also the wider community of Geelong and no doubt the lives of those families who lost their loved ones on that day.

As the member for South Barwon would also appreciate, the Geelong region was greatly affected by

the Ash Wednesday bushfires in 1983, including areas down through Aireys Inlet and Lorne and into the Otway Ranges. I well and truly remember that day. I remember that when I was coming home the sky was absolutely orange. You would have sworn blind that the fires were only a kilometre or so away when in fact they were 50 or 60 kilometres away. Again, the image of ash floating across Geelong against an orange sky remains etched in my mind. Likewise the Lara bushfires in 1967 also affected the Geelong region, where I think something like 16 or 17 lives were lost on the Melbourne road. The point I am making, as the member for Geelong who has represented the area for 11 years, is that I well and truly know that we are not immune to the ravages of bushfire.

Like all legislation in relation to emergency services, the legislation before us today is important. Therefore, as I said before, we are not opposing the bill. The bill takes small steps forward in minimising risk in responding to disasters. In saying that, however, the opposition does have grave concerns, as the member for Yan Yean pointed out before, about some of the practical and on-ground initiatives that have not occurred or ones that the current government has been very tardy in implementing. First and foremost in my mind is the fact that in 2010 the Brumby government committed to an upgrade of 250 fire stations across Victoria. We have come to learn that this government has committed to only 60 of those upgrades in the 2011–12 budget. Therefore I call on this government to ensure that it provides more funding to ensure that 250 stations, not 60, are upgraded across Victoria over the coming years.

Another issue that is of concern to me personally is the Country Fire Authority's inquiry into the training practices that occurred at Fiskville during the 1980s and 1990s. I have a number of close friends who trained at Fiskville, as does the former member for South Barwon. The government should be implementing a full, broad-ranging, independent inquiry into what occurred at Fiskville, not just relying on the CFA, because as we know it was not just CFA employees and volunteers who trained at the Fiskville facility; as I understand it, people from the Metropolitan Fire Brigade and other organisations have trained at Fiskville as well.

Also of concern is the timing of Fire Action Week. That was a great initiative of the Bracks and Brumby governments. Fire Action Week should be implemented and should take place in early October. In 2011 there was a delay that meant that Fire Action Week was not held for another couple of weeks after October — well and truly into the fire season. Delaying

Fire Action Week at that time was reprehensible, and the government needs to ensure that from now on it takes place in early October and not late November or early December.

As I said, we are not opposing the bill. Other members have pointed out the various initiatives taken in the bill — important steps such as introducing an all-agencies, all-hazards response. We are supporting this legislation. I will not take up any further time, except to repeat that we are not opposing the bill. The legislation introduces a number of initiatives that we support, and I therefore wish it a speedy passage through the house.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to this debate on the Emergency Services Legislation Amendment Bill 2011. As with so much of the legislation that comes before this house, I am proud to stand here and support this important bill because it again demonstrates this government's commitment to the Victorian community and more importantly to delivering on our commitments to improving services, particularly emergency services. As the member for Benalla has indicated, this bill seeks to make a number of amendments to the operation of emergency services in this state. As intimated, the first step of this bill is to move towards achieving what is known as an all-hazards, all-agencies approach to emergency response, particularly for large-scale emergencies. We all would agree that that is an important approach with respect to the handling of emergency situations. Those of us who remember Black Saturday would understand the significance of a large-scale emergency.

The bill makes a number of other changes, including the creation of offences for those who seek to impersonate fire personnel. The current fine is around \$2442. This bill will increase the penalty to \$7328, which is in line with the offence of impersonating a registered health practitioner. This is again a small but important change. The bill also provides immunity with regard to personal liability for those who travel from interstate or overseas to assist with fire operations here — 3400 personnel assisted in this state during the fire season in 2009. This bill goes part of the way towards providing support, as well as recognition, for these workers.

We in Parliament hear a lot of speeches, but a few stand out. The member for Benalla reminded me of a contribution by the member for Yan Yean. We were told that it no longer rains in the state of Victoria. That was an interesting contribution. I do not know how she justified her position, but it stood out. It demonstrated

that the former Labor government was out of touch and out of step with the Victorian community, and the elections in 2010 clearly revealed that.

I want to pick up a point that the member for Yan Yean made with regard to the Christmas Day storms. I understand that the storms had a significant impact on residents in her communities. However, I would just like to remind those opposite that two years earlier, in March 2010, my communities of Rowville and Lysterfield suffered one of the most significant hailstorm impacts. An estimated \$800 million damage was done. Not one member of the then government travelled over the Yarra to visit my community. It is all well and good for those opposite to stand here and lecture us, but I pick up on a point that was made earlier: you are judged by your actions. I am reminded that not one of those opposite made any contribution on the damage that my community had experienced. Almost every home in Rowville, including my own, was damaged as a consequence of the hailstorm. Every home in Lysterfield was damaged as a consequence of the hailstorm. People accepted that, the world moved on and the government of the time moved on, so members of the opposition should not stand here and lecture us.

I am proud to see that this government is acting on bushfire prevention. The previous government implemented a policy known as 10/30, which provided for individuals in bushfire-affected communities to remove vegetation from their properties, but the former government arbitrarily drew a line at the boundary of the city of Knox, despite the fact that these people lived adjacent to a national park — —

Ms Green interjected.

Mr WAKELING — I will take up the interjection from the member for Yan Yean, who was supposed to be in charge of that portfolio. I understand it has been taken from her. At the time I contacted my community and said, 'Do you want the 10/30 rule to be applied to parts of Knox that are bushfire affected?'. The significant response was that a high proportion of those residents wanted it applied. I wrote to the then Premier, asking him to review the decision with respect to Knox. What was the response? 'Not interested. We do not care about people in Knox. We do not care about people in Melbourne's outer eastern suburbs.'

We went to the election saying that we would take action. That is exactly what we have done. If the member for Yan Yean had actually followed her portfolio properly, she would have known that in November last year the state government implemented

the 10/50 rule, which applies to people who live in bushfire management overlay areas. Over 1000 residents in my community now have the protection of the 10/50 rule afforded to them when previously, on the watch of her government, they were told, 'No, we won't listen. We won't do anything about that'. This not only benefits residents in the electorate of Ferntree Gully, it also benefits residents in the electorate of Monbulk, which is held by the now Deputy Leader of the Opposition — a position in which I know the member for Yan Yean would have done a fantastic job. I am sure all of us in this house would commend her on the job she would have performed in that important role. We listened and we acted. We asked the government at the time, and the answer was: 'No. We will not listen; we will not act'.

Another area on which we asked the previous government to act was in regard to the operation of the Rowville Country Fire Authority and the identification of a new home for the Rowville CFA. That burgeoning community, which has a need for the provision of permanent staff working alongside volunteers, agrees from CFA management down that there is a need to identify a new location. Sites were identified; people within CFA management had identified sites. I know that because they told me so. They asked the former government, but the former government would not act and the site in question became a medical centre. I drive past that medical centre. The community said, 'That is an example of a government not willing to act'. We said in opposition, 'We will work with the CFA. We will work with the local volunteers to identify a new home for the Rowville CFA'. We are working with the community, and we will fix the mess that was left by those opposite.

Volunteers are an integral part of emergency services, and I proudly attended the event at which the Premier and the Deputy Premier signed the volunteer charter, which is now enshrined in legislation. If memory serves me correctly, the member for Yan Yean attended that event and was happy to sit in the front row. It is great that the opposition took interest in attending that important event. We had members of the opposition all sitting in the front row smiling, and I am reminded that I was sitting there saying, 'It is interesting that they had 11 years'.

Mr Donnellan — On a point of order, Acting Speaker, the member appears to have an unhealthy obsession with the member for Yan Yean and seems to be drifting from the bill. I would encourage him to get back to the bill.

Mr WAKELING — On the point of order, Acting Speaker, I appreciate that the member for Narre Warren North was not in the chamber at the time, but the member for Yan Yean made commentary in regard to the charter. Therefore I believe it is entirely appropriate.

Ms Green — On the point of order, Acting Speaker, I did not mention the charter at any stage.

The ACTING SPEAKER (Mr Tilley) — Order! I have heard sufficient. I ask the member to get back to the bill and speak through the Chair, if he would not mind.

Mr WAKELING — In the time allocated to me, I say that this side of the house is clearly acting in the important area of bushfire prevention. More back-burning has been done by this government than those opposite when you use any comparison of equivalent times. We committed to adopting all 67 recommendations of the 2009 Victorian Bushfires Royal Commission — something those opposite were unwilling to do. We said we would act, and that is exactly what we are doing. Those opposite can sit there and whinge and whine and carp as much as they like, but the facts are plain. They had 11 years to fix these problems. They chose to do nothing. They come into this house lecturing us on our performance and then turn around and vote in favour of the legislation we put forward. Those opposite have no idea what they stand for. Victorians know that.

Ms GARRETT (Brunswick) — I rise to make a contribution to the debate on the Emergency Services Legislation Amendment Bill 2011, and in doing so I join with the many other members of this house to pay my deepest respects to those individuals, families and communities that suffered so much as a result of the Black Saturday bushfires and honour the work of the emergency services personnel who battled so bravely during those dark hours. Three years on, many communities in Victoria are still grappling with the extraordinary toll of those horrific events, and during this anniversary week all members of this house have been united in restating our compassion for and commitment to those affected.

This week also serves as a timely reminder of the absolutely critical role emergency services workers play in protecting our community. Thousands of paid and volunteer emergency services workers dedicate their time and skill and often risk their lives to serve our community every single day. Therefore it is vital that the frameworks that support emergency services workers, the organisations they represent and the communities they serve are of the highest order.

As we debate the contents of this particular bill, which cover a range of matters relating to emergency services personnel and their organisations and the safety of our community, it is important that we consider this legislation in the broader context of the government activity — or lack thereof — in these areas. As our lead speaker so ably pointed out, there have been a range of clear and manifest failures of this government since it took office some 14 months ago. The member for Yan Yean set out those issues most articulately, despite what I must say was a range of extremely unedifying and nonsensical jeers and giggles from those opposite, which only serve to remind us all that many on the government benches simply do not give these issues the respect and seriousness they deserve. We would ask them to perhaps reflect on their performance today.

As we have heard, the purpose of this bill is to modernise some outdated provisions, make resultant amendments and increase selected penalty provisions. The bill creates several new offences for actions that prevent fire services from rapidly responding to emergencies, including damaging, interfering with or resetting fire indicator panels. We understand that this is a growing problem. The wiping of data from those panels can lead to problems in the future. Clearly, knowingly making a false report of fire activity is a waste of time and resources and can divert attention away from real emergencies to invented ones. Those penalties are appropriate.

The bill also empowers the CFA (Country Fire Authority) chief officer to close off traffic from roads that are impaired by smoke, and it gives a greater range of sergeants and other officials the power to declare emergency areas on their own authority for the purpose of excluding the public. Again, these are important steps to provide clear responses in what are inherently chaotic and distressing situations.

As we have heard, the bill extends immunity provisions in the fire services legislation to interstate and international firefighters and extends access to injury compensation schemes. This acknowledges the practice that has occurred for many years. Victoria has a proud history of providing a helping hand to other jurisdictions, both domestic and international, when they experience emergency events, and we have also been very lucky to welcome the support of domestic and international emergency services personnel to our own home when we have experienced the dramas and devastation of bushfires and other natural events. The bill's provisions are important, as they reflect existing practice and ensure that these important and helpful arrangements continue.

Responding properly and efficiently to emergency events is absolutely critical to maximising the safety and security of people and property. However, such response by the government is not limited to the immediate callout of emergency services personnel. Governments are required to stand with affected communities throughout an emergency event and its aftermath. As we have heard from the lead speaker for the opposition, this government has been glacially slow to respond to the devastating effects of the weather events on Christmas Day, which wreaked absolute havoc in the north and the west. There is extensive and devastating damage. Families remain out of their homes, which has been the case for weeks. They face very bleak months ahead before they can return. They are distressed and despairing, and this government's failure to stand with those communities has been very stark.

The government has been asleep at the wheel in relation to the emergency alert systems not working as they should and in particular the situation that occurred during the Strathewen fire, which the member for Yan Yean set out in her speech. This is clearly not good enough. We reiterate the calls for an independent investigation into what took place in those failures, because dealing with emergency events and looking after our emergency services personnel and organisations is about putting your money where your mouth is and appropriately resourcing those services and that infrastructure in times of need. It is about ensuring that responses are made when emergency services organisations are asking for other resources, such as *Elvis*, and ensuring that those resources are made available quickly. It is about funding appropriate CFA stations, and we note the absolute disparity between Labor's commitment regarding 250 new CFA stations, the paucity of stations that has been on offer from this government and the way in which it has identified those areas of serious risk. We note in particular that the government's decision not to build fire stations in areas such as Mount Helen poses a direct risk.

As has been said, Labor does not oppose this bill. I will conclude my remarks shortly to allow time for those on this side of the house who also take these issues extremely seriously and really want to contribute to this debate. On its current form we will be closely watching this government not just on how it implements these changes but also on its continued role in emergency service responses and management. To date the cogs have been turning ever so slowly. The community deserves better, and we will be holding this government to account.

Mr ANGUS (Forest Hill) — I am pleased to rise this morning to speak in support of the Emergency Services Legislation Amendment Bill 2011. From the outset we can see that a broad range of purposes are associated with this bill. It will amend the fire and emergency services legislation in a range of ways, in particular to reflect current organisational arrangements, enhance operational efficiency, modernise outdated provisions, increase penalties and create new offences to mitigate risks, amongst other things. It is a broad-ranging bill in that regard.

If we go back somewhat we can see that this is part of the coalition government's comprehensive and positive response to the 2009 Victorian Bushfires Royal Commission report. That provides the context for this and other actions that have already taken place. At this stage I will also say that, as others have mentioned in contributions on this bill and in earlier contributions this sitting week, 7 February marked the third anniversary of the bushfires and we remember that with heavy hearts as we debate this bill.

Last September the government released a green paper on emergency management entitled *Towards a More Disaster Resilient and Safer Victoria*, which is a comprehensive document. One of the principles that came out of that is the issue of the all-hazards, all-agencies approach to emergency response, which clearly is particularly relevant for large-scale emergencies. This bill continues to ensure that that approach is adopted and seen throughout the various pieces of prevailing legislation.

The government has already taken steps to improve emergency service delivery. Along with the green paper it released another document, entitled *Victoria Prepared — An Action Plan*. It contains a range of measures, including, firstly, clarifying the responsibilities of the minister and the Chief Commissioner of Police in emergencies; secondly, clarifying the ability of the Victoria State Emergency Service to delegate powers and other measures; and, thirdly — and this is the point I want to rest on — requiring emergency agencies to assist in response to large-scale emergencies in addition to their specific hazard responsibility. The coalition government has already addressed the first two points I have just mentioned, through the Emergency Management Legislation Amendment Act 2011, which was enacted before Christmas, and this bill now deals with the last of those points.

I turn to the bill itself. As I said, it is a comprehensive bill which covers a range of areas, which I now want to touch on. Clause 1 outlines its purposes in great detail.

The first is that it will amend the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 in a range of ways — to reflect current organisational arrangements and clarify the command structures applying at fires, to increase penalties and create new offences to mitigate risks that undermine effective emergency response and community safety and to modernise outdated provisions.

The second purpose is to amend the Victoria State Emergency Service Act 2005 in a number of areas, particularly in relation to fundraising and promotional activities, which I will not go into at the moment. Thirdly, the bill will amend each of the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958 and the Victoria State Emergency Service Act 2005 in a couple of ways: firstly, to insert a definition of major emergency; and secondly, to incorporate a general emergency responsibility to assist in the response to large-scale emergencies. It provides a framework for uniformity across the different pieces of legislation and improves the definitions within them.

The next purpose of the bill is to amend the Emergency Management Act 1986 particularly to enhance police powers specifically relating to the declaration of emergency areas and the operation of roadblocks and to realign the offence relating to the making of false claims for compensation. Again there are fairly wide-ranging components in that provision. The bill will also amend the Emergency Services Telecommunications Authority Act 2004 to allow the emergency services commissioner to determine generic as well as agency-specific standards for the service performance of the Emergency Services Telecommunications Authority. It also provides for the removal of some redundant references to certain ambulance services.

Another purpose is to amend the Forests Act 1958 to insert an immunity provision applying to authorised officers and other persons in exercising their specific powers or discharging their duties in relation to fire activities. That is a very important aspect. We have heard other contributors mention this, and I also want to highlight it, because in recent years in this state we have had some catastrophic events — of whatever nature, but certainly fires — and we have had to call on resources from other places. It is entirely appropriate to extend the immunity provisions that apply to our own volunteers and paid members to any volunteers or paid members who might come from other jurisdictions, internationally or interstate. That is an important amendment in this bill.

The bill will also amend the Summary Offences Act 1966 as a consequence of amendments made to the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958.

This measure is part of the approach of the coalition government, and it is something that we on this side take seriously. I note from comments from the opposition that it will not oppose the bill, and that is very positive. We on this side are committed to introducing world's best practice in the emergency management framework. This bill goes further along that track to ensure that we bring in a uniform approach and that everything will work to our advantage in the event — sadly, probably the inevitable event — that we face another situation like those we have faced in recent years.

In terms of fire services legislation the bill will amend both the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 to modernise a whole range of provisions and to improve community safety. In my concluding comments I want to touch on a couple of matters. The bill will allow the fire services to charge owners, occupiers and owners corporations, whichever is relevant, when the fire services attend a false alarm of fire and there is no reasonable excuse for that alarm. It sheets home responsibility for building owners to ensure that their alarm systems are robust and working properly. It creates new offences regarding knowingly damaging or interfering with or resetting, without the consent of the fire services, fire indicator panels. That is an important matter which has been highlighted by others and which I highlight as well. We cannot have owners of premises resetting alarms and thereby removing the trail, if you like, as to what triggered a particular alarm within their premises. That is an important aspect of the legislation.

The bill also allows the fire services to require private alarm monitoring services to provide prescribed information, which beefs up the follow-up that can come from the turnout at false alarms or at fires themselves. It also updates a number of penalty provisions to ensure conformity with the sentencing framework in the Sentencing Act 1991. It makes the necessary adjustments to bring consistency and to deal with the current inconsistencies that are apparent throughout the legislation.

In conclusion, this bill is a continuation on the journey of implementing best practice in relation to the emergency services area. I congratulate the minister and his team on putting these amendments together, and I commend the bill to the house.

Mr PERERA (Cranbourne) — I wish to speak on the Emergency Services Legislation Amendment Bill 2011. According to the minister the bill is designed to change the legislative framework for the delivery of emergency services to suit Victoria's changing environment. The bill makes minor legislative changes to that effect. They are necessary but, as I said, minor. The opposition does not oppose these changes.

Among a few other minor amendments to the emergency services regime the bill does the following. It legislates to empower all three agencies — the Metropolitan Fire and Emergency Services Board, the Country Fire Authority (CFA) and the Victoria State Emergency Service (VICSES) — to assist in response to any major emergency situation. It extends existing immunity provisions to protect interstate and international firefighters who visit Victoria to assist in our emergency situations. The bill clarifies that all interstate and international firefighters present in Victoria for firefighting purposes and their equipment are under the authority of the chief officer of the relevant services. It also clarifies that VICSES is able to engage in fundraising and promotional activities. Among a few others, these are all reasonable legislative changes.

The minister's explanation of the bill was that it was designed to ensure that the delivery of our emergency services met the contemporary needs of Victorian society. However, the most important factor in an emergency services regime is to plan for the future and prepare for the unexpected at any location at any time. Therefore it is vital to spread service units across the state so that the local units can get to the trouble spots in their localities at the earliest possible time, thus minimising the spread of the damage. This might in some cases also reduce the requirement to get support from interstate and international firefighters. Having a comprehensive policy basis for VICSES unit locations and having units with appropriate strength in each location have been imperatives in meeting the needs of contemporary Victorian society. Without addressing these fundamental principles, this bill is limited to cosmetic fixes at the edges.

I would like to refer to the VICSES central region review that took place two years ago and that determined the capability required for units to manage the risks in and needs of the communities they serve. In the central region the review came up with one unit of 50 members per 135 000 people living in primarily residential single or multistorey dwellings. It was brought to my attention by the Casey council that this review has fed into what VICSES has now adopted as

its emergency response activity standard (ERAS) profile statewide.

Unfortunately the response of the Minister for Police and Emergency Services to the City of Casey's request for a second VICSES unit indicated that the minister was not aware of such guidelines. The new business rules surrounding the ERAS profile adopted by VICSES use a base population of 150 000 per SES unit. A population base of between 150 000 and 200 000 would require the establishment of a satellite unit to the main unit. A population base in excess of 200 000 would require the establishment of an additional stand-alone VICSES unit to service the municipality. Based on these ERAS profile figures, the establishment of an additional SES unit within the next couple of years in the city of Casey, which has a population of more than 253 000 residents and is growing rapidly, is warranted.

Recent weather activity has clearly demonstrated that emergency events such as storms and floods often affect a number of municipalities, thereby stretching the resources of VICSES units within those municipalities and across Victoria. These situations were exemplified by the 2011 storm and flood events, the 2011 Christmas Day hailstorm and a recent fire that threatened the Strathewen township. The emergency alert system introduced by Labor, which has been used to great effect in other states to warn people of the threat of fire, flood and cyclone, was not used to alert Victorians during recent emergencies such as the Christmas Day storm and the fires that threatened the already traumatised communities of Strathewen and St Andrews last Sunday. This has made people very afraid of living in Victoria under the Baillieu government's poor management of emergency instruments.

The safety of my community is paramount. Under these circumstances, I cannot trust this government to handle emergency situations by using the available instruments. Therefore I am strongly supporting the establishment of a second VICSES unit in the southern part of the Casey City Council area.

I would like to refer to some instances of the Baillieu government's record in this space. It has done very little to ensure Victoria is ready for the current bushfire season, it has knocked back the requests from fire agencies for three aircrew firefighters and settled on funding only two, and it has let the promise to implement all 67 bushfire royal commission recommendations disappear through the window, proving it cannot be trusted in these matters. Another broken promise.

The government also failed to meet its own controlled burning targets across the state, achieving only 16 per cent of its target in Victoria's central region, one of the most fire-prone areas in the state. Many high-risk areas have been excluded from the bushfire-prone-area maps released recently. This is simply playing dangerously. The government has also funded only 60 CFA stations instead of the 250 needed. It failed to meet the promised 30 September deadline for making important fire safety changes to the Victorian planning provisions.

I urge the Baillieu government to get serious about the provision of emergency services and provide real funding to expand emergency services rather than hiding behind cosmetic changes to the legislative program.

Mr BULL (Gippsland East) — I rise in support of the Emergency Services Legislation Amendment Bill 2011. As the members for Ferntree Gully and Forest Hill pointed out prior to my getting to my feet, this is a government that listens and responds. This bill makes several important changes relating to fire and emergency services and provides a much greater level of support in a number of areas. A lot of the changes the bill proposes are about keeping up with the times — that is, keeping up with the changing demands of our emergency services and with new technologies.

In the state's fire and flood prone areas, including my electorate of Gippsland East, which is arguably the area most prone to fire and flood, it is critical that our fire and emergency services receive maximum support. These changes reflect current organisational arrangements, enhance operational efficiencies and modernise a number of provisions. One of the most important things they do is create new offences and increase penalties for actions that undermine our emergency services and therefore impact community safety. I would like to comment on a couple of these initially.

The bill increases certain penalties in the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 so that they are consistent with the Sentencing Act 1991 and serve as a much more effective deterrent to potential perpetrators. For example, the penalty for impersonating a fire officer is currently a little over \$2400, despite the potential risk to the public, public assets and personal safety this can cause. This bill increases the penalty to over \$7300. As the member for Ferntree Gully quite rightly pointed out, this is in line with the penalties for impersonating a registered health practitioner. I think the Victorian public would feel this is a far more suitable and appropriate penalty for people who want to undertake those sorts of actions.

The bill makes other amendments to provisions in the Metropolitan Fire Brigades Act 1958 to mirror those available to the Country Fire Authority (CFA), including an offence of obstructing or hindering fire services. This is a very serious offence which compromises the ability of fire service personnel to respond effectively when called upon and places the safety of firefighters and the public at risk.

The bill also creates several offences for actions that prevent fire service personnel from responding to emergencies. They include the offence of damaging, interfering with or resetting fire indicator panels and of knowingly giving a false report of a fire. Knowingly giving a false report of a fire should certainly carry serious penalties. It can impact on the response times of emergency services staff, who should be attending genuine emergencies. I am sure all members of the house would agree that a harder line is required in this area and would welcome one. The resetting of fire indicator panels removes data about the source of the fault that causes a fire. It also delays fire services personnel by requiring them to search a premises to identify the fault or the cause of a fire when that information should have been much more readily accessible and easily available.

There are also changes to better protect visiting firefighters. In recent years we have had a number of firefighters from other states and countries come to this state. Victoria, as we know, is one of the most fire-prone areas in the world. In 2009 we had 3400 visiting firefighters not only from interstate but also from New Zealand, Canada and the United States. They fought alongside our own firefighters. Given that the unfortunate circumstances that caused that situation are almost certain to revisit us in the future, this bill extends the existing immunity provisions in the legislation to protect interstate and international firefighters from personal liability. It affords them the same protection given to firefighters in our own state.

Victoria certainly gets more than its fair share of natural disasters, and in recent years we have seen Mother Nature flexing her muscles with fire, flood and storms. In my electorate of Gippsland East we have experienced all three in the last 12 months. Last year's floods hit on a scale that was too large for any one of the emergency services to manage alone. As part of my involvement with the Gippsland Emergency Recovery Committee I have been to a lot of the affected regions and experienced the massive scale of that disaster. Two subsequent inquiries clearly pointed out the need to reform Victoria's arrangements for mitigating, responding to and recovering from large-scale emergencies. This bill is the first step towards achieving

that; it will establish an all-hazards, all-agencies approach to emergency response, particularly for large-scale emergencies, as we have seen in recent years.

Since coming into office over a year ago the government has acted to deliver on its commitment to support Victoria's fire and emergency services, making it easier for the people providing those services to continue to protect Victorians to the best of their ability. In the last year the government provided a support package for CFA firefighters. It included better training opportunities, improved facilities around the state and provided unprecedented funding for the Victoria State Emergency Service (SES). We have provided Victoria's emergency services with state-of-the-art communications. We are a government that is doing plenty to assist our emergency services.

This bill also amends the Emergency Services Telecommunications Authority Act 2004 — the Emergency Services Telecommunications Authority is better known as ESTA — to allow the commissioner to determine standards for the service performance of ESTA. It will allow ESTA to manage call-taking on a combined rather than single-agency basis, which is more operationally efficient, requires fewer resources and increases compliance with standards.

The government is committed to delivering a modern, all-hazards, all-agencies emergency management framework, and it is dedicated to supporting our emergency agencies to protect Victorians. That goes to the very substance of what this bill is about — that is, making life easier and giving the agencies the tools and the training they need to be able to protect Victorians. It goes a long way towards doing that. The bill represents a significant step in that reform process.

As I have said, this is a government whose members listen. We are not only implementing the changes being made by the bill; we are also doing a lot more fuel reduction burning in our state. We certainly recognise and appreciate the importance of that. Fortunately for us, my electorate was not one that was impacted upon as significantly as others by floods and so it reaped the benefits of having an extensive burning program, which the figures reflect. Members of the community rest a lot easier knowing that the increased burning is going on and that they have increased protection.

Just before I finish speaking on this bill relating to emergency services, given the week in which Parliament is sitting it is pertinent to remember the disaster of Black Saturday — the anniversary of which we obviously observed in this chamber on Tuesday —

and the many Victorians who unfortunately lost their lives, the many others who have ongoing battles as a result of that and also unfortunately the many others who since that day have taken their own lives. I also recognise the number of families who were impacted upon by what happened on that day, those who lost not only family members but also friends, colleagues and wider community members. As I said, while speaking on a bill relating to emergency services it is pertinent that we reflect on that day and extend our condolences.

With that, I note that contributors to the debate on both sides of the house are not opposing this bill, and I certainly wish it a speedy passage through the Parliament.

Ms EDWARDS (Bendigo West) — I also am pleased to make a brief contribution to the debate on the Emergency Services Legislation Amendment Bill 2011. Three years ago people in areas of my community in Bendigo, Long Gully, North Bendigo, Maiden Gully and Eaglehawk confronted the worst fire in Bendigo's living memory. Along with other Labor members I acknowledge and pay respect to the many families who have lost members and whose lives were shattered by the Black Saturday fires. Before I commence speaking on the bill, I also extend to the many volunteers in both the Country Fire Authority (CFA) and the State Emergency Service (SES) and to other emergency services personnel our eternal gratitude not just for their remarkable work in times of emergency but also for their ongoing community support.

This is another amendment bill from the coalition government. This one amends a number of acts in order to implement an all-hazards, all-agencies approach for emergency responses. Labor does not oppose the bill. The bill is also partly a response to the government's green paper and the recommendations in the bushfires royal commission report. Among other changes as well as changes to terminology, the bill increases penalties in the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 to bring them into line with those in the Sentencing Act 1991. For example, these changes bring in new penalties for anyone who tampers with fire services equipment and for false alarm call-outs.

As has already been mentioned, the bill also extends immunity provisions to interstate and international firefighters. That is a logical amendment, given the extent of the support Victoria received during the Black Saturday bushfires from both interstate and international firefighters, to whom Victorians are eternally grateful.

The amendments to the legislation appear to be logical, but what is not logical is that the Liberal-Nationals government, while tinkering with legislation, has failed to keep up with the increasingly important emergency services portfolio. It is one thing for the Minister for Police and Emergency Services when he was in opposition — for a very long time — to have whinged and complained about how the Bracks and Brumby Labor governments were handling this vital portfolio, but when in government you have to roll up your sleeves and do the hard yards, and it is obvious that the minister cannot keep up, especially when confronted with emergency situations.

I refer briefly to the floods in January last year around Newbridge and Bridgewater. The day after the flooding, along with the then shadow emergency services minister, the member for Yan Yean, I went to Newbridge and Bridgewater. Not one member of the government had been to see the devastation for themselves. Not one representative of the government had even tried to contact the locals to discover what they needed. The people in those towns were reeling and isolated. They were desperately in need of toilets, dog food and other essentials, but no-one from the government seemed to even know where Newbridge or Bridgewater are.

We know that there are communities still suffering after last year's floods — for example, Charlton still has no hospital. Then there was the recent announcement that the government has pulled back funding to repair key flood-affected roads. This was in addition to the fact that it took a year before the Bridgewater-Maldon Road at Bells Swamp in my electorate was reopened. It was closed for one year when the round trip detour is about 80 kilometres long. Why was that? The answer is because the government, including Mr Drum, a member for Northern Victoria Region in the other place, did not even know where the Bridgewater-Maldon Road or Bells Swamp were or that the road had been closed. It was four months after the floods before government members even noticed.

It is clear that the government generally and the minister for emergency services in particular need to lift their game, especially in response to emergency situations and their increasing frequency due to the extreme weather events we continue to experience. The amendments made by this bill empower the chief officer of the CFA, in the event of smoke impairing visibility, to close roads to traffic. That is a sensible call, but I suggest that government members must have smoke in their eyes — because their ability to see that the fire maps drawn up in October last year were a joke seems to be affected.

Areas of Castlemaine, Maldon, Bendigo, Ballarat, and indeed right across Victoria have been put at risk because these fire risk maps — drawn up without the advice of the CFA being taken into account — are both confusing and inconsistent. In fact the government's assessment of at-risk areas across the state omitted parts of at least 23 communities classified as at risk on the CFA's Victorian Fire Risk Register. It is completely illogical to have houses on one side of a street identified as at risk and requiring tougher building standards while houses on the other side are not. In some cases, half a house is identified as being at risk and the other half is not.

The amendments in the bill clarify that the Victorian SES may engage in fundraising and promotional activities. This is just as well, because our hardworking, dedicated volunteers in the SES and the CFA will have to fundraise very hard indeed to make up the shortfall in funding from this miserly government. Labor had a commitment to upgrade or rebuild 250 CFA and SES stations in Victoria. What do we have from this mean-spirited government? We have just 60 stations, and nowhere in the forward estimates is there any commitment to any more than 60.

The government needs to start being honest with Victorians and stop making false claims and raising the hopes of CFAs across regional Victoria that they will get anything from it. Many communities in regional Victoria are missing out. To name but a few, Marong CFA and SES, Huntly CFA, Mount Clear-Mount Helen CFA and Hepburn CFA are missing out, but there are many, many more.

The legislation removes the distinction between urban and rural brigades, which is consistent with the current administrative approach. What is not consistent is this government's action on the messages about fire risk being sent to communities. Delaying Fire Action Week until late November, when 25 per cent of the state had already been in a fire restriction period, and failing to fund a third airframe for the 2011–12 fire season are just two examples of that inconsistency.

This bill takes another step towards the implementation of an all-agencies, all-hazards approach, which the stakeholders involved, such as Volunteer Fire Brigades Victoria, the United Firefighters Union, the Australian Workers Union and the Community and Public Sector Union, have all said they have no issue with, just as they have no issues with the legislation. Labor does not oppose the bill.

Ms McLEISH (Seymour) — I rise to support the Emergency Services Legislation Amendment Bill 2011,

and I am very pleased also to hear that the opposition is not opposing it.

An honourable member — You wouldn't have thought so.

Ms McLEISH — Exactly. You wouldn't have thought so from the way they have spoken, which is quite disappointing, and it is very short sighted given that opposition members were in office for 11 years and had time to do some of these things. This bill will help us to better manage emergency and disaster situations. Like the emergency management bill we introduced last year — it seems to be forgotten that work has already been done in this field — this bill will allow our government to continue to deliver on our commitments with regard to bushfire safety, while at the same time extending beyond this to other large-scale emergencies.

To implement this bill we need to amend a number of acts, some quite extensively. For instance, the Country Fire Authority Act 1958 (CFA act) has 56 provisions that need amending; the Metropolitan Fire Brigade Act 1958 (MFB act) has 40; the Victoria State Emergency Service Act 2005 (VICSES act) has 5; the Emergency Management Act 1986 has 7; and the Emergency Services Telecommunications Authority Act 2004 has 5, of which 2 need to be repealed. The Forests Act 1958 and the Summary Offences Act 1966 will also be amended. A range of acts will be amended to bring about greater consistency and to help with the better management of large-scale emergencies.

To put a little bit of context around the bill, events of huge proportions, such as large-scale emergencies, happen from time to time, and we have seen more than our fair share in Victoria with the devastating fires, floods and storms. These events require a lot of resources to manage, and as we know, it is way too much for one body. In recent times we have seen all our emergency response teams do stellar jobs, and they are to be commended for their work in difficult and dramatic circumstances. However, there were lessons to be learnt. Following the 2009 fires we had the 2009 Victorian Bushfires Royal Commission, and following the 2010–11 floods we had the Comrie report on flood warnings and responses. Key to the Comrie review was the notion of an effective all-hazards, all-agencies approach. The coalition government is intent on delivering such a framework in the area of emergency management.

In line with the coalition's community consultation pillar and the all-hazards, all-agencies approach we released a green paper called *Towards a More Disaster Resilient and Safer Victoria* which sought ideas from

the community and stakeholders as to how our state could better manage our response to emergencies. It is important to note that many people who were impacted on or who were on the ground when some of the services were deployed or who had been working in the services could see that some things could perhaps be done a little better. It is terrific to be able to consult widely, and those stakeholders had an opportunity to provide their feedback and be listened to. As I said, the coalition government is determined to make sure that we consult with and listen to communities.

I want to talk in a little bit more detail about some of the acts amended by the bill. I mentioned before the CFA and MFB acts. Some of those changes are reflecting changes to organisational arrangements and clarifying the command structure. I heard the member for Gippsland East talk about some of the increased penalties, which will be consistent with the Sentencing Act 1991, as being a more effective deterrent against certain offences. As he outlined, the fine for the offence of impersonating an officer will be increased from 20 penalty units to 60 penalty units. In monetary terms the fine increases from \$2500 to over \$7500, which is much more in line with the potential risk to life, public safety and public confidence in fire services.

The bill also creates new offences to mitigate risks that undermine effective emergency response and community safety, such as people who get in the way of and perhaps prevent a prompt response or who delay rescue attempts or provide false reports. Things like that draw on our services and take away their immediate availability for a prompt response elsewhere. As we heard from a couple of members, some of those risks include interference with fire indication panels and a deliberate action of resetting a panel after an alarm. The bill also includes the modernisation of outdated provisions.

I want to talk for a moment about Victoria State Emergency Service (VICSES). It is important that the provisions in the legislation are changed to align with provisions in the Accident Compensation Act 1985 so that workers can also utilise some of the things available through that act, such as the Accident Compensation Conciliation Service and medical panels. In the past I worked at the conciliation service; these bodies can take away some of the long legal battles and look at a more conciliatory outcome. The bill clarifies that VICSES is able to engage in fundraising and promotional activities, which is a good thing. Under the proposed legislation the CFA, MFB and VICSES acts are all amended to include the same definition of a major emergency and to incorporate the administration

of general emergency responsibilities to assist in the response to large-scale emergencies.

The Emergency Management Act 1986 amendment will enhance police powers relating to the declaration of emergency areas and the operation of roadblocks, including some time frames around that — for instance, the extension of the declaration period from 24 hours to 48 hours, which will allow suitable recovery time after an emergency.

There are interesting changes to the Emergency Services Telecommunications Authority Act 2004. The emergency services commissioner determines performance standards for that agency, which provides and manages operational communications for the dispatch of the emergency services. Allowing the commissioner to determine generic as well as agency-specific standards will also allow for better management of call-taking to bring about greater operational efficiencies. It will use fewer resources and increase compliance.

I will touch on the Forests Act 1958 for a moment as well. The Department of Sustainability and Environment (DSE), as we know, gets involved in firefighting operations and other fire management activities, and it also conducts burning. This bill will protect those activities and also the partners that are involved. There are a lot of partners, such as the Department of Primary Industries (DPI) and VicForests, and also other interstate and international firefighters. There were nearly 3500 international and interstate firefighters who worked with us in 2009. The area of personal liability in that sort of situation is being addressed through the bill, because it will offer consistent protection for them. We need to have people from interstate and overseas to help out during emergencies.

In Alexandra, luckily, there is a new DSE headquarters being built, and one particularly good aspect is that it is being set up to accommodate the all-agencies response. The headquarters includes a three-level control centre which will be equipped with the latest technology, and the building can quickly be adapted from a normal office mode to accommodate extra emergency personnel. Within that building there is a little hub where the Country Fire Authority (CFA) and DPI personnel can work, and all those sorts of people can be brought together so that they are all immediately singing from the same hymnbook and from the same page, which is a terrific thing in times of a disaster response.

We consulted widely on the drafting of this bill. We received support from the CFA, the Metropolitan Fire and Emergency Services Board, VICSES, the Emergency Services Telecommunications Authority, Victoria Police, DSE, the Office of the Emergency Services Commissioner and the fire services commissioner, as well as the Department of Justice. This legislation will take effect on the proclamation day or days; however, if a provision does not come into operation before 1 December 2012, it will do so on that date. I am pleased to have spoken on this bill today, and I commend it to the house.

Ms HUTCHINS (Keilor) — I rise to speak on the Emergency Services Legislation Amendment Bill 2011. Opposition members support the bill and the implications of the amendments outlined in the bill; however, we will be raising the importance of the resourcing and coordination of ongoing support to Victorian communities affected by emergency disasters. I wholeheartedly support the all-hazards, all-agencies policy underpinning the emergency services practices and the amendments as outlined in this bill, but the government needs to ensure that it resources the planned coordination around emergency disasters to minimise risk to residents, to support victims during and after disasters, to support the Country Fire Authority (CFA) and State Emergency Service (SES) volunteers and workers, and to commit to assist communities in rebuilding not only in the days immediately after a disaster but also in the subsequent months and years. I fear, though, that the government's recent announcement that it will cut 3600 jobs from the public sector will undermine the implementation of a policy around all-hazards and all-agencies. Those agencies need to be well equipped and resourced in order to underpin the amendments as outlined in this bill.

I note that the emergency services all-hazards, all-agencies policy has been severely compromised in recent weeks with the unfortunate catastrophic disaster of the hailstorms and the mini tornado that hit the western and northern suburbs of Melbourne on Christmas Day 2011. No-one in their right mind in the whole of Victoria would have thought that in the suburbs on Christmas Day we would see a white-covered front yard or backyard with hailstones the size of golf balls, lemons or oranges. They were very big, and not only did they cause severe damage to roofs but they also managed to penetrate windows, destroy cars and destroy community facilities.

The local SES, particularly the Brimbank unit, and local police members and fire officers were quick to respond on the day, but it was the days that followed in

which residents really needed the assistance of government and really needed the emergency services agencies and supporting departments to respond. I acknowledge that at that time of the year, on Christmas Day, with many people on leave, it is never easy to get a response happening quickly. However, we need to have plans in place because unfortunately disasters do not wait for public holidays.

The insurance industry has now deemed the hailstorm and mini tornado that hit the northern and western suburbs on Christmas Day a catastrophic disaster. In my electorate of Keilor alone, in the suburbs of Keilor Downs and Taylors Lakes, we had 1700 SES call-outs within four days. Over 10 000 homes were directly damaged, over 400 families are still displaced from their homes and unable to return due to structural building damage from both flooding and hailstones, and over 30 000 cars were severely damaged, with more than half being totally written off by insurance companies.

As at 10 January there were 77 174 outstanding claims for insurance, which total over \$600 million. In fact the cost of the disaster that occurred on Christmas Day has now superseded the cost of the Victorian floods that happened in January and February 2011. We have a real need in the suburbs, the city and regional areas for emergency warning systems to be better organised and for communications to be stepped up in emergency circumstances. After the storm many residents did not know where to turn. They did not know where to go — there were no notices on the websites about what assistance they could get and there was no local press running at the time. There was a small relief centre set up, but unfortunately people were unaware of how or where to find it, and it was open for only four days. In my opinion that relief centre could still be very useful to local residents today.

When recently looking at the Victorian floods report, I noted that the government utilised many of the emergency services initiatives that were legislated for and resourced in the past. The report acknowledges that 55 relief centres were instantly set up during the Victorian floods and 27 recovery centres were set up afterwards. I alert the government to the fact that it is probably worth considering ongoing support for the residents of the north-west following the emergencies experienced in the western suburbs.

Many residents have contacted me and around 400 residents attended a public meeting concerning their situations. There are still people in real need. Lenfi Chiam is a Sydenham resident who is on a disability pension due to an injury. He has three children, one of

whom was only three weeks old on Christmas Day when the hail hit. He and his family have been forced to move out of their home indefinitely. Their cars have been written off. Six weeks after the storm, he is still looking for permanent accommodation for himself, his wife and his three children. He has not received any ongoing government support or cooperation from his insurance company, which is really disappointing. Many people are struggling to find money to pay the insurance policy excesses. In most cases that involves two or more insurance policies — that is, not only home insurance but car insurance.

Many people who had their cars written off are suffering financially due to the fact they were unable to return to work during normal time frames because they did not have a car to travel to and from work. Many pensioners and families are struggling to get cars that have been written off back on the road. Some people have had to purchase new cars and find money not only for the new car but also stamp duty and insurance. People are very much struggling to cope with being displaced. These are the many issues that come up when there is any emergency or disaster of this magnitude, whether it be caused by fire, flood or storm. It is in the aftermath of such events when people find they need physical, financial and emotional support.

I am pleased the amendments in this bill will increase fines for low-lives who decide to try to impersonate CFA or SES officers to more than \$7000. Unfortunately during the hailstorm and on subsequent days, fraudsters in fake uniforms went from door to door trying to collect money on behalf of the SES. I was quick to identify that, tell local residents and confirm with the SES that it was not collecting money and those people were fraudsters operating on the basis of the good name of the SES.

There were also instances of people pretending to be part of the SES turning up at the homes of residents who desperately needed tarpaulins on their roofs because water was pouring into their homes. In one case a young man turned up to the home of an elderly couple and then charged them \$750 for putting up a tarpaulin. He told them that was what the SES charged. There have been quite a number of circumstances — the only word I can use to refer to these people is 'low-lives' — of people posing as SES workers and taking money from the people who are most in need.

I believe there needs to be more funding and coordination revolving around the promotion of the role and services of the SES in Victoria. I was quite stunned to find when doorknocking homes in the days after the disaster that hit my area that many people did not

understand they could have phoned the SES. Many people did not have the SES phone number stuck on their fridge or elsewhere in their home. They were also unaware that the SES would at no cost assist them in securing their home until an insurance assessor could come and help them in relation to long-term damage.

I believe this government's cuts to community safety emergency support program grants to SES units need to be reversed. I thank the SES volunteers, particularly those at the Brimbank unit, for all of their assistance and for helping dozens of families.

Ms MILLER (Bentleigh) — I am delighted to speak in the debate on the Emergency Services Legislation Amendment Bill 2011. I want to acknowledge the families of the 173 people who experienced tragedy on 7 February three years ago. We should never politicise the tragedy of those families, and I am disappointed about a number of comments opposition members have made in regard to that.

This bill is about protecting our community. The 2009 Victorian Bushfires Royal Commission made 67 recommendations and we have started implementing them. This bill is very important to the people of Victoria. It makes several amendments to the fire and emergency services legislation to reflect current organisational arrangements, enhance operational efficiencies, modernise outdated provisions, increase penalties and create new offences to mitigate risks that undermine effective emergency responses and community safety. The bill incorporates the general responsibility to assist and respond to large-scale emergencies, and it amends emergency management legislation to enhance police powers relating to the declaration of emergency areas and the operation of roadblocks.

In relation to review of the emergency management arrangements, it is important to note that one objective of the fire services reform programs to update and renew the legislation was developed by the fire services commissioner. The Minister for Police and Emergency Services has taken an enormous step in terms of reform. Last year, on 12 September, he released a green paper and gave the State Emergency Service volunteers and communities the ability to have input into initiatives and major reforms in respect of Victorians experiencing any emergency such as bushfires.

The bill will increase a number of penalties in the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958, yet it does not alter the specific terms of imprisonment. I wanted to point out a few things. One of the serious offences for which there is an

increased penalty is that of impersonating a Country Fire Authority (CFA) or an Metropolitan Fire Brigade (MFB) officer. The current penalty is 20 units; however, we are going to increase that to 60 units. Essentially there is going to be a significant increase in the financial penalty.

We are also ensuring that there will not be any liability incurred for those coming from interstate or overseas to provide assistance. It is natural for anyone who works in emergency services to want to help. It has been fantastic that we have had something like 3400 people come to Victoria to assist us. People have come from New Zealand, America and Canada, and it has been very heroic that they have done that. This bill will enable people from interstate or overseas to work with the courageous people of Victoria so that such things do not happen again.

As I said, we are increasing the penalty for lighting a fire in an open-air environment on a total fire ban day. Currently the penalty is 50 units. We are going to increase that to 120 units. What that means is that the fine of \$6107 will increase to \$14 656.80. That is a very courageous step, and it will certainly be a warning to anyone out there who seeks to undertake such a dangerous activity. We are also going to penalise people who fail to respond to an unattended fire. That will incur a fine that has increased from 50 units to 120 units.

The people of Victoria will benefit from these measures. We are still in summer — the bushfire season. Victoria is a fantastic state. Unfortunately we have been experiencing natural disasters of late. Amongst other things we have had floods and fires. It is fantastic that people have come from interstate and overseas to work with our local and regional emergency services people. It shows the spirit that these people have, regardless of the event. They put themselves on the line for the sake of others.

Finally it is important to note that this government has taken a courageous step by introducing this bill and by seeking the community's support and input. Ultimately we will be looking after each other, looking after Victorians and protecting those in metropolitan and rural areas within Victoria. I commend the bill to the house.

Mr HERBERT (Eltham) — I am happy to speak on the Emergency Services Legislation Amendment Bill 2011. While this bill has some aspects that we are critical of, and while we are critical of some aspects of the government's handling of a range of emergency services issues, this is a bill that reflects what actually

happens on the ground in local areas when emergency services work hand in hand. Anything that comes from a higher level that brings a greater focus to those services working together and assisting those on the ground is of course welcome.

I am particularly interested in and supportive of emergency services because Eltham, as anyone who knows the electorate will know, is a hilly area. When it rains, water runs down and always finds the nearest creek or river, and that can cause great havoc. In the Nillumbik part of the electorate we have a council that does not have a large rate base. That council needs state assistance to perform repairs after floods and do the basic essential repairs to make sure that houses are protected from natural disasters such as floods. That council simply cannot do it on its own. Christmas Day was a good example of what I am talking about here. We had a magnificent response from our local Country Fire Authority brigades — the Eltham CFA and the Plenty CFA. We had a magnificent response from local State Emergency Services (SES) officers to the large number of call-outs. They were there on the day and on the night rescuing people, helping to clean up and fixing up the massive damage that occurred in Eltham.

After the floods that occurred on Christmas Day last year, I was out there on the morning of Boxing Day, with my colleague the member for Yan Yean, talking to locals about their needs. Despite the devastation, the cars that had been washed away and rammed into houses, the footpaths that had been lifted and the flooded and devastated homes, there could not have been anyone who was not impressed by the members of the CFA, the council workers and the SES officers who were out there shifting the mounds of soil and rubble. There could not have been anyone who was not impressed by the members of the community who rolled up their sleeves and helped their neighbours. When I spoke to people that day and asked, 'Were you devastated?', they would say something like, 'No, I live two or three streets over, but I saw this and I thought they needed a bit of a hand pulling out the wet, sodden carpet and getting the furniture out'. These people were just trying to make their neighbours' lives a little easier and their homes a bit more habitable.

I ran into ordinary people who told me stories about rescuing people from cars or rescuing people who could not swim who were stranded on roofs or in trees. These people were absolute heroes. It just goes to show the voluntary nature of not only those in the CFA brigades and the SES units but also the locals. That voluntary nature is the lifeblood of any emergency response, and it is incredibly important. The better we can coordinate these volunteers, the better off we will be.

I will use this debate to point out that one of the great emergency services issues in the Eltham electorate is the Eltham CFA station, which missed out on receiving a heavy tanker in the last round of the allocation of equipment because the station simply does not have the grounds or the facilities to house it. The station is in the middle of Eltham in a 40-kilometre-per-hour zone. It is not a great location for an emergency services unit, and it does not help it to meet its response times. The previous government allocated \$9.6 million to that CFA unit. I was pleased that the current minister confirmed that funding early last year in response to an adjournment matter of mine — the money is there — but as yet we have not seen one brick placed or one bit of ground purchased for that new station.

I would like to reiterate what I said last year: this is an urgent matter. Every time it rains hard Eltham gets flooded; it is the natural terrain. Every time there are fires we are at risk because we are on the edge of the green wedge — the edge of the bush — and it is an urban setting. Labor had allocated \$9.6 million in funding for the new fire station.

Honourable members interjecting.

Mr HERBERT — Despite the chatter from the other side, the current minister did agree to provide that funding. This is something that the CFA unit needs to get on with; it needs to find a new site. There are a number of sites available. The unit just needs to get down and buy that site and build its new station. I think everyone will be happy when it is built. I will be happy to be there with the minister at the opening of that station, no matter what. Hopefully it will be soon, but I will be happy to be there at the opening of that new CFA station and offer true bipartisan support — but it needs to happen now. That is the thing: the unit needs to buy the land now and start the planning and building process.

In terms of the local council, the Minister for Sport and Recreation, who is at the table, has pointed out that the government worked with the local council on this. That is quite right. The other thing that Nillumbik Shire Council desperately needs to work with the state government on is getting some funding to help repair the damage that was done in the last lot of floods. The council got considerable funding from the former Labor government at the time of the previous floods in terms of bridge rebuilding and basic services, and it is desperate to get that again now. It is a council with a low rate base. Whilst it has an urban-based population, it struggles to fund the massive work that has to be done in the rural component of its municipality.

The shire council is looking to this government for the same sort of support it got from Labor when we were in power during the last lot of floods. That support does not all have to come out of the one bucket of funding. For instance, the council is doing a review of its drainage system, including drainage on all the main roads, and that will cost money — there is no doubt that it will cost money to fix up the drains and stop some of this devastation. The Nillumbik Shire Council will need some support from the state government for that.

I will use another small example. During the floods on Christmas Day the rail embankment in central Eltham became a levee for the floodwaters. The floodwaters rose, washing out a very busy medical centre, which has something like 20 000 visits a year. The water completely ruined that. It rose to about 1.5 metres and burst through the railway tracks. Rubble et cetera was strewn through the Melbourne Citymission retirement village, causing 30 elderly, frail residents to flee their units and try to find accommodation somewhere else.

That situation needs to be fixed. It is a simple thing. Every time it rains heavily they will have trouble with the drainage there. That is a big issue — it is in the middle of a main road in the middle of the Eltham shops. The Nillumbik Shire Council will need some government support on that issue, and I say that genuinely. I think the government needs to have a good look at which councils need support; it should not just put a rural and regional distinction on it. This is about councils that need support to stop these horrible, devastating events from happening and really impacting on people's lives.

While I have a couple of minutes left I would like to acknowledge the Department of Transport in relation to that incident. A lot of us are critics of the Department of Transport; a lot is said about the bureaucrats there and the department's capacity to meet people's needs. But on this occasion there was a considerable issue with getting the residents of the Melbourne Citymission retirement village back into their units in the days after the devastating floods. They could not do it until the rubble was removed and tamped back onto the tracks, otherwise you would have had heavy equipment moving around while frail and elderly people were trying to move back into their units — a dangerous situation. I eventually contacted Norman Gray, who was the acting director at the Department of Transport at the time, and I must say he gave a refreshing response. He listened and he acted in a serious manner. Eventually he got the head of Metro out there to have a look at the situation, and as soon as practicable — in more than reasonable time, I thought — he got in there with machinery and enabled those residents to get back

in their homes. This is a good example, I think, of an old-time public servant who sees service delivery as really important and who can get on and help people with their lives.

With that said, the opposition is supporting the bill. There are issues with it — there are issues with the funding of the CFA and the State Emergency Service, and there are issues with central government responding as quickly as volunteers in getting on the ground. I commend the bill to the house.

Mr WATT (Burwood) — I would like to start my contribution by noting the recent anniversary of the Black Saturday bushfires, which we acknowledged earlier in the week through a condolence motion. I would also like to pay tribute to all our emergency services, including our emergency services volunteers, who all do such a great job for the public of Victoria. I commend the Minister for Police and Emergency Services for the introduction of this bill; he has done such a great job. I must say I am pleased to hear that those opposite are supporting the bill, although I am also somewhat bemused by some of the comments that have been made during the debate, which might lead you to believe that they are not supporting it.

This bill will amend a number of acts, those acts being the Country Fire Authority Act 1958 (CFA act), the Metropolitan Fire Brigades Act 1958 (MFB act), the Emergency Management Act 1986, the Emergency Services Telecommunications Authority Act 2004, the Victoria State Emergency Service Act 2005 (SES act) and the Forests Act 1958. It also makes consequential amendments to the Summary Offences Act 1966.

A number of the amendments to the CFA act, the MFB act and the SES act were in the Emergency Services Legislation Amendment Bill 2007, which sought to make amendments to strengthen the framework for Victoria's emergency management arrangements. The 2007 bill was defeated in the Legislative Council because the then Labor government was pigheaded and, with a rush of blood, refused to accept a reasoned amendment put forward by the member for Benalla.

I just want to pick up on a point made by the member for Yan Yean about the storms on Christmas Day 2011 and contrast it with her contribution to the debate on the 2007 bill, in which she stated:

That might be well and good if it rained but it does not rain anymore.

She also said in that debate:

Our rural communities are under stress, and they have been under stress for 10 years ...

It is interesting that this was after eight long, dark, miserable years of hard Labor. No wonder they were doing it tough, with thought bubbles like, 'It doesn't mean — —

Ms Green — On a point of order, Acting Speaker, the member for Burwood spent a lot of time interjecting while I was on my feet, and I will not be as discourteous as he was. However, what he is saying is not relevant to the bill. The debate on this bill is not an opportunity to attack my previous contributions to debates on emergency services legislation, which most people in this house know a lot about — unlike the member for Burwood.

The ACTING SPEAKER (Mr Morris) — Order! There is no point of order.

Mr WATT — The current bill increases a number of penalties under the CFA act and the MFB act. These increases are appropriate — they reflect the seriousness of the offences. This bill will increase the penalty for impersonating a CFA or MFB officer from 20 penalty units, which is currently \$2242.80, to 60 penalty units, or \$7328.40. This is in line with the penalty for impersonating a registered health practitioner or a protective intervener.

This bill also amends the Metropolitan Fire Brigades Act 1958, as I said before, but it extends the existing immunity provisions that apply to Metropolitan Fire and Emergency Services Board (MFESB) members to members of interstate and international fire brigades so that they are not personally liable for acts done in good faith while discharging a duty under the MFB act. While the current Country Fire Authority Act 1958 does provide this immunity to local and interstate CFA members, it does not cover international fire brigades, and we are correcting that. During the 2009 fire season approximately 3400 interstate and international personnel provided assistance and support to local firefighters. They came from places like New Zealand, Canada and the United States, and from interstate, as I have said. It is only reasonable to provide reasonable immunity to those who have come to lend a hand or help a mate in need. This is also done in a number of other Australian jurisdictions.

The department has consulted widely with stakeholders such as the CFA, MFESB, the Victoria State Emergency Service, the Emergency Services Telecommunications Authority, Victoria Police, the Department of Sustainability and Environment, the Office of the Emergency Services Commissioner, the fire services commissioner and the Department of

Justice, and they are all supportive of the changes in this bill.

As I was saying before, this bill makes a number of amendments. It amends the CFA and MFB acts to create new offences regarding knowingly damaging or interfering with or resetting, without the consent of fire services, fire indicator panels. It inserts the offence of knowingly giving a false report of fires, which is currently in the Summary Offences Act 1966. This will enable the fire services to more promptly respond to fires. It will allow fire services to require private alarm services to provide prescribed information such as the frequency or duration of disconnection of fire alarms from the computer-aided dispatch system within a prescribed time. The bill amends the current requirements for ministerial consent by requiring the fire services to seek ministerial consent only prior to entering into agreements or arrangements for services that are outside the general duties and powers of the Country Fire Authority or the Metropolitan Fire and Emergency Services Board.

As was pointed out in the second-reading speech of the Minister for Police and Emergency Services, this bill implements a commitment made by the government in a green paper to require that the Melbourne Fire and Emergency Services Board, the Country Fire Authority and the Victoria State Emergency Service assist in response to any major emergency occurring within Victoria. This is the first step towards achieving a genuine all-hazards, all-agencies approach to emergency services response, particularly for large-scale emergencies. As the member for Seymour was saying, this is a fairly extensive bill. It has 118 clauses, and it inserts a number of changes. I commend the bill to the house.

Ms KNIGHT (Ballarat West) — I am very pleased to have the opportunity to contribute to this debate on the Emergency Services Legislation Amendment Bill 2011. I would like to start by paying tribute to the many volunteers who assist during an emergency. Obviously that includes firefighters and ambulance staff, but I would particularly like to focus on perhaps some of the unsung heroes, like the Red Cross and Lifeline volunteers and the personal support that they provide during an emergency. I know that during the Black Saturday fires a team of Lifeline volunteers from Ballarat went to the scene and provided immediate personal support. It is a really difficult thing to do, and it takes quite intensive training — I know that from being the manager of Lifeline in Ballarat and having undertaken that training myself.

Providing that support is quite a different experience from general counselling. You are not there to provide a counselling service as such; you are there to do an assessment of how people are — obviously they are in absolute crisis — and the service that you provide to those people at that time is really around direct communication. Obviously people are in trauma, and it is very difficult for people to take in really important and crucial messages. Those volunteers are there to help with just that, and they do it very well. Of course it is not as simple as sending a team of people out to provide that service to victims of an emergency. We also need to make sure that those people providing the service are supported themselves. What is happening behind the scenes that a lot of people do not know about is that a great network of service providers, who are often volunteers and have often undertaken that training at their own expense and during their own time, are leaving their own families, friends and communities in order to provide that service in a time of absolute crisis and sometimes at a time of risk.

That service is provided at the emergency centres where people gather, but the work continues on past that immediate crisis. Teams of Lifeline and Red Cross volunteers will actually go from house to house and knock on doors to ensure that people are okay and that they have the information and all the support and the numbers that they require.

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

Business interrupted pursuant to standing orders.

ABSENCE OF MINISTER

The SPEAKER — Order! I wish to advise the house that the Minister for Community Services will be absent from question time today, and the Minister for Ports will take questions for the minister in all her portfolios.

QUESTIONS WITHOUT NOTICE

Public sector: job losses

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's plan to sack some 3600 public sector workers, and I ask: will the Premier confirm that all employees of the Department of Business and Innovation, the government agency at the front line of creating and protecting jobs, are deemed to be 'back-of-office staff' and are themselves the subject of the Premier's savage job cuts?

Mr Ryan — On a point of order, Speaker, under the standing orders questions are supposed to be factual and succinct. This question is patently not factual. I ask you to either rule it out of order or have the Leader of the Opposition rephrase it to reflect the accurate position that has been put to this house repeatedly by the government.

The SPEAKER — Order! I do not uphold the point of order. I believe the Premier will be able to answer the question.

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question. I make the point again: under the previous government the size of the Victorian public service grew from 12.5 per cent of the economy in 1999–2000 to almost 15 per cent in 2009–10. That growth in the Victorian public service was simply unsustainable. It may be the view of some people in this place that we can keep on that path, but that is not the view of this government. We intend to have a sustainable public service.

I have made it clear in this house before that this is a voluntary redundancy program over two years. It is a responsible and prudent measure. It has been welcomed by key stakeholders, and as I indicated the other day, there are a range of areas where automatic exemptions have been provided and the government will continue to work through those other areas where other exemptions are warranted.

Australian building and construction commission: future

Mr HODGETT (Kilsyth) — My question is to the Premier. Can the Premier update the house on the government's position on the Australian building and construction commission (ABCC), and is he aware of any alternative positions?

Mr BAILLIEU (Premier) — As I have said before, the government is committed to providing a responsible budget position in this state so that we can invest in critical services and key infrastructure. The second arm of our approach to the economy in this state is a focus on productivity. We are committed to higher and better productivity in this state. We are committed to the rule of law applying to the construction industry. We are committed to getting better value for money in the projects that the government undertakes. That is why we are introducing new industrial relations guidelines for the construction industry, and it is why we have opposed attempts by the federal Labor government to abolish the Australian building and construction

commission and replace it with a much weaker replacement — —

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. We do not need interjections across the table like that from the Leader of the Opposition.

Mr BAILLIEU — We made it clear in a submission to the Senate inquiry into the building and construction industry improvement amendment bill, the so-called transition to fair work bill. I will quote from it:

The Victorian government opposes the Building and Construction Industry Improvement Amendment ...

We oppose it. There is one group of people around this place who said nothing about it other than to promote it and support it. The commonwealth bill, if passed, will not only hurt Victoria and its economy but will do so disproportionately in comparison to other states and territories. The government considers that abolishing the ABCC will give a green light to further unlawful behaviour and misconduct in the Victorian building industry.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Ports and the member for Kilsyth will desist.

Mr BAILLIEU — The silence from the other side on this issue is deafening. The approach the Victorian government has taken to the ABCC has been supported by the Master Builders Association of Victoria, which in a press release this week stated:

The Master Builders Association of Victoria has welcomed the state government's submission to a Senate committee inquiry into proposed reforms to building and construction workplace laws.

The concerns in the Victorian government's submission are shared by the current ABCC commissioner, Mr Leigh Johns. In a letter issued on 11 October 2011 he made it very clear that he was concerned about the commonwealth move. Indeed our submission is supported by Mr Johns's predecessor, Mr John Lloyd. He too has made it very clear.

On a very easy and simple reading of the Victorian economy the ABCC has been good for this state and has been good for the construction industry, but there are some who are simply turning a blind eye to these problems. They have turned a blind eye to them in the past and continue to do so. In 2003 the Bracks government weakened the industry by introducing

industrial relations principles that did nothing to deter unlawful behaviour, and we have seen the consequences on building sites, where we saw record levels of fines imposed on unions through that period.

The commission has worked to the benefit of the industry. We support the continuation of the ABCC, and there are some who do not. They are the ones who are silent about the Victorian economy; they are the ones who just want to prop up their union mates — and they are those on the other side.

Nurses: enterprise bargaining

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. I refer to the Minister for Health's secret contingency plans for Victoria's nurses. Will the Premier rule out any plan to replace Victorian nurses with interstate or overseas nurses in our public hospitals?

Mr BAILLIEU (Premier) — It is interesting that this question comes from the Leader of the Opposition. Of course the Leader of the Opposition was the Minister for Health in the previous government. The Leader of the Opposition has changed his tune so much he hardly knows who he is.

Mr Andrews — On a point of order, Speaker, the question related to government policy, and the Premier should confine his answer to government policy, not debate the question and not be seeking to avoid scrutiny by referring to previous governments. I ask you to rule that way.

The SPEAKER — Order! The question related to health contingency plans for nurses. The Premier was addressing that issue. I do not uphold the point of order; the answer was relevant to the question that was asked.

Mr Andrews — On the point of order, Speaker, the question related to contingency plans of the Honourable David Davis, the current Minister for Health. The Premier was at best debating the issue by referring to previous health ministers and previous governments. I ask that you bring him back to answering the question that was asked, in accordance with the standing orders. We are all entitled to answers. How much will this cost and who will these nurses be replaced by?

The SPEAKER — Order! The answer was relevant to the question that was asked.

Mr BAILLIEU — Our priority is the safety and wellbeing of patients. That is the priority of the Victorian government, and I would have thought that it would be the priority of the Leader of the Opposition,

but it is interesting how some things change. What we have seen over recent months is enterprise bargaining agreement negotiations continuing, and we continue them in good faith. We seek to provide nurses with better remuneration. We look to provide taxpayers with a fair solution and a health system — —

Mr Andrews — On a point of order, Speaker, in relation to relevance, the question related to the current government's contingency planning, which has been widely canvassed in the media today, and whether the Premier would rule out certain approaches to that. I ask you to draw him back to the question. Every Victorian deserves an answer. What are these contingencies, how much will they cost and what is their nature?

The SPEAKER — Order! As I have explained to the house before, any preamble becomes part of the question. The question was being answered, and the answer was relevant to the question that was asked.

Mr BAILLIEU — The nurses union has indicated in further commentary about the progress of the enterprise bargaining agreement that it will be promoting the resignation of some nurses. It is the view of the government that that would not be in the interests of nurses, would not be in the interests of patients and would not be in the interests of taxpayers. Our priority will remain the best interests of patients, and we will continue to plan for that.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition is on a warning.

Mr BAILLIEU — The government will take appropriate measures so that in the event that such resignations take place, patient safety and wellbeing will not be compromised. Some people have indicated that they stand shoulder to shoulder with the nurses.

Mr Andrews — No doubt about it.

Mr BAILLIEU — The Leader of the Opposition says, 'No doubt about it', and indeed that is what he has said publicly. We can only accept that the Leader of the Opposition now wants nurses to resign from the hospital system.

Honourable members interjecting.

Mr BAILLIEU — That is what the Leader of the Opposition is saying.

Honourable members interjecting.

The SPEAKER — Order! Members of the government will come to order!

India: trade delegation

Mr ANGUS (Forest Hill) — My question is to the Premier. Can the Premier update the house on progress with Australia's largest ever trade mission, which he will lead to India this month?

Mr BAILLIEU (Premier) — I thank the member for his question. As I have indicated many times, our strategy in driving the economy in this state has a number of components to it: a responsible budget position and a focus on productivity and economic growth. Part of that focus on economic growth is to grow our markets in key market areas, particularly China and India.

Asia's emergence creates extraordinary opportunities for this state. We are well placed to be part of that relationship and to grow it. We know the global economy is upon us, and we know there is a major transition taking place in the world. And if you look at the trade figures in our key markets, you see that the growth in China and the growth in India provide huge potential. That is why the government will be undertaking a key super trade mission to India in 10 days time. More than 220 Victorian companies and organisations will be participating, with nearly 300 delegates. Ten key sectors of the Victorian economy will be represented: automotive, aviation and aerospace, cleantech, education, food and beverage, IT, life sciences, professional services, sustainable urban development and tourism. That mission will be visiting Delhi, Mumbai, Bangalore, Chennai, Hyderabad, Ahmedabad and Pune. A range of meetings, events and key announcements will take place during that time.

This gives Victoria the strongest presence in India of any Australian state. We already have an office in Bangalore, and we will be opening a new business office in Mumbai — as I say, the strongest presence of any state. For the first time the entire Victorian post-school public education sector will be together in India, including six vice-chancellors and numerous TAFE CEOs.

The London-based QS organisation recently announced its first global grading of major international student cities. Melbourne ranks fourth, but we recognise that there has been a diminution in enrolments over recent years. We have started to drive that back up again, and that will be a key focus of this mission.

In addition to the trade mission to India there will also be a Middle East super trade mission in February — Australia's largest ever trade mission to that region, with more than 100 Victorian companies and organisations participating.

Honourable members interjecting.

Mr BAILLIEU — It is instructive to hear members on the other side gagging and laughing about trade missions and jobs, because that is all we have seen. The trade mission to India has been undermined already by members from the other side — they no interest in promoting this state, only an interest in promoting themselves.

Mr Hodgett interjected.

The SPEAKER — Order! The member for Kilsyth is on a warning.

Mr Merlino — On a point of order, Speaker, question time is not an opportunity for the government to attack the opposition. I ask you to bring him back to the question.

The SPEAKER — Order! The Premier.

Mr BAILLIEU — Speaker, these are important undertakings on behalf of Victorian businesses, with the objective of driving our economy, generating jobs, generating trade relationships and building on good work already undertaken last year by the Minister for Information, Services and Small Business on an India trade mission that was very successful and on relationships built over time in China. There will be a further mission to China this year.

These are important steps. Within a few months more than 500 Victorian companies will have joined the Victorian government in trade missions to key market areas around Australia. We have huge opportunities, and we are going to embrace them.

Hospitals: elective surgery

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. I refer the Premier to his statement in this house on 25 May last year regarding the number of people who would receive elective surgery operations this year, when he said:

What I would say ... is simply that there will be more than under the previous government.

How can a cut of some 9351 operations this year — that is 9351 fewer operations — possibly be considered more surgery?

Honourable members interjecting.

Mr BAILLIEU (Premier) — Again the hypocrisy of the Leader of the Opposition knows no bounds.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. I ask the Premier to desist from attacking the opposition.

Mr BAILLIEU — Speaker, I will lay off them, I promise. I will be very nice to them.

There was one person who actively promoted the Rudd health plan, which would have left Victoria short-changed in the health system. Sometimes that person stands up.

Mr Andrews — On a point of order, Speaker, the question related to 9351 fewer operations and the Premier's claim some months before that there would be more elective surgery. I would have thought patients across this state deserve more than this. They deserve an answer, and the Premier ought to provide an answer explaining why he says one thing and does another.

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

Mr BAILLIEU — The Leader of the Opposition asked me about comments I made about the previous government. If the previous government had held office, which was the point I was making — and I was asked almost the same question last year and I made the point that had the ALP, the Labor government, been successful — —

Honourable members interjecting.

The SPEAKER — Order! I will not ask again.

Mr Merlino — On a point of order, Speaker, as I have previously said, question time is not a time for the government to attack the opposition. The Premier was asked a clear question. He promised in May that there would be more operations yet the fact is that there will be more than 9300 fewer. I ask you to bring the Premier back to the question.

The SPEAKER — Order! I ask the Premier to return to answering the question.

Mr BAILLIEU — The question I was asked referred to an answer I gave in this chamber about which I have been previously asked. I have made the point that my remarks were about whether there would be more surgery under a Labor government or the

current government. I made the point that had the Labor government been re-elected we would have been short-changed under a deal which the former health minister signed up to. That was a dud deal, a Rudd deal — a dud deal fixed up by this man, the Leader of the Opposition.

Mr Andrews — On a point of order, Speaker, on a number of occasions you have directed the Premier to answer the question. The question did not relate to the previous government or to the Australian Labor Party; it related to the claim of the Premier last year and the statements of priorities signed by his minister this year. Every patient deserves an answer, not this confected anger from this one opposite.

The SPEAKER — Order! The question related to elective surgery. The Leader of the Opposition quoted a statement of the Premier. The Premier was answering with respect to that statement.

Honourable members interjecting.

The SPEAKER — Order! I believe he was. I do not uphold the point of order.

Mr BAILLIEU — Suffice it to say we are investing in the health system in Victoria record amounts — more than \$700 million extra into the health system, more than \$500 million extra into the hospital system, the acute system. These are record amounts.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is on a warning.

Mr BAILLIEU — What we get from the Leader of the Opposition is a commitment to invite nurses to resign from the system.

Occupational health and safety: national harmonisation

Mrs BAUER (Carrum) — My question is to the Treasurer. Can the Treasurer update the house on how Victoria will be disadvantaged by federal government proposals to change occupational health and safety laws?

Honourable members interjecting.

The SPEAKER — Order! The member for Gembrook is on a warning.

Mr WELLS (Treasurer) — I thank the member for Carrum for her interest in this area. The Baillieu government will not stand by and allow the federal

government to impose an unfair OHS (occupational health and safety) national system on Victorian businesses, whether they be small or large. We expect every Victorian to stand with us on this issue.

Part of the issue has been that as part of the improvements in productivity we have said we will cut the regulatory burden, and one of the very important areas with respect to regulatory burden is the area of occupational health and safety. The laws the federal government wants to impose will affect every large, medium and small business in this state, so it is extremely disappointing that that government has implemented a flawed process moving towards nationally uniform OHS laws.

Victoria has a better OHS system than any other state. Our rates of serious injury are lower, and this contributes to our lower WorkCover premiums. While national harmonisation may be worthwhile as a principle, we will not stand and see it disadvantage Victorian businesses. Unfortunately the federal government has failed to address the legitimate concerns that have been put forward by the Victorian government.

Mr Holding — Name one!

The SPEAKER — Order! I will name one. The member for Lyndhurst is on his first warning. There is one!

Mr WELLS — The federal government had promised it would implement a regulatory impact statement (RIS) that would include a breakdown of the impacts by state, but when it released the RIS it had failed to put that into it. That is the first thing. As a result the Victorian government is undertaking its own supplementary RIS to determine what the impact of the national system will be. We will make sure we do not agree to harmonisation for the sake of harmonisation where it will affect Victorian businesses. Federal Labor's carbon tax will create new imposts on Victorian manufacturers, which have relied on low-cost energy. Canberra's complex and unfair GST distribution has already robbed Victoria of \$2.5 billion.

Mr Madden interjected.

The SPEAKER — Order! The member for Essendon is on a warning.

Mr WELLS — As the Premier said before, the scrapping of the Australian building and construction commission is another impost on Victorian businesses. In all these areas state Labor is silent. It will not stand up for Victorian businesses.

Honourable members interjecting.

The SPEAKER — Order! The member for Gembrook is on a second warning, and the member for Prahran is on a first warning.

Mr Merlino — On a point of order, Speaker, I ask you to bring the Treasurer back to answering the question. Question time is not an opportunity to attack the opposition.

The SPEAKER — Order! I believe the answer being given was relevant to the question asked.

Mr WELLS — The Baillieu government will stand up for Victorian businesses. Whether it be in relation to the carbon tax, GST distribution or OHS laws, this government will stand up for Victorian businesses. When you compare this to others who have only one economic strategy, which is to give everyone another public holiday, you can understand why business is losing faith in a lazy opposition. It is now high time the opposition joined with the government and supported us on these issues, which are very vital to protecting Victorian jobs.

Hospitals: funding

Ms GRALEY (Narre Warren South) — My question is to the Premier. I refer to the disgraceful revelations that 14 of 20 special care nursery cots at Casey Hospital and 17 of 19 new beds at Monash Children's will remain closed for 2012, and I ask: will the Premier reverse his \$480 million cuts to the health and hospital system to open these beds and cots to Victorian children?

Mr Southwick interjected.

The SPEAKER — Order! The member for Caulfield is on a warning.

Mr BAILLIEU (Premier) — The question, again founded on incorrect information — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition!

Mr BAILLIEU — I made the point before that the government is investing more than an additional \$700 million in the health system — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is on a second warning.

Mr BAILLIEU — We are also investing more than \$500 million in the acute system. There are additional neonatal intensive care units being funded in the budget, and they will open in accordance with the requirements of the hospitals that have those units funded.

Sport and recreation: regional and rural Victoria

Dr SYKES (Benalla) — My question is to the Minister for Sport and Recreation.

Mr Battin interjected.

The SPEAKER — Order! The member for Gembrook is on his third warning.

Mr Battin interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Gembrook

The SPEAKER — Order! The member for Gembrook is out for half an hour under standing order 124.

Honourable member for Gembrook withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Sport and recreation: regional and rural Victoria

Questions resumed.

Dr SYKES (Benalla) — My question is to the Minister for Sport and Recreation. Can the minister update the house on recent sporting announcements that will benefit the economy of the state, especially in regional and rural Victoria?

Mr DELAHUNTY (Minister for Sport and Recreation) — Firstly, I acknowledge the question from the member for Benalla. I know of the hard work he does for his community, and today he has highlighted the particular benefits that sporting events deliver to rural and regional Victoria. There are events right across Victoria, and, as we know, Melbourne is regarded as the sporting capital of the world. Victoria in general is known as the sporting state of Australia. Yesterday the Minister for Tourism and Major Events

highlighted the significant event that we held last month — the fantastic 2012 Australian Open Tennis Championships, which delivered 4800 jobs to Victoria and boosted the economy by about \$262 million.

The coalition's commitment to sport and recreation has been outlined in our policy, but we want to see not only facilities upgraded to create jobs and opportunities for people to play sport but also events taking place right across Victoria. We talk about those events in Melbourne, and we are very proud of them, but there are fantastic events across rural and regional Victoria. Investing in these events gives us the chance to create not only opportunities for people to be involved in sport and be inspired by these athletes but also, importantly, to create jobs in rural and regional Victoria.

This weekend we have the tremendous Davis Cup tie between Australia and China being played at the Geelong lawn tennis courts.

Ms Asher — Secured by the coalition!

Mr DELAHUNTY — That is right, it was secured by the coalition. As we all know, China's relationship with Australia is important in relation to jobs. The Premier has been over there. We saw Li Na placed as runner-up in the women's singles at last year's Australian Open. There is an enormously important relationship between Australia and China, and this event in Geelong will build on that. This month in Geelong we also have the Geelong Multi Sport Festival, and it is said to be 'an event for everyone'. I encourage all members to be there — even the Leader of the Opposition could learn something down there!

This month we also have the annual Phillip Island World Superbike Championship. At Easter there are a lot of sporting events. Down at Bells Beach near Torquay there are the fantastic Rip Curl Pro surfing championships, which have been continued by us. Importantly, if it were not for the coalition government, the famous Stawell Gift could have been lost to Stawell. It is one of the fantastic events held in rural and regional Victoria.

We have the Jayco Herald Sun Tour, and we have had celebrations for Cadel Evans. There has been enormous support for cycling. The Jayco Herald Sun Tour will deliver enormous tourism benefits to places like Whittlesea, Ballarat, Geelong and the Mornington Peninsula. Thanks to the strong representations by the member for South-West Coast, we are also seeing enormous support for the Melbourne to Warrnambool Cycling Classic. We have seen the Amy Gillett Gran Fondo.

We could be doing a lot more with this if we did not have so many black holes in our budget. I will talk about one of those in my portfolio. The Albert Park facility was just completed and opened in the seat of Albert Park. We had to find \$15 million to fill the black hole that was created by the now Deputy Leader of the Opposition. A financial mess was left for us. As we know, a lot of good things have been happening in country Victoria; a lot of jobs have been created. These sporting events bring opportunities to rural and regional Victoria, thanks to the coalition government.

Hospitals: bed numbers

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. I refer the Premier to his statement on 8 December last year, when he said:

Hospital beds are accounted for in the annual reports of hospitals ...

I have here the 2010–11 annual report of Melbourne Health, in which no such breakdown of hospital beds can be located. I ask the Premier: will he now correct the record and detail in full where his 100 new hospital beds are located, when they opened and how many patients have been treated in them?

The SPEAKER — Order! The Leader of the Opposition asked three questions.

Mr BAILLIEU (Premier) — Again, there is an annual reporting of hospital beds, as we have said before. Indeed the government has committed to the redevelopment of Box Hill Hospital, it has committed to the redevelopment of the Bendigo hospital and Frankston Hospital, and it had to fill the gap on the Olivia Newton-John Cancer and Wellness Centre, and then there is the Maroondah Hospital expansion and the Echuca hospital redevelopment.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has already had two warnings.

Mr BAILLIEU — Some people have wanted to close beds in this state, including those who want to stand shoulder to shoulder with them.

Mr Andrews — On a point of order, Speaker, on both relevance and debating the issue, the question related to statements from the Premier and asked for him to account for where those 100 hospital beds are; it did not relate to previous governments or other members of this house. We have a right to know, and the Premier has an obligation to answer.

Dr Napthine — On the point of order, Speaker, I think the Premier was outlining very clearly and succinctly where a large number of those hospital beds are.

Honourable members interjecting.

Dr Napthine — I am sure Echuca has hospital beds! I am sure the redeveloped Echuca hospital has hospital beds, I am sure the redeveloped Box Hill Hospital has hospital beds and I am sure the redeveloped Bendigo hospital has hospital beds. The Premier — —

The SPEAKER — Order! I have heard enough of the point of order. The Premier will answer the question, not the Minister for Ports. I ask the Premier to return to answering the question.

Mr BAILLIEU — Again I say, as we have said before, there will be an annual reporting of additional beds, with more than \$700 million extra going into the health system and more than \$500 million going into the acute system. That will include neonatal intensive care unit beds, intensive care unit beds, mental health beds — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition will be out of the chamber if he interrupts once more. The Deputy Leader of the Opposition is in the same boat. They should listen to the answer.

Mr BAILLIEU — As the health minister has made clear on countless occasions, there will be an annual reporting of those beds.

Harness racing: government support

Mr McCURDY (Murray Valley) — My question is to the Minister for Racing. Can the minister advise the house how the coalition government is reinvigorating harness racing to benefit country Victoria?

Dr NAPHTHINE (Minister for Racing) — I thank the member for Murray Valley for his question, because the member for Murray Valley understands the importance of racing to the economy and jobs in regional and rural Victoria. Country harness racing is worth more than \$140 million per year to the Victorian economy. There are more than 3500 Victorians employed in the country harness racing and breeding industries, including 320 in the Mallee region, 410 in the Loddon region and 460 in the Goulburn region.

I am pleased to advise the house that since the election of the Baillieu coalition government we have seen a

massive increase in confidence and activity in country harness racing. This season has seen significant increases in crowds — —

Honourable members interjecting.

The SPEAKER — Order! I can hear the member for Macedon from here, and I ask her to desist.

Dr NAPTHINE — We have seen significant increases in crowds at country harness cup meetings at Shepparton, Bendigo, Kilmore, Horsham and Hamilton. The recent Ballarat Pacing Cup meeting attracted a record crowd of 4500, up 20 per cent from previous years. The Baillieu government continues to work with country clubs and Harness Racing Victoria, using the race day attraction program to attract more and more people to country harness racing and build interest in this great industry. Last Saturday more than 6000 people attended the A. G. Hunter Cup meeting at Melton, which again was a record crowd for that meeting.

In particular I draw attention to the fact that in January this year I was privileged to be with the member for Mildura at the Ouyen Pacing Cup meeting. Members will recall — —

Honourable members interjecting.

The SPEAKER — Order! The member for Macedon is on a warning.

Honourable members interjecting.

The SPEAKER — Order! The member for Albert Park is on a warning. We know where the cameras are.

Dr NAPTHINE — Members will recall that in 2005 the former Labor government closed six country harness racing tracks. It closed — —

Honourable members interjecting.

The SPEAKER — Order! I think we have reached the stage where interjections have become just ridiculous, from both sides of the house. I know it is Thursday and we are all looking forward to getting home, but that does not mean members can behave like a pack of ratbags, which is what they are doing. I ask for silence so we can hear the minister.

Dr NAPTHINE — The former Labor government closed harness racing tracks — —

The SPEAKER — Order! I hope this is not a frivolous point of order.

Mr Merlino — No, indeed, Speaker. The question was quite specific. It was about what actions the government has taken. Question time is not an opportunity to attack the opposition. I ask you to bring the minister back to the quite specific question before he revs up too much.

Mr Ryan — On the point of order, Speaker, the minister was being entirely relevant to the question that was asked of him. It is entirely appropriate for him to reflect on the fact that historically the former government closed the Ouyen facility and the current government is opening it. It is very pertinent to the question that the minister has been asked, and I ask you to rule the point of order out of order.

The SPEAKER — Order! I do rule it out of order.

Dr NAPTHINE — I am pleased to advise that the Baillieu coalition government is reopening every one of those tracks that were closed by the former Labor government: Ouyen, Wangaratta, Boort, Gunbower, St Arnaud and Wedderburn. The former Labor government ripped the heart and soul and jobs out of those country communities — —

Mr Nardella — On a point of order, Speaker, I refer you to *Rulings from the Chair*. On page 154 it says:

Previous government's administration. In answering questions, ministers can refer to the situation of the state when they took office, but should only make passing reference to the activities of a previous government.

The minister has been going on about the previous government for a while now, and I ask you to bring him back to answering the question.

Mr O'Brien — On the point of order, Speaker, it is quite clearly within the scope of government business to talk about the reopening of racetracks. It is very hard to talk about that unless you talk about the fact that they were closed in the first place!

The SPEAKER — Order! I do not uphold the point of order.

Dr NAPTHINE — The coalition when in opposition promised to reopen these tracks and restore the jobs and the boost to the local economy that those local harness racing meetings gave to those communities. At Ouyen in January there were more than 2000 people at the harness racing cup meeting. That is more than double the population of the town. They turned the lights off at 2.00 a.m. because they were partying on so much and enjoying getting their harness racing back. I look forward to being in

Wangaratta on 11 March, when harness racing returns to Wangaratta — —

Honourable members interjecting.

Dr NAPHTHINE — And I look forward to joining the member for Albert Park at Boort on 18 March, when we return harness racing to Boort.

These are country communities that were absolutely decimated by the former Labor government. The coalition and local members have stood up for those country communities, and I am proud we are restoring harness racing to those communities.

EMERGENCY SERVICES LEGISLATION AMENDMENT BILL 2011

Second reading

Debate resumed.

Ms KNIGHT (Ballarat West) — In closing my contribution to the debate on the Emergency Services Legislation Amendment Bill 2011, I am very disappointed to say that I will be the last opposition speaker on this important bill. This is due to the atrocious, disrespectful behaviour of government backbenchers, who showed blatant disregard for fire-affected communities and who also diminished the important and selfless work of emergency services volunteers.

Mr McCURDY (Murray Valley) — I am honoured to rise and speak on the Emergency Services Legislation Amendment Bill 2011. The purpose of this bill is to amend the fire and emergency services legislation to reflect current organisational arrangements, and in part it will modernise some outdated provisions. It will also increase penalties and create new offences to mitigate risks that undermine effective emergency responses and community safety. As we mark the anniversary of Black Saturday, there is no better time than this week to discuss community safety. The bill includes the general responsibility to assist in the response to large-scale emergencies and also amends emergency management legislation to enhance police powers relating to the declaration of emergency areas and the operation of roadblocks.

The bill amends the Emergency Management Act 1986. It allows Victoria Police senior sergeants who perform the role of divisional patrol managers to declare an emergency area on their own authority, and if they are of the opinion that it is necessary to exclude people from the area of the emergency to ensure public

safety and the security of evacuated premises or the safety of those engaged in an emergency response activity, they can do so. The bill increases the emergency area declaration period and an extension period from 24 to 48 hours, which allows for suitable recovery time after an emergency. That is common sense, because some risks should not be taken. Furthermore, the bill amends the Emergency Management Act 1986 to implement some recommendations of a Victoria Police review entitled *Guidelines for the Operation of Traffic Management Points During Wildfires*. The review was undertaken in response to recommendation 10.5 of the *2009 Victorian Bushfires Royal Commission — Interim Report*. That recommendation was around the operation of roadblocks during emergencies.

Victoria has seen its fair share of disasters, so in September 2011 the government released a green paper on emergency management reform. It was designed to allow for consultation with state emergency services, volunteers and communities on options to improve the way Victoria responds to emergencies. A key principle of the reform is achieving a genuine all-hazards, all-agencies approach to emergency responses, particularly for large-scale emergencies. The reform was embraced as a wonderful initiative.

At the same time an action plan summarised a range of interim measures to address some of the shortcomings in the current arrangements. This action plan stated that before the end of 2011 the government would introduce legislation to: firstly, clarify the responsibilities of the minister and the Chief Commissioner of Police in emergencies; secondly, clarify the ability of the Victoria State Emergency Service to delegate powers and take other particular measures to facilitate responses to emergencies; and lastly, require emergency agencies to assist in the response to large-scale emergencies in addition to their specific hazard responsibilities.

The Emergency Management Legislation Amendment Act 2011, which came into operation in November last year, implemented the first two points, and this bill addresses the last point. This bill amends the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958 and the Victoria State Emergency Service Act 2005 to require the Country Fire Authority (CFA), the Metropolitan Fire Brigade (MFB) and the Metropolitan Fire and Emergency Services Board respectively to assist in the response to any major emergencies occurring in Victoria. This is a small but significant step in the emergency management reform process, and it is a step that we all agree is paramount to best practice and emergency management.

I mentioned earlier in my contribution the fire services legislation and how this bill will affect both the CFA act and the MFB act. It intends to modernise outdated provisions and introduce offences that will improve community safety — for example, allowing the fire services to charge an owner, occupier or owners corporation, whichever is relevant, when the fire services attend a false alarm of fire by an automatic fire alarm system and there is no reasonable excuse for that alarm. This does not mean that every false alarm will incur a fee, but there is the provision in the proposed legislation for that to happen. The bill creates new offences regarding knowingly damaging or interfering with fire indicator panels and inserts the offence of knowingly giving a false report of fire, which is currently in the Summary Offences Act 1966. This will allow the fire services to respond to fires more promptly.

The bill clarifies that when officers and members of interstate and international fire brigades, including their equipment, are in Victoria for firefighting they fall under the authority of the relevant chief officer, and the bill extends existing immunity provisions to members of interstate and international fire brigades. Currently the CFA act covers only interstate fire brigades, not international brigades. The bill also updates a number of penalty provisions to ensure conformity with the sentencing framework in section 109 of the Sentencing Act 1991 to increase their effectiveness as a deterrent for certain activities and to better align offences with community expectations.

The Murray Valley did not experience devastation to anything like the extent other communities were subjected to on Black Saturday. However, as day follows night, all communities have their turn experiencing natural disasters, and if we can make improvements to the emergency services legislation, we will do so wherever possible. Emergency services workers play an enormous role in our community, whether as volunteers or paid employees. It is very important that we be prepared for all disasters and the management of such situations. The bill brings us closer to a situation where we will see better management of emergency situations. I commend the bill to the house.

Mr SHAW (Frankston) — It is fitting to rise to talk about the Emergency Services Legislation Amendment Bill 2011 as this week marks the third anniversary of Black Saturday, which we have talked about and recognised in this house this week. The purpose of this bill is to amend a number of acts including the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 to reflect current arrangements, to

modernise outdated provisions and to increase penalties and create new penalties for other offences in order to reduce or mitigate risks associated with or that may undermine effective emergency responses to ensure community safety.

Members on both sides of the house no doubt want to preserve lives, and some of the provisions of this bill will go a long way towards doing that, but we cannot always prevent what comes from God. There are fires and floods, and we cannot always eliminate those completely, but there are steps we can take to reduce the risks. We live in a country that is prone to natural disasters and has always had natural disasters, from floods through to bushfires and drought. Our purpose is to help in the best way we can through legislation.

This bill also amends the Emergency Management Act 1986. The government has already taken steps to improve the efficiency and effectiveness of our service delivery, and in September 2011 it released a green paper on emergency management reform entitled *Towards a More Disaster Resilient and Safer Victoria* as a means of consulting with all the state emergency services, the volunteers, who do so well, and the surrounding communities in appropriate areas to improve the way Victoria responds to all emergencies. At this point I thank the people who volunteer for service through the Country Fire Authority (CFA), through fire brigades, through the State Emergency Service and through all the other community groups that help out — and in fact I thank all the other organisations that are involved after floods and natural disasters occur, such as the Australian Red Cross and Salvation Army. I commend them all.

In relation to the action plan contained in the green paper, it was proposed that before the end of 2011 the government would introduce legislation to clarify the responsibilities of the minister and also the Chief Commissioner of Police in emergency, and that took place last year. It also proposed to clarify the ability of the Victorian State Emergency Service to delegate its powers and introduce other measures to facilitate responses to emergencies, which was also discussed last year. The third aspect was to require emergency agencies to assist in the response to large-scale emergencies in addition to their specific hazard responsibilities. Those are the issues we are discussing as we examine the bill today.

In December 2011 we implemented the first two points, and we are addressing the last point today. The provisions to amend the Emergency Management Act 1986 will enhance police powers regarding the declaration of emergency areas and implement several

recommendations from the review undertaken by Victoria Police regarding the operation of roadblocks in accordance with the recommendations of the 2009 Victorian Bushfires Royal Commission.

The bill also amends the Emergency Services Telecommunications Authority Act 2004 to allow the emergency services commissioner to determine certain standards for the service and performance of the Emergency Services Telecommunications Authority. The bill amends the Victoria State Emergency Service Act 2005 to align its compensation provisions with the Accident Compensation Act 1985 and clarify that the Victoria State Emergency Service is able to engage in fundraising and promotional activities. The bill provides a regulation-making power regarding the administration and management of units, and I will touch on that shortly. It also amends the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958 and the Victoria State Emergency Service 2005 to recognise the broader responsibility of the emergency services agencies to assist in their response to major emergencies in addition to their responsibilities in relation to hazard-specific risk responses.

The bill makes certain other amendments, including the amendment of the Forests Act 1958 so that any person engaged by the Secretary to the Department of Sustainability and Environment will not be personally liable for anything done or omitted to have been done in good faith when carrying out fire management activities. It is important that people acting in the heat of the moment, you might say, when the pressure and stress are on, should not be thinking, 'If I do something wrong, I may be sued'. When litigation seems so prevalent in our society, people should feel safe to go about their jobs, especially when that job is saving lives, saving infrastructure and saving property. They should not have to worry about thinking, 'If I accidentally knock over a house, I will be sued', or, 'If I do something wrong in good faith, I will be in trouble when here I am putting my life on the line, and now I am also putting my assets on the line if something happens'. The bill will amend the Metropolitan Fire Brigades Act 1958 to extend the existing immunities that it already has to retain members — —

Mr Scott — Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr SHAW — As I was pointing out before the quorum was formed, members of the fire brigade, including those members of the CFA, should not be going about their jobs thinking they might be sued.

They will have immunity under this legislation. Amendments to the Metropolitan Fire Brigades Act 1958 will extend the existing immunity provisions in relation to local members of fire brigades to members of international and interstate fire brigades. That is very sensible. If people are going to come from overseas or interstate to Victoria, they will want to make sure they are coming over to fight fires and will not have to fight a law case down the track because they did something in good faith that was incorrect and perceived by others as an opportunity to sue.

The Country Fire Authority Act 1958 currently provides immunity for CFA local and interstate members. It is strange that the Metropolitan Fire Brigade does not extend immunity to its interstate members. Now the immunity provision will be extended to international fire brigade workers. Under the CFA and MFB acts all workers, whether they are Victorian members or interstate or international members who have come to Victoria to help — which they did following Black Saturday and a number of natural disasters that happened throughout Australia, when they donated their time — will be covered if they do something in good faith that is incorrect during the course of their work. I think that is a tremendous help.

I do not know if those people think, 'Gee whiz. I'm not going to do this, because I'm going to be sued if I do something wrong'. In the heat of the battle when things need to be done, people will say, 'Yes, we have to save lives. Saving lives is our no. 1 priority'. We have been doing that as a government, especially following the investigation by the 2009 Victorian Bushfires Royal Commission. We have heard about protecting the public, and that is what we are doing with this bill in terms of emergency services. That is what we did when we visited our electorates. When campaigning we said, 'We want to make our streets safer', and we are making our streets safer to protect people. This legislation will, in part, free up CFA workers and workers from the Metropolitan Fire Brigade by ensuring that they will be protected when carrying out their duties for the people of Victoria.

Mr CRISP (Mildura) — I rise to make a contribution to the Emergency Services Legislation Amendment Bill 2011. It is traditional to comment on something an opposition member has said, but I notice that opposition members have decided not to join us in the chamber for the debate at this stage, which is most regrettable.

Mr Scott — I'm here.

Mr CRISP — I acknowledge that we have one member here with us.

Dr Napthine — But they are not joining the debate. They are not participating. They do not care about emergency services.

Mr CRISP — Indeed. There have been some useful interjections from the minister at the table, the Minister for Ports.

This bill has an extensive purpose. There is a need to amend a number of important acts in relation to our emergency services and the response to emergencies. This bill is amending the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 to reflect organisational arrangements and clarify command structures. The bill amends the Victoria State Emergency Service Act 2005 to align it with the compensation provisions of the Accident Compensation Act 1985, and it clarifies the Victoria State Emergency Service's ability to engage in fundraising and promotional activities. We all know how important fundraising is in helping to meet the needs of the community.

The bill also amends the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958 and the Victoria State Emergency Service Act 2005 to insert a definition of a major emergency and incorporate general emergency responsibilities. The bill amends the Emergency Management Act 1986 to enhance police powers relating to the declaration of emergency areas and the operation of roadblocks. The bill also aligns offences in relation to making false compensation claims.

There is a technology component of this bill — that is, it amends the Emergency Services Telecommunications Authority Act 2004 to allow the emergency services commissioner to determine generic as well as agency-specific standards for the performance of the telecommunications authority. The bill inserts an immunity provision in the Forests Act 1958 that applies to a person or authorised officer doing things that need to be done in the exercise of their powers and duties. I will talk about the Country Fire Authority Act 1958 and the Summary Offences Act 1966 in relation to the need to keep provisions about penalties in our statute book up to date.

There is a background to this. We were tested by the 2009 bushfires, and we were tested by the 2011 floods. These were two very large events; they were too large for single agencies to handle. I can relate to this issue. During the period of the Mildura floods I made my way

as quickly as I could to the State Emergency Service operations centre. Volunteers at the centre were inundated with calls; it was a very difficult time for them. Quite recently, when commemorating the one-year anniversary of the floods, one of those volunteers said by far the hardest thing he had to do was to drive past people and places in need when attending to people who had higher needs. It put a lot of stress on volunteers. I will talk more about how much we owe those volunteers.

We need to learn from this experience — that is what we owe everybody. We need to do things better. There are better ways to mitigate, respond to and recover from these emergencies. We have approached this issue with an all-hazards, all-agencies approach. We need to learn from this, and this legislation shows that we are learning from this.

The pathway to the introduction of this legislation had its genesis in the response to the interim report of the 2009 Victorian Bushfires Royal Commission; then a green paper was issued on emergency services management arrangements; and then there was a review of emergency services arrangements which updated legislation, regulation and policy. This is an important issue, and it has been a long and difficult road. The legislation increases the penalties for some offences. This is a very necessary deterrent that we have to introduce. We know that not all fires occur naturally, and when someone starts a fire as a wanton act we need to have penalties that are commensurate with the act that person has performed.

We need to provide immunity from personal liability for interstate and international firefighters and fire managers. During the 2009 bushfires many interstate firefighters came to Victoria and some came from overseas. This is part of being Australian, and perhaps part of being a world citizen, that volunteers from interstate or overseas come to Victoria when they are needed and we go to them when we are needed. That is part of that response. We should be very proud of how much Australians stick together and how many friends we have in the world. We need to protect those volunteers when they are here in Victoria acting in good faith.

The clarification of the power to order the withdrawal of people — this has been a very difficult issue. We have all read the headlines. It is a matter of who can stay and who can go. There was a considerable hangover from the 2009 bushfires, and this legislation endeavours to clarify that issue so we can avoid problems.

It is the resilience of our communities that I am here to talk about. This week we have commemorated the third anniversary of the Black Saturday bushfires. This house has shown suitable respect and a number of members have made contributions in relation to those fires. It is also the first anniversary of the floods in the Mildura area. In recognition of that anniversary, last Saturday night I attended a photographic exhibition in Mildura called Cloudburst, which was a chance, one year out, to gather together the people who were involved. Cloudburst was a large exhibition, and its aim was to help in the healing process and to give people a chance to share memories. It was also, like this legislation, about sharing the lessons that were learnt. I could not help but say to some of the emergency services personnel who were at the exhibition and with whom I had spent that time, that if such floods were to occur again tomorrow we would do better. However, the floods were probably a 1-in-100-year event. By the time it happens again, we will all be long forgotten and the message we left in the bottle will probably be irrelevant.

We also reflected on the needs of volunteers. We always need more volunteers. I would like to add an appeal to people at this stage to volunteer if they can. I know the State Emergency Service unit in Mildura had 15 volunteers on a day when it received hundreds of calls. It really did stretch everybody to the limit. That is why this all-agencies response is so important, and it is why it is important to coordinate that response and to manage and report against it.

Australia will always be at risk of natural disasters. It is the nature of the country we live in. We are better off in some ways than some other parts of the world and we are more exposed in other ways than other parts of the world. We will always need to have a response. That response will always need to be coordinated and it will always need to be volunteer based. However, we should never forget that we need to learn and adapt, and we need to improve our response. This legislation is part of that process. I commend the bill to the house.

Mr SOUTHWICK (Caulfield) — It gives me great pleasure to rise to speak on the Emergency Services Legislation Amendment Bill 2011. As we have heard from many members, this is a very important bill. This legislation and this issue affect members from all sides of politics and they affect all people within our community. We must ensure that we continue to strive to be better at responding on this issue; we must continue to improve our systems and processes; we must look for the best ways of ensuring that the proper responses and emergency services are put in place; and in doing that we must ensure that we reduce as much as

possible the number of lives lost during a natural disaster.

I draw the attention of the house to the fact that in such an important debate as this currently there are only two members of the opposition in the house, whereas on our side we are in full spirit and we are here to debate a very important piece of legislation. We are committed to this and we are here not just in spirit but in presence as well to ensure that this legislation goes through.

We need to be prepared for all natural disasters. Members elected to this house in 2010 have already seen floods — many of us experienced the floods last year and then had the experience of responding to the consequences of those floods and being there for our communities that suffered during that time. Many members have gone through or have known people that experienced the terrible effects of the Black Saturday fires. It is important that we debate and bring in this important piece of legislation at the time we are commemorating the Black Saturday bushfires, which were certainly significant. On Tuesday we commemorated the 173 men, women and children who lost their lives three years ago in that horrific and terrible event.

We need to be prepared for these disasters. We need to ensure that we look at all forms of emergency services, processes and activities and that we are able to inform people of such potential disasters at the earliest possible time and in the most timely possible manner. I would like to take this opportunity to commend the Minister for Police and Emergency Services, the Deputy Premier, for his excellent work in this area, for releasing a green paper and for his consultation in this process. I would like to inform the house that this green paper sought wide consultation from a number of different areas. It sought consultation from those who are directly involved in emergency services, those who are involved in agencies, people from the Municipal Association of Victoria, volunteers and volunteer organisations.

We received over 90 submissions that helped us to create the green paper. There was a two-month consultation — an extensive consultation. That is the form of this government — we are here to consult; we are not here to just rush into legislation. We are here to talk to the people who are most affected and the people who have the ideas to ensure that we have good policy. We are prepared to make the decisions, including the hard decisions, to ensure that Victorians are protected. That green paper will form the basis of a white paper that will ensure the creation of further legislation that will be debated, and that will further ensure that we

have good policies and good programs in place. Such legislation will ensure that our emergency services are the best we can offer and certainly the best in this country.

The key to the green paper and to the further consultation in drafting this bill was to look at structures, response times and laws in order to improve our support for the thousands of volunteers that put their lives on the line each and every day. We have heard already that there are many service organisations that in fact do that and that have sacrificed so much to protect their communities. I can only imagine what it is like for these people to be at the front line, to be fighting fires, to be out there helping people, helping in floods and helping in any natural disaster — and they are not only dealing with immediate consequences, they are also providing support in relation to the issues that remain when the actual events are over.

We need to take into account the lessons learnt from the 2009 Victorian Bushfires Royal Commission, and this bill does that. We have taken into account the flood review. I am glad we are looking at reviewing the compensation for volunteers, in particular volunteers who come from interstate. As we have heard from members who have already commented on this bill today, these sorts of natural disasters do not affect just those in the immediate communities; at a time of need people from interstate and from overseas come to one another's aid and put their lives on the line by fighting the issues at hand and protecting people's lives.

The last things these people should need to be worrying about are insurance covers and those sorts of obligations. Really, the first and foremost thing in their minds should be helping one another. That is what Victorians are built on: we are built on volunteering. We have communities that go far and beyond to volunteer and help one another. I would also like to put a call out to those people who are considering getting involved in helping to say that they should do so, because there is nothing better than helping and supporting one another; that is what we have seen time and again.

In my first month in office I was fortunate, as were many others who joined me, to go out during the floods to visit and support communities and get involved. It certainly showed me how important it is to help these communities. My wife and I were also involved in the Black Saturday recovery effort, going into bushfire-affected areas to support and work with those communities, and we were able to see the front-line volunteers who did not sleep and who did not have time to do anything but look after one another.

We need to ensure that the proper processes are in place. This bill looks at a wide range of things, including providing alarm mechanisms, ensuring that there are processes for declaring emergencies and also ensuring that there are promotional activities like fundraising to allow the state emergency services to provide basic things. These things are expensive, and governments should help out in whatever way they can. We should also provide the opportunity for emergency service volunteer groups to fundraise to ensure that money is available when it is most needed.

I draw attention to the bill, particularly the provisions allowing fire services to charge owners, occupiers and owners corporations when they attend false alarms or when automatic alarms go off. Certainly there are times when this cannot be helped and it is allowed — they are not obligated to pay. But this bill tightens things up and ensures that people can get systems right and processes in place.

This is a very good piece of legislation; it is comprehensive. It is not the end; we will continue to do a lot more work on this issue, and it is very important that we do. I am very supportive of the great work the Minister for Police and Emergency Services, the Deputy Premier and others have done on this great piece of legislation. I commend the bill to the house.

Mr THOMPSON (Sandringham) — In contributing to the debate on the Emergency Services Legislation Amendment Bill 2011 it is important to know the background context for the reforms being implemented. They arise from a green paper that was announced on 12 September 2011. It called for submissions from the wider Victorian community so that the community response, as well as the expert input from the emergency services in Victoria, could be wisely integrated with existing legislative provisions.

In Victoria's history there have been some massive fires that wreaked havoc across the Victorian landscape. The fire that is most vivid in my memory is the Ash Wednesday fire of the early 1980s. There was an eeriness on that day. It was a hot day, there was a high fuel load across the state and a strong northerly wind — and then it hit, and a cloud of darkness travelled across Port Phillip Bay. The cinder ash was noted for miles around and for days after the havoc and devastation were unleashed. Then followed the stories. A book was written, *Phoenix from the Ashes*. It had a wonderful picture of a flower growing amidst the black cinders on a forest floor. There has been recovery, but at the same time there has been enduring loss — the tragedy of family members whose lives were lost in different bushfires. There were families up in the

Beaconsfield area who died during those fires, and I have come to know some of their friends and some survivors in more recent years.

Then there were the more recent fires in the north-east of Victoria — the fires of 2003 in the first part of the 21st century and the 2006–07 fires, which caused a massive loss of flora and fauna in Victoria. But ahead of the flora and fauna, one must note the tragedy of the 173 lives lost three years ago on Black Saturday and the continuing impact of those fires upon rural communities. I had friends who lost their home in Callignee. I had another friend, who I spoke to on the day of Black Saturday at a time approaching 3 o'clock in the afternoon, when he was preparing to stand on the roof of his home as a fire swept across the forest near his place. Fortunately he survived and his house remained intact. His family had taken their valuables away by car a few hours earlier, while he and his friend, wisely or unwisely, fought to defend the home. There were other people in Victoria on that day who were not so lucky.

It is in the context of the 2009 Victorian Bushfires Royal Commission recommendations that a range of reforms to various legislative provisions under the Country Fire Authority Act 1958, the Emergency Management Act 1986, the Victoria State Emergency Service Act 2005, the Forests Act 1958 and the Summary Offences Act 1966 are being developed and integrated to enable the Victorian community to better respond to emergency circumstances so it does not become part of a post-event review.

I note that following the attack on the US World Trade Centre during the early part of the 21st century there was an account given of that experience by Jay Jonas, who was one of the firefighters involved in that tragedy. He was left in a cavern within the building where he had stopped, having transported a person down during that emergency. The person had said, 'I cannot go down any further flights of stairs. Please leave me'. But this firefighter and those with him said, 'No, we will not leave you. We will stay with you in this stairwell'.

As the building imploded, that was the only open space that remained in the building, and he and the few people with him were among the few survivors of that event. He had originally led his crew up towards the middle stages of the tower. He lived to tell the tale. Unfortunately, his colleagues were not so fortunate. This has led to a review of how best to respond to an emergency situation so that you can respond to the risks but at the same time, importantly, also preserve the lives of the firefighting personnel. Regrettably, too

often new approaches are factored in after an event during which there were deficiencies.

Following the fires on Black Saturday in Victoria, there were suggestions that people should have bunkers. That was a suggestion that came out of the 1940s review, and there are a number of bunkers across Victoria in the timber country of this state, particularly in the electorate of the member for Narracan. However, in time those bunkers became filled with bracken, twigs and insects, which made them not the most habitable places to retreat to. So, with the lapse of the public memory of those events, they became non-functional for their purpose. I am very pleased to support the legislation before the house, which might define pathways forward.

I note that the *Hansard* record poignantly marks and notes the many individual stories of members in this place as they have narrated the post-impact review of Black Saturday and the impact upon community after community and upon families in relation to the loss of life and property and the devastation and the heartbreak that have been caused. Some horrific images have been read into the parliamentary record that tragically describe what took place.

The Sandringham electorate has had its own share of fires in its history. In the 1940s the area of Beaumaris was burnt out. On Black Saturday there was a foreshore fire. There have been fires in railway carriages, fires in remnant vegetation reserves and factory fires which have all required the excellent response and skills of our emergency services personnel. I note for the parliamentary record that only a matter of days ago the Bayside Ratepayers Association took me on a visit to a reserve where they have significant concerns regarding the fuel load on that site, specifically pointing out that if there were an appropriate set of circumstances that enabled the combustible material to erupt into fire, then there would be a risk on a north wind day to surrounding properties as the flying embers would ignite vegetation on private properties and nature reserves.

I have a meeting coming up shortly with emergency services personnel just to make sure that, while we preserve our vegetation areas for their natural beauty and conservation values, at the same time we do not see a repeat of what happened, whereby the locking up areas of the high country under the guise of conservation actually led to greater devastation and a greater loss of flora and fauna through the mismanagement of the fuel load. We need to ensure that the fuel load is wound back so that the same threat is not present.

There is also the issue of floods, which have affected significant parts of Victoria. A number of years ago I had occasion to visit East Gippsland to address people in the area where the floods had occurred in that region. It was remarkable to learn of the volume of water that had come down from the Victorian Alps and made its way towards the Gippsland Lakes through the rivers and streams in that area. We had to clean off hay and feathers and other rubbish from a fence that was 3 or 4 feet off the ground. It had suffered damage, and it contained the bracken and debris of the strong currents of water that had flowed through that area. Broadly speaking there was a safe outcome in that region at that time.

Then in the north-west of Victoria in recent years there have been the great floods in 2009 and 2010 and the consequent devastation to property. There has been the filling of the river systems as a result of the inundation, but at the same time there has been a massive disruption to the livelihoods of many people who have depended upon their farm incomes, especially up in north of Victoria where the water remained extant in that region for many months. I commend the bill to the house.

Mr WELLER (Rodney) — It gives me great pleasure to rise to speak on the Emergency Services Legislation Amendment Bill 2011.

Dr Napthine — Isn't it their turn?

Mr WELLER — I will come to that. I would just like to say that this bill amends the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958, the Victoria State Emergency Services Act 2005, the Emergency Management Act 1986, the Emergency Services Telecommunications Authority Act 2004, the Forests Act 1958 and the Summary Offences Act 1966.

I listen intently when we debate the government business program, and the debate is always challenging. Opposition members claim and rail that they do not get an opportunity to speak. I also make the observation that they often say Nationals members want to head off early on a Thursday. Where are the Labor members now? Are they out sipping lattes with their Greens mates? I suggest they are more interested in sipping lattes with their Greens colleagues than they are in improving the way in which emergency services are delivered in this state. They are out there sipping lattes while we are in here doing the work to improve emergency services and the way they are delivered in Victoria so that Victorians can live in a safe environment.

Labor has become a lazy opposition. Its members are not here. They are lazy latte sippers. They are out there with their Greens mates. They are drinking lattes while we have no opposition members here other than one at this stage.

I am qualified to speak on the emergency services. I have been a member of the CFA (Country Fire Authority) since 1979.

Dr Napthine — Before you were born!

Mr WELLER — I have not aged that much. In 1979 I joined the Tennyson brigade, and in 1986, when I purchased a farm in Lockington, I was recruited to the Lockington brigade — they poached me. I can say that I do know a fair bit about the functioning of the brigades. I was the secretary of the Lockington fire brigade from 1997 to 2001, so I understand the issues.

Mr Scott interjected.

Mr WELLER — The one Labor member who is in the chamber says, 'Were you involved?'. As a matter of fact I am still currently active. I have done my wildfire training, and this year I have turned out to three fires. One was on Singer Road, where due to the quick response of the Lockington, Kotta and Pine Grove fire brigades, we rounded up the fire before it had burnt out 5 acres. Then we spent another hour and a half cleaning up after it, making sure that it was blacked out. That was for the benefit of the member for Preston.

Then there was another fire on Singer Road, just 2 miles further up the road, which broke out later at night. We rounded that one up. It took about 2 or 3 hours; there was more fuel there to burn. It took a longer response to clean it up. Then Saturday week ago I was at home, the pager went off, and I turned out to find a powerline had fallen off a house and was burning across the lawn. You have to be very careful with live powerlines, and this is why we should have the cut-out circuits, because it had not cut out and was arcing across the lawn. You cannot go within 8 metres of it because there is a chance — —

Dr Napthine — You can't put water on it.

Mr WELLER — You can use water, but not directly on it. You have to spray it high, so you would aim for the ceiling and have it rain down so that you do not get electrocuted. There is a safe way of doing it. That is why we have training — so we do not have these accidents. It is an all-hazards, all-agencies approach.

Unfortunately here in Victoria we have experienced tragic events like Black Saturday, which has been spoken about this week, and also those terrible floods of early 2011. It was heartening that while the State Emergency Service (SES) was the lead agency on that terrible Saturday in Rochester, when the waters started rising, trucks from the fire brigades of the surrounding districts, including Lockington, Kotta, Timmering and Elmore, went in and helped elderly people evacuate their homes. Those trucks are higher than normal vehicles, so they could go through slightly deeper water and get people out. The CFA and the SES worked well that day. That is what this bill wants to do: it wants to recognise that there are events where we have to have all-agencies responding to all-hazards. It works very well, and we are going to improve on that also.

The bill will increase certain penalties in the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958. There is nothing worse than a false call. If you are called 20 minutes away from the station and there is another genuine call 5 minutes the other side of the station, that is an extra 20 minutes for the truck to get back. It slows the response time. A quick response can allow brigades to get on top of things earlier, and the quicker they are there, the better outcome there will be. So we fully support that. Throughout the volatile 2009 season we were fortunate in Victoria that people came from other states and from across the world to help fight those terrifying, horrific fires.

In 1995, I got the call. It came to the Lockington brigade. I had just finished milking my cows. The captain turned up at my cowshed and said, 'Paul, there are fires in Sydney and they want a crew from Lockington'. I said to my farm apprentice who was there, 'We are irrigating. Can you handle it?'. He said, 'Yeah, I can handle it'. Off to Sydney I went and then to Gosford. There was a 60-kilometre front of fire coming to Gosford. On the Sunday morning we lit a 26-kilometre back-burn, and that response by the Lockington, Rochester and Kerang brigades saved Gosford. There were two strike teams from brigades from Kerang to Echuca up there along with many other brigades from elsewhere in Victoria. It is only right that they be protected by this personal liability insurance when they have to go interstate. I have experienced travelling interstate to fight fires and lend a hand; fortunately there were no injuries.

We are doing what needs to be done. In January in my electorate there was a fire at Toolleen. For those who do not know the area, the Northern Highway runs from Heathcote to Elmore, up to Rochester and then to Echuca. The fire ran down the side and threatened to

jump the Northern Highway. The CFA members there were perturbed that they did not get support for closing the road. The CFA members actually had to stand there and do the stopping and detouring. This is an area that needs to be resolved, and the government is going to resolve it in this bill. The local sergeant or chief fire officer will be able to make the decision earlier so that we do not have cars driving through smoke and so that the fire services can go in there in safety and put it out. That is what we need to do.

Dr Napthine — We do not want people driving in danger.

Mr WELLER — No, we do not. That is why this bill addresses that. We are about solving problems. This government sees problems, consults with the responsible bodies and actually solves the problems. As the member for Mornington said, we are sorting out the mess that was left. We are improving emergency services management. We have to pay due respect to the CFA and the SES. In my electorate we also have search and rescue squads. We have to pay due respect to all those volunteers who stand there at the ready to protect us, whether it be from flood, fire or other major catastrophes. They are there at the ready, any time, to help make Victoria a better place. I commend the bill to the house.

Mr NORTHE (Morwell) — It is a pleasure to rise and follow the member for Rodney in speaking on the Emergency Services Legislation Amendment Bill 2011. The left ear might be bit sore, but despite that, it is a serious bill and a sensible bill at the same time. The bill amends a number of acts, including the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958, the Victorian State Emergency Service Act 2005 and the Emergency Management Act 1986, amongst others. It is important that as a government and as a community we support our emergency services personnel, and it is important that we also provide investment in our emergency services agencies. Making sure we support those agencies is a critical aspect of a government.

As other members have alluded to, Deputy Speaker, and you would know this well, it is pertinent that we discuss this legislation this week in Parliament, following the third anniversary of the Black Saturday bushfires. I will for one moment speak about the events of Black Saturday and indeed, from a Gippsland perspective, the month before in January when bushfires ravaged our region. In late January 2009 bushfires devastated many communities, including Boolarra and Yinnar in my electorate. Some 30 homes were lost at that time. On top of those January

bushfires, the experience of Black Saturday then came and ravaged many communities —. Many communities, such as at Hazelwood north and south, Churchill, the Jeeralangs to a degree, Callignee, Le Roy, Cornella and Traralgon South, were massively impacted, with 11 fatalities in our region and untold losses of homes, assets, stock and wildlife. It was just an awful moment, and one can only pay the utmost regard, respect and credit to our emergency services personnel across the board, who did such a marvellous job in terrifying and horrific circumstances.

I am sure all in the house and in the community in general absolutely support the work of our emergency services. From a local perspective it is important that we support our local agencies, and it was a pleasure for me going into the 2010 election to commit to funding for the Cowwarr CFA (Country Fire Authority) brigade, for example. We have delivered on that promise and commitment to upgrade that facility, which the community is pleased about. The Glengarry CFA brigade will be the recipient of a new shed, which is to be constructed shortly.

As a government we have also invested in a new building for the Morwell SES (State Emergency Service) unit, which does a marvellous job. We should not forget the SES in the context we are speaking about, which is emergency services. It does a wonderful job, and we are in negotiations with the Morwell SES at the moment about providing that new facility for it. The Traralgon fire brigade is in receipt of a new vehicle. The Traralgon East CFA brigade is the recipient of a new building as well. In recent times — just last month — I was privileged to be at Latrobe Regional Airport with Department of Sustainability and Environment personnel to look at its new facilities, which are really state of the art from a regional perspective and will ensure that aircraft which can monitor potential bushfires are able to communicate with other agencies and that the right aircraft are available to undertake the surveillance of our regions. Those are just some examples that are indicative of our government's support for emergency services in my electorate, and that support is replicated right across the state of Victoria.

What the bill itself does, in part, is create several offences to deal with activities that prevent fire services from responding properly to emergencies. What a sensible provision that is. Other members have spoken about an increase in incidents that have occurred over a period of time of people resetting fire indicator panels after an alarm has been activated. That is not only a stupid thing to do but it can increase the risk not only to

our CFA and emergency services personnel but to public safety as well.

The member for Rodney articulated it well when he spoke about our friends from interstate and overseas who come to support us in our time of need when there is an emergency. We do likewise, and our troops quite frequently go to help out other jurisdictions when required. An important aspect of this bill is the provision of immunity from personal liability for interstate and international firefighters and persons undertaking fire management duties and activities in Victoria. As is noted in the second-reading speech, and as I understand it, somewhere in the vicinity of 3400 interstate and international personnel assisted Victoria through the 2009 bushfire season.

I can relate to that from a local perspective, because when we were in the middle of those fires on Black Saturday we were lucky to have a number of international personnel based at Latrobe Regional Airport, with *Marty* the helicopter and *Elvis* and all those other wonderful aircraft that do such a marvellous job in protecting our community. There is no doubt the toll would have been far worse if it had not been for the efforts of the crew and personnel who work those magnificent machines.

For the sake of saving your home, using a bit of retardant on your roof is well worth the exercise. After the bushfires it was amazing to talk to people in our community who said, 'Yes, I might have an orange roof, but it is far better to have that than to see our home destroyed'. I absolutely applaud those people who help us in our time of need, and it is important that we do likewise. That has been the case in relation to many incidents. The intent of the bill is to combine the efforts of those agencies in a team effort. To use a football analogy, TEAM stands for 'together everybody achieves more'. It is no different to what we are trying to achieve through the legislation before the house today.

Unfortunately over my time as a member of Parliament our region has encountered many major emergency events. Not long after I was elected to Parliament in November 2006 — the very next month — bushfires destroyed many homes in and around the Toongabbie area. We had floods that affected the area from Licola down to Tinamba, and I remember cleaning up the paddocks down there with the help of some of my colleagues over a period of time. We were helping those farmers who were dealing with floods at the time. Among all of that are our emergency services personnel, whether SES or CFA, and volunteers from

the community who come out and assist in our time of need. It is very much appreciated.

I will conclude on that note. Suffice it to say that this is very sensible legislation. Our members have spoken very passionately about the support of our emergency services personnel. I congratulate the minister on a good piece of legislation, and I support the bill before the house.

Mr MORRIS (Mornington) — I appreciate this somewhat unexpected opportunity to speak on the Emergency Services Legislation Amendment Bill 2011, which of course amends a real laundry list of acts — the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958, the Victoria State Emergency Service Act 2005, the Accident Compensation Act 1985, the Emergency Services Telecommunication Authority Act 2004, the Forests Act 1958 and the Summary Offences Act 1966 — to insert definitions. It is very much a laundry list of amendments, but it is a comprehensive bill.

I was particularly interested when listening to the debate before the lunch break, both in my office while I was doing some paperwork and while in the chair. It is interesting to reflect on just how often major fires mark particular points in our lives. It certainly is for me. The member for Geelong mentioned the Lara fires, which I could not help thinking back to and which sadly took a number of lives on Geelong Road. Those fires occurred somewhere around 1967 or 1968, and that was certainly a period of my life when I was regularly travelling up and down that highway. I was living in Geelong and either attending school or otherwise required to be in Melbourne.

Prior to that there were the fires in the early 1960s, when Melbourne was a much smaller place than it is now. I vividly remember them, because they were up around the Basin, and they took out a lot of homes. I remember being at Lindsay's in Chadstone, which my father was managing at that stage, the company having opened a store there. It seemed like hundreds of people — probably it was not — who had been through the fire and had lost everything were desperate for new wardrobes and things. The store played a major part in outfitting them again. I probably would not have been more than seven or eight at the time, but it is one of those vivid memories that sticks with you.

To discuss more recent times, the member for Sandringham talked about Ash Wednesday. I recall very vividly standing on the cliffs at Mornington and seeing that horrible black cloud go over. While we were okay in Mornington, we were left thinking how much

trouble people must have been in. We were just across the bay from where all the fires were, and of course the beaches were blackened on that day and for weeks and weeks afterwards.

I must say also that my own electorate and the whole Mornington Peninsula, the Mount Eliza and Mount Martha areas in particular, have a significant history of fire. Touch wood we have not had anything for a very long time. I am told — obviously I was not around at the time — that back in the 1940s the whole of what is now called the Mount Eliza Woodland, which is reasonably densely wooded, was taken out by a fire that burnt for 10 days or so. Of course in those days the local Country Fire Authority brigade was generally made up of people who had to travel up to Melbourne, so there were two crews: one working day, one working night. The people who were travelling up to Melbourne would fight the fire all night, come home, have a shower, get on the train and come up to the city to work. Then they would go home, get back into their turnout gear and fight the fires.

Thankfully, while we still have a very strong volunteer organisation, we now have a much more organised and better resourced structure and an appropriate way of handling these things. It is important to keep that structure evolving and to make sure we continue to learn from those experiences. Obviously the most recent and probably the most terrible experience in the last hundred years, Black Saturday, looms very large in everyone's minds in terms of the sorts of catastrophes we need to fight.

It is not only fires; it is floods as well. You need only look at the TV to see what western Queensland and northern New South Wales — that whole band — are going through at the moment. Obviously fighting floods is a very different experience to fighting fires, but often the aftermath is equally challenging. When you look at what has happened to St George and other places over the last few weeks you can see the importance of having a sound policy basis upon which to organise the emergency services. This bill is excellent in that regard.

I conclude by observing that as I have been speaking, six members of the opposition, I think, have come into the chamber. I could not help thinking about the fact that many government members on this side have spoken on this bill for the last hour without a single contribution from opposition members.

Honourable members interjecting.

Mr MORRIS — The next time opposition members bleat about the government business program

and there not being enough time to debate the bills — —

Honourable members interjecting.

Mr MORRIS — This is the way they treat it. It is the last hour of the Parliament; time is so short. They cannot be bothered coming in, they cannot be bothered standing up and they cannot be bothered contributing to the debate. They are just lazy, lazy — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I will not tolerate that level of noise. The member for Mornington has sat down.

An honourable member interjected.

The DEPUTY SPEAKER — Order! You will have to wait. The time set down for consideration of items on the government business program has expired, and I am required to interrupt business. Does the member for Yan Yean wish to make a point of order now?

Ms Green — I have nothing further now.

The DEPUTY SPEAKER — Order! She cannot; I apologise. The question is that the Emergency Services Legislation Amendment Bill 2011 be now read a second time.

Honourable members interjecting.

Ms Green interjected.

The DEPUTY SPEAKER — Order! I ask the member for Yan Yean to cease interjecting across the chamber, and I also ask that government members resist the temptation to do so.

Ms Green interjected.

The DEPUTY SPEAKER — Order! The member for Yan Yean is listed for the adjournment. If she wishes to be in the chamber, she should cease calling out.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

PORT MANAGEMENT AMENDMENT (PORT OF MELBOURNE CORPORATION LICENCE FEE) BILL 2011

Second reading

**Debate resumed from 8 February; motion of
Dr NAPHTHINE (Minister for Ports).**

The DEPUTY SPEAKER — Order! The question is:

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

House divided on question:

Ayes, 43

| | |
|---------------|------------------|
| Angus, Mr | Mulder, Mr |
| Asher, Ms | Naphtine, 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 | Wreford, Ms |
| Morris, Mr | |

Noes, 38

| | |
|----------------|----------------|
| Andrews, Mr | Holding, Mr |
| Barker, Ms | Howard, Mr |
| Beattie, Ms | Hutchins, Ms |
| Brooks, Mr | Kairouz, Ms |
| Campbell, Ms | Knight, Ms |
| Carbines, Mr | Languiller, Mr |
| D'Ambrosio, Ms | McGuire, Mr |
| Donnellan, Mr | Madden, Mr |
| Duncan, Ms | Merlino, Mr |
| Edwards, Ms | Nardella, Mr |
| Eren, Mr | Neville, Ms |
| Foley, Mr | Noonan, Mr |
| Garrett, Ms | Pallas, Mr |
| Graley, Ms | Perera, Mr |
| Green, Ms | Pike, Ms |
| Halfpenny, Ms | Scott, Mr |
| Helper, Mr | Thomson, Ms |
| Hennessy, Ms | Trezise, Mr |
| Herbert, Mr | Wynne, Mr |

Question agreed to.

Read second time.

*Third reading***Motion agreed to.****Read third time.**

**FREEDOM OF INFORMATION
AMENDMENT (FREEDOM OF
INFORMATION COMMISSIONER)
BILL 2011**

Second reading

**Debate resumed from 7 February; motion of
Mr McINTOSH (Minister responsible for the
establishment of an anti-corruption commission).**

Motion agreed to.**Read second time.***Third reading***Motion agreed to.****Read third time.**

**INDEPENDENT BROAD-BASED
ANTI-CORRUPTION COMMISSION
AMENDMENT (INVESTIGATIVE
FUNCTIONS) BILL 2011**

Second reading

**Debate resumed from 8 February; motion of
Mr McINTOSH (Minister responsible for the
establishment of an anti-corruption commission).**

Motion agreed to.**Read second time.***Third reading***Motion agreed to.****Read third time.**

**PARKS AND CROWN LAND
LEGISLATION AMENDMENT BILL 2011**

Second reading

**Debate resumed from earlier this day; motion of
Mr R. SMITH (Minister for Environment and
Climate Change).**

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.

Rail: Beaconsfield station car park

Mr BATTIN (Gembrook) — I rise in this adjournment debate with a matter for the Minister for Public Transport. In the 2010 state election the coalition government was pleased to announce it would construct 100 car-park spaces for the Beaconsfield railway station to relieve the current pressures on car parking at this busy station. I ask the minister for an update on the progress of this project and a report for my community.

I was pleased when, in the state budget handed down in May last year, funding was allocated for this vital infrastructure. The members of the Beaconsfield community, especially those around Woods Street and Beaconsfield Avenue, are pleased that the car park will be extended, and the commitment by the government to extend the car park is much anticipated. The station at Beaconsfield has increased in traffic as the town has grown in the past decade, but the infrastructure in the area falls well behind the pace of growth. Many in the community had called for extra car parking, and the last extension barely touched the edges of the volume of cars parking externally or on local vacant blocks.

Mr O'Donohue, a member for Eastern Victoria Region in the other place, and I have met with local residents, including those the new car parks will affect, and we have discussed the car parks and any concerns that relate to those residents. A few raised concerns regarding security in the car park and requested information on how the state government would address their concerns to prevent antisocial behaviour in the area of the railway station.

In the update I ask the minister to assure us that safety will be addressed for passengers travelling to Beaconsfield. I have informed the community of the increase in Victoria Police members by 1700 — the

largest increase in police numbers in any term of government in Victoria's history. The coalition will also be delivering on 940 protective services officers at railway stations, and I know the members of my community look forward to this as we begin to see the recruitment drive from the Victoria Police Academy. Can the minister advise on any other security options that will be put in place at the Beaconsfield train station car park so the local residents who use public transport or live in the vicinity can be assured that this government is committed to public safety?

As I said, during the election campaign the coalition committed to 100 car parking spaces. Following discussions with the Department of Transport I believe there is a possibility of extra parking spaces in the area. Mr O'Donohue has been working with the department in his role as Parliamentary Secretary for Transport, and his work is appreciated by me and by those in the community awaiting a positive response. Beaconsfield residents deserve better; they do not deserve the current situation in which so many travellers' cars are parked on the street, on occasion illegally. There are also safety concerns, with children having to walk between cars to cross the road to get to the railway station and local schools.

The delivery of this project will again confirm that this government has been listening to the local community and working to improve infrastructure. I look forward to the minister's response and the information regarding how this government is working towards crime prevention in the Gembrook electorate.

Nurses: enterprise bargaining

Ms GARRETT (Brunswick) — The matter I wish to raise is for the Minister for Health, and the action I seek is that he attend a full shift at a busy hospital to experience firsthand the pressures and demands that our hardworking nurses face every day. I make this request on behalf of a constituent of mine, a senior nurse working in a major Melbourne tertiary referral hospital. In putting forward her request she has asked for anonymity in fear of retribution, and that is a sad indictment of the culture that has developed in the short time the Baillieu government has been in power. The projection of such fear is something those on this side of the house are hearing more often.

To quote my constituent's correspondence:

I have 30-plus years experience in nursing and am just as passionate about the care I deliver to my patients, if not more so, than my first day on the job.

My constituent said that over those years of experience she has witnessed and been part of many, many wonderful advancements in health care, and she maintains that our health system, despite its difficulties, is one of the best in the Western world. She says should the Baillieu government have its way in the current nurses EBA (enterprise bargaining agreement) negotiations she would truly fear for the health care of Victorians.

My constituent asked me to urge the Minister for Health, Mr Davis, and with him Premier Baillieu, to attend one of our major hospitals and spend an entire shift with a nurse on one of the busy acute care wards and specifically to experience and see the importance of nurse-patient ratios to patient wellbeing and outcomes. I am more than happy to stand here today and convey that request to the minister. To quote my constituent again:

I do not believe they truly understand the complexity and acuity of care in the 21st century and that it can only be safely delivered by properly trained professional staff with safe staffing levels in the form of ratios.

Given not only the ongoing failure of the government to resolve the EBA negotiations with the nurses but also its obvious failure to fully appreciate how its negotiation position will erode the delivery of health care in this state, I call on the minister to take up this request, and I extend the invitation also to the Premier.

Dirty Gran Fondo: tourism marketing

Ms McLEISH (Seymour) — I rise today to call on the Minister for Tourism and Major Events to support the 2012 Dirty Gran Fondo event by providing financial assistance to support tourism marketing for this event. The Dirty Gran Fondo is a cycling event with origins in Europe — in Italy. This inaugural event is going to be held in the Mount Disappointment State Forest and Wandong Regional Park, and it will be run by Big Hill Events, which manages cycling events across Victoria.

The towns of Wandong and Heathcote Junction, at the bottom of my electorate, have the feel of villages. At the same time they are quickly and easily accessed from the city, being close to the Hume Highway and to rail. These towns are also seen as the gateway to Mount Disappointment and even to the Kinglake Ranges and the Kinglake National Park. The delivery of recreational, sports and tourism events in this area would be welcomed and ideal, as it is well suited to them. Mount Disappointment itself is 800 metres high — not as high as some — and located at the southern end of the Great Dividing Range, about 60 kilometres north of Melbourne. As I indicated, it is

not the largest of mountains, but it is a good size for hosting a cycling event such as the one planned for 20 May. The mountain itself boasts wonderful scenery, splendid mountain ash, various walking tracks, picnic areas and camping sites.

The Dirty Gran Fondo is a mass participation event on a course winding through the scenic Mount Disappointment State Forest. We have all loved and been inspired by Cadel Evans's mountain biking in that area, but this event offers something for everybody. You do not need to be an elite athlete by any means. You could race or ride over 33, 65 or 90 kilometres at your pace with family or you could race full on in lycra. There is lots to keep participants interested. There is plenty of undulating and ever-changing road terrain, and there is not one single track.

With the highly recognised and much talked about Wandong Country Music Festival cancelled this year due to work at the reserve, this cycling event may help to provide a missing injection of tourism back into the area. It may also encourage overnight stays in the region. Easily accessible by road or rail from the city or regional Victoria, this event is likely to be well patronised. It is important that this patronage is converted into economic benefit for the area, hence the call for support for marketing. I know the local community, business owners, tourism operators and organisers would be appreciative of any funds to help support them and put the event and Wandong on the map so that it might become a frequent tourist destination.

Autism: western suburbs schools

Mr NOONAN (Williamstown) — I wish to raise a matter for the Minister for Education. The action I seek from the minister is the full implementation of the short-term action list contained in an independent report prepared for the western metropolitan region of the Department of Education and Early Childhood Development on improving the education opportunities for children with an autism spectrum disorder (ASD) in Melbourne's west. This report, prepared by Grant Thornton, is titled *P-12 Autism Spectrum Disorder Education Provision Review Proposed Options Paper* and is dated August 2011.

The background of this report goes back to September 2010 when a previous minister for education, Bronwyn Pike, asked her department to undertake a review of how schools in Melbourne's west educate students with autism spectrum disorders and what options could be considered to deliver better outcomes for local children from prep through to secondary education. As a result

of this work we now know that the western metropolitan area of Melbourne has the second highest prevalence rate of students supported under the ASD category of the program for students with a disability (PSD) in Victoria. We also know that the number of students supported under the ASD category of the PSD as a primary disability has increased threefold in the period between 2006 and 2010 and that still further growth is expected.

There is also evidence that this growth in demand is placing pressure on mainstream and specialist schools to cater for the increasing number of students exiting the Western Autistic School. In response to this growing demand it is worth recognising that the government has promised to deliver a new prep to year 12 autism specialist school in Melbourne's west during this parliamentary term. It is clear from the Thornton report that investing in an ASD-specific school will not be enough and that additional support for mainstream schools and other generalist special schools in the region must be considered as part of a holistic approach going forward.

As I said at the outset, a number of short-term actions are listed on page 5 of the Thornton report for the minister's consideration, and these are the focus of my adjournment request. In summary those actions include: holding information sessions for local families about services, supports and programs and posting more information on the department's website; initiating support opportunities for local families to network; reinforcing that all schools will accept children with differences and will cater for diversity through positive leadership; drafting a formal set of regional guidelines outlining that time out should be used for ASD children; and reviewing and streamlining regional processes where students may be eligible for PSD funding, which is something I have called for in the past.

The report makes clear that the implementation of these actions would immediately benefit students with ASD and their families. Therefore I call on the minister to implement these very reasonable steps in the interests of many local families and to support those families into the future.

Fruit fly: control

Mr CRISP (Mildura) — I raise a matter for the attention of the Minister for Agriculture and Food Security. The action I seek is for the minister to outline the measures being taken to control and eradicate Queensland fruit fly from the Sunraysia region. Queensland fruit fly is one of the most serious pests that

threatens the horticultural industry in the Murray Valley, in particular around Mildura. It is endemic to Queensland and has been slowly spreading south, threatening valuable fruit crops and market access.

The summer of 2009–10 was the wettest for perhaps 100 years and provided a Queensland-type environment in Mildura which resulted in conditions that favour the survival of fruit fly. Fruit fly normally do not like Mildura. A large number of outbreaks occurred, which cost our industry dearly and challenged the Victorian government in a way that it had never seen before. The occasional outbreak is the norm for Mildura, and we have gone many years between such outbreaks. To have over 30 outbreaks in one season is unprecedented. The Victorian government has responded to this challenge by allocating an additional \$6 million to the clean-up. Many of our horticultural areas are now fruit fly free again, with a small number of outbreaks still to be cleaned up.

Queensland fruit fly do not fly to Mildura by themselves; they are hitchhikers. Therefore responsible travelling is one of the keys to fruit fly control. The tri-state fruit fly committee is a partnership between horticultural groups, state agencies and federal bodies, and it meets to exchange information and ideas on the control of fruit fly. It has been involved in raising public awareness over many years. To further focus on the key horticultural areas the Sunraysia pest-free area has been established. The pest-free area has a committee undertaking a number of tasks, including random roadblocks and a communications plan. This committee has long sought to expand its membership to include participation by local government. It has been noted that from time to time local government has been involved.

The horticultural industries have long argued that the benefits of fruit fly control extend beyond the commercial orchards to the home gardener utilising his or her backyard in an urban area. The commercial industry has long advocated for local governments to contribute towards fruit fly control, particularly with the popularity of home gardening in our rural cities. Until last year home gardens were the most common source of outbreaks. The deputy mayor, Cr Glenn Milne, recently called on the state government to do more to control Queensland fruit fly. Council support is welcome, and I look forward to the council's active commitment and contribution to the control of fruit fly. Local government shares in the benefits and should therefore assume more responsibility in controlling fruit fly. In the past Mildura Rural City Council has supported the control of fruit fly by implementing local

laws relating to unkempt fruit trees. These have been removed from the statute book.

Research shows that people carrying infested fruit provide the main way for fruit fly to enter Mildura. The major risk to the Mildura region is to the north and east. The Victorian government has committed to doing more with the establishment of a permanent randomly located fruit fly roadblock.

VicRoads: western projects office

Ms HUTCHINS (Keilor) — The matter I wish to raise is for the Minister for Roads, and the action I seek is that he stop the planned abandonment by VicRoads of its western projects office located in Caroline Springs. I have been informed that, due to the fact that there are no major infrastructure projects in the western suburbs in the pipeline, the office is deemed to have become redundant and will soon close and staff will be either relocated or made redundant.

I assure the minister that there are plenty of road projects in the western suburbs that need funding. The reason the office is to close is not that there is not a need out there — because in fact there is much need. If the planned abandonment of the office were to proceed, it would be purely out of arrogance and neglect of the western suburbs, which, as I have said many times in this house, is the fastest growing region in not only Victoria but also Australia.

In the past two years I have surveyed the residents of my electorate, and 98 per cent of them have identified roads and traffic problems as the most important issues in our area. Eighty-seven per cent of residents said the thing they would most like to see changed about their area is better traffic management and more investment in our local roads. The top five roads that need addressing have major traffic issues and major accident black spots. They include the intersection of Kings Road and Taylors Road; the Calder Freeway where it intersects with Sunshine Avenue; Calder Park Drive off the Calder Freeway, which I have raised in this house as being a major traffic thoroughfare, with parts of the road unsealed and in desperate need of upgrading; the intersection of the Calder Freeway exit at Melton Highway and Sunshine Avenue; and finally, one of the major issues, the duplication of the Melton Highway between Sydenham and Melton.

Recently a resident wrote to me about a horrifying incident that he and his wife experienced on the Melton Highway on 11 August last year, when a car drove onto the wrong side of the road. He avoided a head-on collision by driving into a ditch. The car that strayed

onto the wrong side of the road did not stop but continued on its way. That resident, Robert Pelly, and his wife, who travelled that stretch of road regularly, were so traumatised by the event that they no longer use that stretch of road. It is only a matter of time before the Melton Highway between Sydenham and Melton sees further fatalities.

I assure the minister that there is plenty of need in the fastest growing region of Victoria, where I know that in the past 12 months we have had 1000 new residents.

Heart disease: treatment services

Mr GIDLEY (Mount Waverley) — The matter I wish to raise this evening is for the Minister for Health, and the action I seek is that the minister deliver improvements to heart treatment health services for Waverley residents. Health is one of those critical areas wherever you live in Victoria, but particularly in the electorate of Mount Waverley. Whether it is for family, friends or other loved ones, we all need access to good, reliable and effective health services. That is why in my campaign to be elected to represent Mount Waverley I placed high priority on ensuring that our health services continue to be built. In my work here in representing Mount Waverley I continue that commitment, and I take a strong interest in that particular area.

The background to that in my electorate is the \$9 million investment in the MonashLink community health service as part of a \$17.3 million project; the Monash Children's hospital, which will be funded and delivered by the coalition government through the \$8.5 million in the last budget for the \$250 million project; and other upgrades to the Monash Medical Centre. That is the background to and the context in which I seek the minister's action on one particular area of health, which is heart treatment services, as another indication of my commitment to health services for Waverley in the work that I am doing.

Cardiovascular disease is the leading cause of death in Australia, and the second leading cause of disease burden. In 2008 cardiovascular disease was the underlying cause of 34 per cent of all deaths in Australia — that is, some 48 456 deaths — and it is estimated that 800 000 people with cardiovascular disease experience disability leading to mild to profound restriction on activities. Although death rates from cardiovascular disease have fallen significantly over the past 40 years, it is still a major issue and of significance in health for Australia, and in particular for Waverley.

As I have said, I understand that in one year we are not able to fix all things in the health area after many years of neglect, but we are working hard. I am meeting with local residents and health providers in the context of the Monash Children's hospital, the Monash Medical Centre upgrades and the MonashLink community health service. The prevention and treatment of cardiovascular disease is important to the people of Waverley, and I am working with local residents to ensure that we improve the services available and the response times. I ask the minister to seek to improve the delivery of and access to heart treatment services for Waverley residents in particular.

Montmorency Secondary College: redevelopment

Mr HERBERT (Eltham) — I wish to raise an issue for the attention of the Minister for Education. The action I seek is that the minister visit Montmorency Secondary College in my electorate to discuss the school's rebuilding needs. Montmorency — or Monty — Secondary College is a fantastic school with great teachers and innovative programs. It is a school with growing numbers of students and a strong school community. When the new school year started the school found that it had a lot more year 7 students than in previous years; in fact it had to create an extra year 7 class. The school is growing with this influx of new students, and it will continue to grow in future years.

I understand the whiteboard practice of funding election commitments in only marginal seats, but this school was due for a rebuild and under Labor it was going to get it. There was a \$9 million commitment because the school was listed as a priority school; it was one of the top three schools to be rebuilt. It was listed not only because of the strengths of its programs and its teachers but also because of the need to restructure and rebuild its facilities. The rebuild was to include refurbished classrooms, new specialist and faculty facilities, a hospitality centre, a relocated administration area, and a new and improved entrance and thus street appeal. With the rebuild, students would have had a transformed maths and science facility with open-plan spaces to match the great aspirations that the school has in its maths and science program, bringing it into the 21st century.

In February last year the Minister responsible for the Teaching Profession visited Montmorency Secondary College. I understand that he undertook to discuss the issue with the Minister for Education. The school has written to the Minister for Education about its rebuilding program. Unfortunately, despite the minister's touring the Eltham electorate — I understand

it is a marginal seat — to date the school is still waiting on the minister to visit it and look at the issues that it has raised about its need for a rebuild.

I understand that recently the school has been advised that it is one of 50 recipients under the assisted supplementary maintenance program for 2012. It is always good to have maintenance work done on a school, but to me it seems ridiculous to spend hundreds and hundreds of thousands of dollars on maintenance work on a school that has been identified as needing to be rebuilt.

I am not asking for a lot; I am simply asking for what the school community is asking for — that is, that the minister come out and have a look at the school and the extra work those teachers are doing and their detailed plans for the future, which will transform a great school into an exceptional school. It is a program that was supported by the region and by Labor in government. It is something that the minister should at least go out to the school and talk to the community about and look at their needs personally.

Warragul Regional College: funding

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for Education, and the action I seek is that he provide funding support for Warragul Regional College from the Local Solutions Year 12 Retention Fund. If Warragul Regional College were successful in its application to the year 12 retention fund, it would enable it to remain involved with the Beacon Foundation's Gippsland project and extend the benefits that this partnership has to offer its senior students.

Currently around 18 000 of Australia's 16-year-olds are not in full-time work, education or training, and the issue of disengagement is further exacerbated in areas of socioeconomic disadvantage. The Beacon Foundation, a national not-for-profit organisation, has been working to address the issues of school retention, engagement and employment in Australian schools for more than 20 years, and it now operates its unique hands-on program in 121 schools nationally. Beacon has recently come to Gippsland and will progressively build its program in 6 to 10 disadvantaged schools, including Warragul Regional College.

Last year I attended the first Beacon event, the charter signing, at Warragul Regional College. When signing the charter students make a public commitment to do all they can to seek a positive pathway beyond year 10. This can often be the first step towards a student genuinely and seriously considering their future and

looking at positive outcomes that can be achieved by completing year 12. The charter signing is the cornerstone of the Beacon program and sets the scene for students, supported by the community, to transition to life after school, equipped with the knowledge, skills and confidence to make informed decisions and to have appropriate post-school opportunities available and accessible to them. With the support of local business and industry, Beacon will help young people of the Gippsland region reach their full potential.

In Victoria almost 9 out of 10 metropolitan students finish school at the completion of year 12. Nearly one-third of country students leave school before completing year 12. The Beacon Foundation has a very successful model that improves the retention rate at secondary schools by providing an on-campus Beacon coordinator to work with students on a consistent basis. Warragul Regional College will be able to continue and enhance its current working relationship with the foundation if its funding application is successful. I encourage the minister to seriously consider the benefits that many young people in my area would gain with his support.

Community services: foster care investigation

Ms GREEN (Yan Yean) — The action I raise is for the attention of the Minister for Community Services. I ask that the minister urgently ask her department to adhere to the court ruling made by a Children's Court magistrate last month in relation to a group of foster siblings who were removed from their foster care situation in March last year. I raised this matter with the minister on 16 June 2011 in this place when I asked her to conduct an independent review, which from the correspondence I received it seems she declined to do. These children originally came from a very poor family situation. The foster mother, whom they had been with for many years, has had many foster children over the years. Indeed in 2009 the department praised her for the way she had given the children stability. These children call this woman Mum. They have intellectual disabilities and other enormous disadvantages, but since they had lived with this fantastic woman the children had gone ahead in leaps and bounds.

In March last year the children were snatched without explanation from school by staff from the Department of Human Services, with uniformed police in a marked police car in attendance. This was done at the end of a school day in front of all the parents picking up their children and all the other students finishing for the day. To say the foster children were distressed is an understatement; there was also the distress of their fellow students watching on. The foster mother's father

was picking up the children that day, and he was also picking up the foster mother's birth child. The shock and distress they suffered is indescribable and ongoing.

The judgement made by the Children's Court magistrate last month was very specific. He said the department had shown an 'adversarial, win-at-all costs attitude, the likes of which I have rarely seen', and had done 'whatever it could' to prevent the return of the children to their foster mother. The magistrate said the children were 'suffering ongoing emotional harm' since their removal. The magistrate also said that the department's attitude was 'now so hostile that ongoing involvement of the department in their lives is contraindicated'. The magistrate also noted a recalcitrant attitude by the department and told it that if it did not return the children, it could be considered to be causing ongoing harm and could be open to Supreme Court action.

Yesterday the foster mother found that the department is not going to adhere to the ruling by the Children's Court and has exercised an appeal. Not only were these children not returned as requested by the court to begin school, where they would be at home with their friends and in a family situation, but they were also not with the woman they call Mum on the terrible anniversary of Black Saturday, and this family was impacted upon by that event. So far they have had no assistance from their local member or the minister. I urge the minister to get her department to act in the interests of these children.

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

Responses

Ms ASHER (Minister for Tourism and Major Events) — The member for Seymour has spoken in this chamber about the Dirty Gran Fondo 2012. Fortunately she explained to the house that it was a mass participation cycling event to be held in Mount Disappointment State Forest in May. She requested funding to help market that event. As I always say on these occasions, the point of the tourism area putting dollars into regional events is for people to attend them and stay that extra day. The trigger for the economic development of tourism is the extra day's stay. The event will be held on Sunday, 20 May 2012, and the organisers have advised me that they estimate there will be 210 entrants and an additional 70 to 100 spectators, with the majority of attendees expected to be from Melbourne and regional Victoria.

I am delighted to announce to the member for Seymour that in response to her strong representations the

government has allocated through the Tourism Victoria events program \$12 500 to a company called Big Hill Events for a number of events overall. One of the events is in the member's electorate. Simon Ramsay, a member for Western Victoria Region in the Council, has also advocated very positively for two events. He will receive a funding allocation for the 2012 Marathon Challenge, which is a mountain bike race, and the inaugural Run from the Hills, which is to be held in the Pyrenees Ranges near Avoca.

In relation to the event raised by the member for Seymour, I assure her that the funding will be used to undertake tourism and marketing activities across the three events. This will include website development and print and magazine advertising, as well as local accommodation promotion to encourage participants to stay in the region. I hark back to what I always say: it is all about triggering the extra overnight stay.

The member for Seymour would be well aware that I launched the government's cycle tourism action plan for 2011–15 in July last year. We have come to the conclusion that cycling events have significant economic benefits for Victoria. Regional Victoria has some of the best trails for cyclists, as well as a range of nature-based tourism experiences. It is my intention that the government will continue to develop and support regional events, as they play a very important role driving tourism and providing an economic boost. I congratulate the member for Seymour on her strong advocacy for her electorate.

Mr DIXON (Minister for Education) — The member for Narracan asked me to follow up Warragul Regional College's application to the Local Solutions Year 12 Retention Fund. The retention fund is an excellent initiative, and its name says it all. It is about local solutions, and that is what this government is about. We are not imposing programs on schools. We are providing schools with the opportunity and the tools to select the programs that best suit the needs of their communities. If there is any doubt as to how that should work, it is through this program, because every single country town where this is aimed has different needs and different groups of children at different schools, and different workplace skills are required and different educational options are available to the students. It is really a wonderful program and the solutions come from the local communities, and therefore there is a high degree of ownership and enthusiasm for the projects that they put forward. It is a \$5 million program, and we have announced 37 schools across all three sectors that will receive funding in this round.

Country schools are very important to us, and there are a range of other initiatives we have introduced, including a number of extra country schools that have primary schools and now have primary welfare officers, and a number of country schools that have received science and maths specialists, but one initiative that I think is very relevant is the videoconferencing initiative. It allows 300 of our most isolated and smallest country schools to have the opportunity to provide subjects that students may not previously have been able to receive because their school was too small to offer a choice. The initiative enables better professional development and communication between teachers across schools either within the region or from outside providers, and it really is a great way of going forward. Once again it is supporting the schools in the choices they make about how best to improve the outcomes for their students.

I am pleased to say that Warragul Regional College and the other schools in its cluster of Maffra Secondary College, Yarram Secondary College, Leongatha Secondary College, Trafalgar High School and Traralgon College are working together with the Beacon Foundation and will receive \$74 000 towards their program to enhance the great work they are doing already. I thank the member for Narracan for that, and I look forward to visiting his area. He is a great advocate for his schools.

The member for Williamstown raised with me the recent Thornton report on autism spectrum disorder services regarding the provision of services in the western region, and he asked me to talk about what follow-up will take place regarding the short-term action list at page 5 of the report. It is a very important report, and the review did a lot of very good work and extensive community consultation regarding the needs of students with autism. Children with autism are on a spectrum, and nothing describes it better than that. There are a range of children with a range of needs and a range of issues, and therefore we need to have a range of solutions for those problems. It is not a case of one size fits all, and it is very important that we always have that in the forefront of our thinking.

We already have a number of initiatives that follow on from this report, and these are operating in the western region now. In the inclusion support programs we are providing extra training and professional development for teachers, which is very important, because often there are challenging behaviours, especially if the children are in a mainstream classroom. There are also autism coaches, and we are trialling base rooms, which is another model that suits some students, where they have a safe place to go to in their own school. They

have their aides and support there. The students interact with the rest of the student body according to the subject and according to how well they can manage that, but they have always got that safe place to go back to in their school.

Obviously the major initiative now is providing for P-12 autism education in the western suburbs, because the other areas of Melbourne have that but the western region does not. The current financial year's budget also had the biggest single capital investment for more than 10 years for autism and special schools, with an increase in funding of \$150 million for students on the program or students with disabilities. We are committed to this issue, and it is very important to me personally.

As well as the initiatives I have already talked about that came out of the report, I have asked the department to reported to me and follow up on the recommendations that have been made. It is mainly the responsibility of the western region staff, because they are the ones who are interacting with them. I will have that report back to me, and I will make sure I keep the member and other members in that area informed about what is going on there and the latest developments.

Finally, the member for Eltham asked me to visit Montmorency Secondary College. I know the area well because it is near where I grew up, and Montmorency is a rejuvenated area. I remind the member — although I am sure he is already aware — that we committed \$4 million to Montmorency Primary School, which is down the road, and it will be getting a substantial rebuild. It is a great school in a great area, and it will certainly be rejuvenated. The member talked about the rejuvenation of that area, and it is certainly not a school we are going to allow to wither on the vine and die. We think there is great potential in that school, and I am looking forward to spending money there and rejuvenating education in that area, so I would like to visit the Montmorency Secondary College.

There are a number of members on the other side who have invited me to a number of schools. I see the member for Melton in the house, and I will be going out to Coimadai Primary School soon. I am more than happy at some stage when I am out in that area to visit Montmorency Secondary College and have a look at the good work it is doing, but obviously the hard word will be put on me regarding the capital improvements that need to be made. In my parting shot I note that the member made an inference about election commitments, but I remind him that more than 50 per cent of this year's budget for capital works was spent on priority projects other than election commitments.

Mr WALSH (Minister for Agriculture and Food Security) — I rise to respond to the member for Mildura's adjournment issue about fruit fly in the Sunraysia.

Mr Noonan interjected.

Mr WALSH — I know the member for Williamstown is desperate to get home, but this is a very important issue for northern Victoria. I met with a number of the state's representative fruit bodies earlier in the year, and they agreed to work with the Department of Primary Industries. They agreed that they would make sure that the growers did the fruit fly control on the properties and that the department would do the work on public land, particularly around the towns.

As we know, the member said that last year there was an extraordinary number of fruit fly outbreaks in the Sunraysia area because of weather conditions. During this season, because of the work of the Department of Primary Industries and the growers in the Sunraysia area, 23 of 34 existing outbreaks have been eradicated, which is a good outcome. DPI personnel have visited properties, doing nearly 34 500 property inspections. Some properties have been visited multiple times. DPI has removed nearly 19 tonnes of unwanted fruit and issued 140 control notices to owners to make sure those properties are cleaned up. A major effort has gone into that area of activity. The assigning of fruit fly status to properties arrived in time for this year's harvest, and it has been of real benefit to those fruit growers who send fruit interstate and overseas. However, it is important that people maintain their vigilance to control fruit fly. There has been five outbreaks during this time, which is very disappointing. The fruit fly may have been residual or may have been brought in from elsewhere; people do not know. It is disappointing if people are bringing in fruit from outside areas.

It is important that local government is part of this particular program. The Rural City of Swan Hill and the Rural City of Mildura have both been assisting with tree removal programs in Mildura and Robinvale. We have been talking to the New South Wales government about having a permanent roadblock which could be randomly manned on the New South Wales side of the Sturt Highway and which would affect people travelling from eastern New South Wales where fruit fly is endemic. We could have a situation where people will never really know whether there will be an inspector at the roadblock and will therefore be more careful about bringing fruit into the state.

It was disappointing to read the *Sunraysia Daily* of 3 February. Cr Glenn Milne would be well known to a lot of members. He had a lot to say about how poor he thought the performance of DPI was. Later in the article he is reported to have said DPI was either lazy or stupid for doing nothing to protect the Sunraysia horticulture area from fruit fly. I have just outlined what DPI has done with the industry to achieve outstanding results in the horticulture industry in Mildura and in the greater Sunraysia area. I think it is Glenn Milne who is lazy and stupid, because this article shows he has not done his research. In the article he talked about the outbreak in Adelaide, of which we are well aware. He said he believes there are no signs about this issue between the South Australian border and Mildura. If he had a look, he would see the signs and bins and that there is an opportunity to put fruit into those bins when travelling from Adelaide to Mildura.

I put it on the record that I am very disappointed in Cr Milne. He has standing in his community because he is a councillor; he does not live up to that standing when he makes stupid comments in the *Sunraysia Daily*. It is disappointing that a person of his supposed stature in the community has those things to say about a government department that has gone out of its way to control fruit fly in the Sunraysia area. This government has committed \$6 million extra in this particular program in very difficult and challenging budgetary times to make sure the horticulture in that particular part of Victoria can thrive. I am disappointed that Cr Milne said what he said. I urge him to check his facts before he makes comments in the future.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — The member for Brunswick raised a matter for the attention of the Minister for Health. The action she sought was for the minister to attend a full shift in a busy acute care hospital. I will refer this request to the minister for his attention and direct response.

The member for Gembrook raised a matter for the attention of the Minister for Public Transport. The action she sought was for the minister to provide an update of the progress made in relation to the Beaconsfield railway station. I will refer that matter to the minister for his direct response.

The member for Keilor raised a matter for the attention of the Minister for Roads. The action she sought was for the minister to stop the closure of the VicRoads western office in her electorate. I will refer that matter to the minister for his attention and direct response.

The member for Mount Waverley raised a matter for the attention of the Minister for Health. The action she sought was for the minister to deliver improved heart treatment services in the Waverley area. I will refer that matter to the minister for his attention and direct response.

The member for Yan Yean raised a matter for the attention of the Minister for Community Services. The action she sought was for the minister to instruct her department to adhere to a ruling of the Children's Court that relates to foster care and the removal of children. I will refer that matter to the minister for her attention and direct response.

The DEPUTY SPEAKER — Order! The house will now adjourn until the next day of sitting.

**House adjourned 4.53 p.m. until Tuesday,
28 February.**