

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 19 June 2012

(Extract from book 9)

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

By authority of the Victorian Government Printer

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Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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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

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Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 27 January 2012

⁴ Elected 19 February 2011

⁵ Resigned 7 May 2012

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Tuesday, 19 June 2012

The SPEAKER (Hon. Ken Smith) took the chair at 2.04 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

**Minister for Police and Emergency Services:
conduct**

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier and Minister for Police and Emergency Services. Given the Deputy Premier's repeated refusal to answer questions in this place and also on radio last week, I very simply ask the Deputy Premier: did he give his evidence to the Office of Police Integrity (OPI) under oath, yes or no?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. The first thing is that I certainly do not accept the premise of his question. The second thing is that, as the Leader of the Opposition should know, the provisions of the Police Integrity Act 2008 are very relevant to this and other matters, and as I indicated to the house last year — seven or eight months ago, I think it was — I cooperated fully with the OPI. I answered the question then that I have now been asked again, and I stand by the answer I then gave.

**Building industry: Productivity Commission
review**

Mr BLACKWOOD (Narracan) — My question is to the Premier. Will the Premier inform the house of progress on the Victorian government's call for a Productivity Commission inquiry into building construction costs?

Mr BAILLIEU (Premier) — I thank the member for his question. I have said many times in this chamber and publicly that the escalating cost of construction in this state is pricing us out of the vital infrastructure we need in the state and is skewing the shape of our cities.

At Council of Australian Governments meetings last year on two occasions I pressed the Prime Minister for a Productivity Commission inquiry into high construction costs, high project costs and escalating project costs. At COAG in April I again pressed the Prime Minister for such an inquiry. Finally the commonwealth did give some ground at COAG. The communiqué from that meeting said:

COAG noted that heads of treasuries have been asked to undertake analysis of construction industry costs and productivity, and agreed to consider the outcomes of this work through senior officials. Both should occur within a month ...

A month has gone by and we remain concerned there is no Productivity Commission inquiry.

Bob Gottlieb in the *Business Spectator* of 21 May said:

Why have costs risen so far? There are a number of reasons, including the shortage of labour and materials caused by the prospect of the —

mining —

boom. The carbon tax has also played an important role. But the biggest reason for the rise in cost is the productivity of labour — the so-called Victorian desalination plant effect.

More than two months have passed since COAG, but last week, on 13 June, I had the pleasure of being in Brisbane for the Prime Minister's economic forum. Again I sought from the commonwealth, and indeed from the federal Treasurer, a commitment for an independent Productivity Commission inquiry into construction and project costs. The Prime Minister spoke at the time about productivity. She said:

You would have seen Governor Stevens this morning ... somewhat modestly suggest he wasn't the expert and people searching for ideas should go to —

where? —

the Productivity Commission.

It is not necessarily fashionable in life today to suggest someone might know better than you but he did point to the Productivity Commission.

Despite raising the Productivity Commission, the commonwealth remains reluctant to embrace such an inquiry.

In an article in the *Age* of 13 June Tim Colebatch wrote about the forum and said:

... behind closed doors —

the Treasurer, Wayne Swan —

flatly rejected a call by Victorian Premier ... for a Productivity Commission inquiry into Australia's construction costs.

That was a serious step backwards, after the Prime Minister had appeared supportive of the proposal when it was raised earlier this year at the Council of Australian Governments meeting. Mr Colebatch went on to say that the proposal was:

... a sensible, modest first step to trying to bring down construction costs. At worst, it could do no harm. At best, it could do a lot of good. But Labor depends financially on donations by the construction unions, who do not want the Productivity Commission investigating their turf. So no inquiry — and none of the productivity gains that might have resulted from it.

In a media release of 14 June the Victorian Employers Chamber of Commerce and Industry had this to say:

Victorian business is extremely concerned and disappointed that the federal government appears to have withdrawn its previous support for a Productivity Commission inquiry ...

Instead the commonwealth seems to have settled on a proposal by the unions to establish a working group to look at the problem. That is no substitute for an independent Productivity Commission inquiry.

**Minister for Police and Emergency Services:
conduct**

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier, who is also the Minister for Police and Emergency Services. Will the Deputy Premier cease his claims that the Office of Police Integrity report *Crossing the Line* cleared him, when on page 9 of that report it clearly states for all Victorians to see that the OPI did not have ‘jurisdiction to investigate’ his conduct?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question and for his reference to the *Crossing the Line* report. On page 9, ahead of the sentence that the Leader of the Opposition has just quoted from, the report states:

In this sense, and only in this sense, Mr Weston appears to assert that some of the relevant conduct was implicitly condoned by Minister Ryan. The minister, however, emphatically denies that he was aware of, condoned or approved — —

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. I do not intend to allow this to continue the way it has been going.

Mr Andrews — On a point of order, Speaker, the Deputy Premier refused to answer my question about whether he was under oath; he refused to answer that in his last answer. Now it would seem that, despite the fact that he will not confirm whether the testimony was given under oath, he is relying on that very denial as his defence in relation to this question. He is debating the issue.

Dr Napthine — On the point of order, Speaker, the Deputy Premier certainly was not debating the issue. He was quoting from the OPI report — the same OPI report to which the Leader of the Opposition referred. He was being relevant to the question. He was not debating the question. He was providing a detailed and comprehensive answer to the question asked by the

Leader of the Opposition. I ask you to rule the point of order out of order.

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

Mr RYAN — The quote continues:

... or approved (implicitly or otherwise) any conduct of Mr Weston that could be characterised as improper. I have not identified any evidence that corroborates Mr Weston’s assertion.

That is the commentary that appears in the report. The rest of the report is replete with content to the same effect. There seems to be an almost morbid fascination with this conspiracy theory regarding the issue of evidence being sworn or unsworn — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition will be out of the chamber if he continues in this way.

Mr RYAN — If the Leader of the Opposition were aware of the state of the law, he would know that under the Police Integrity Act 2008 anybody who gives misleading evidence to the OPI is subject to charge, no matter whether the evidence is sworn or unsworn.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition will not be warned again. Enough!

Ms Hennessy — On a point of order, Speaker, the Deputy Premier is clearly debating the question. The OPI report does not clear the Deputy Premier because it did not investigate him.

The SPEAKER — Order! I do not uphold the point of order. The Deputy Premier was answering a question, and the answer was relevant to the question that was asked.

Mr RYAN — This thesis that members opposite continue to try to develop — this vast conspiracy theory — in fact has no foundation. The provisions of the Police Integrity Act are perfectly clear, and I would refer the honourable member, respectfully of course, to section 113 of that act.

Water: former government policy

Mr WATT (Burwood) — My question is to the Minister for Water. Can the minister outline to the house how the decisions of the previous government

have had an impact on water consumers, and what the coalition government is doing to fix this problem?

Mr WALSH (Minister for Water) — I thank the member for Burwood for his question and for his interest in water issues in Melbourne. As the house would know, Melbourne Water's customers' current prices are set under what is called water plan 2. Water plan 2, which runs from 2009 to 2013, was established under the Labor government. The prices in water plan 2 — —

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Ballarat East

The SPEAKER — Order! The member for Ballarat East can leave the chamber for an hour and a half.

Honourable member for Ballarat East withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Water: former government policy

Questions resumed.

Mr WALSH (Minister for Water) — Those prices were approved by the Essential Services Commission (ESC) under the Labor government as well. Those prices were set to pay for the cost of the desalination plant. Now, as we all know, the desal plant was supposed to deliver its first water in December 2011 and it was supposed to be fully operational by 1 July 2012. If the desal plant had been finished on time, payments would have started being made in December 2011.

As we know, Melbourne Water had built \$231 million into its 2011–12 prices to pay AquaSure if the desal plant had started on time. As we know now, the desal plant has not started on time, so Melbourne Water approached the ESC about a plan as to how to return that money to customers, and we — the Premier and I — announced this morning that that money will be returned to customers in 2012–13 and that any residual, including interest, will be included as a credit in the first bill of July 2013.

From 1 July this year, under the normal water plan set by the previous government, Melbourne Water

customers would have had an increase of 9.6 per cent in their bill. That bill will now have a zero increase in the price of water for the next financial year, and the rebate — —

Honourable members interjecting.

The SPEAKER — Order! There is far too much interjection across the chamber. I will not tolerate it any further, and the next person who transgresses will be ordered from the chamber.

Mr WALSH — That rebate for water customers will show on their water bills. They will be able to see the money being rebated to them on their bills in 2012–13, as well as whatever residual plus interest there is in the first bill cycle of July 2013. This rebate is delaying the inevitable, though. We all know that in the future Melbourne water customers will be paying \$1.82 million per day for the desalination plant whether water is taken not, which will equate to approximately \$400 per household over that time.

Some people are backgrounding commentators on this issue and saying that returning this money will actually have an impact on the dividends of the Melbourne water authorities. Some are also misleading the public on this particular issue. The government has not received any dividends from Melbourne Water with respect to the desalination plant and will not be receiving any dividends in relation to the desal plant. So I would have thought that some people — particularly the past Treasurer and now shadow Minister for Water in the other place — would know better than to be spreading these malicious stories. It just goes to prove that Labor cannot manage money.

Minister for Police and Emergency Services: conduct

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier and Minister for Police and Emergency Services. I refer the Deputy Premier to his telephone conversation with the member for Benambra on 2 November 2011, a conversation which was described by the member for Benambra as follows:

... it's the conversation in the lead-up to that joint statement where I was being verballed.

It's a police term for when people try to put words in your mouth.

I ask the Deputy Premier: why did he verbal the member for Benambra?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. There is only one person around here doing the verballing, and that is the Leader of the Opposition. The member for Benambra and I had a telephone conversation; in the course of that we agreed that we had a different recollection of a single aspect of a conversation in which we had been jointly engaged in May 2011. We agreed that we would issue a statement to that effect. We did so on 8 November last year. As both the member for Benambra and I have said as recently as in the past few days, both of us stand by, absolutely, the content of that statement.

Mr Merlino — On a point of order, Speaker, the Deputy Premier's answer is not relevant to the question. He is referring only to the joint statement. The question was about the comments from the member for Benambra, where he said, 'I was being verballled'. That was the question, and the Deputy Premier should answer that question. Why did he verbal the member for Benambra?

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

Mr RYAN — And so the situation which prevailed in November last year prevails absolutely and utterly right now.

Regional and rural Victoria: government initiatives

Mr McCURDY (Murray Valley) — My question is to the Deputy Premier and Minister for Regional and Rural Development. Can the minister update the house on how the coalition government's regional and rural investment program is creating more jobs and securing industry investment in regional cities and country communities?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for his terrific question, which is very timely having regard to announcements we have been able to make as a government just this last week in relation to manufacturing generally and the food processing sector in particular.

As the house would know, since we came to office one of our key policy priorities has been the creation of new prosperity, more jobs and greater opportunities for quality of life in regional and rural Victoria. The centrepiece of that policy has been the \$1 billion Regional Growth Fund. Even in the course of its first six-plus months, I am proud to be able to say that the

Regional Growth Fund has sponsored more than 450 projects right across the state of Victoria. Funding commitments have totalled more than \$165 million and the total value of the projects facilitated is \$360 million-odd.

In administering the fund the government has placed great priority on projects that are job creating in nature, and since coming to office we have facilitated regional investment projects valued at a little over \$1.3 billion that have resulted directly in the creation of an additional 1400 new jobs. Last week I was in Shepparton with the Minister for Manufacturing, Exports and Trade and the Minister for Local Government, who is a great local member as the house knows. We were there to make an announcement about a major investment on the part of SPC Ardmona.

The house will, I am sure, recall that in August last year the company had to make some difficult decisions in relation to its operations in Mooroopna. Since that announcement was made we have been working with the company in relation to how it sees its future in the marketplace, particularly in the context of not only its domestic but also its international exports. The announcement last week was the result of that work.

What we were able to do last week was contribute \$4.4 million to a \$90 million investment by SPC Ardmona in its facilities not only at Shepparton but also over at Mooroopna. This is going to have a profoundly beneficial effect on the company's operations. It will reduce its annual operating costs by about \$12.8 million; it will cut its annual water use by about 242 megalitres; it is going to reduce its annual energy consumption by some 55 000 gigajoules; it will help to secure the employment of 870 full-time equivalent staff at SPC Ardmona and the 2700 indirect jobs in the region; and importantly it will assist in securing the future of the 275 suppliers to this great organisation. The company buys about 150 000 tonnes of fruit worth \$32 million each year from contract growers in the valley, and the fruit grower suppliers to SPC Ardmona employ about 1850 workers.

By any standards this is a great announcement. The other aspect of it that has not escaped the commentators is that this is a very strong sign of faith by SPC Ardmona in this wonderful aspect of the Victorian economy. As you would be aware, Speaker, our food processing sector employs something of the order of 28 000 people throughout the manufacturing elements of regional Victoria. It is a great contributor. Not only is this investment an investment in terms of the company's future, it is a great investment for the sector,

and we are very proud to have joined SPC Ardmona in enabling it to come to fruition.

**Minister for Police and Emergency Services:
conduct**

Mr ANDREWS (Leader of the Opposition) — My question is again to the Deputy Premier and Minister for Police and Emergency Services. I refer the Deputy Premier to his comments last week:

... as Bill Tilley has confirmed yesterday he rebutted the position that was put to him by that journalist and it was in the course of that conversation I gather that the tape emerged.

I ask: can the Deputy Premier detail to the house the proposition that was put to the member for Benambra?

Mr RYAN (Minister for Police and Emergency Services) — I again thank the Leader of the Opposition for his question. What the Leader of the Opposition is inviting me to do is to answer a question which ought properly be directed in the first instance to the member to whom it was put at the time.

Mr Andrews interjected.

Mr RYAN — I hear the interjection. Such is life. The simple fact is this matter was explored with the member in the course of a radio interview last week. The member answered very fulsomely about the matters, which led to him rebutting the proposition which was put to him. Again, I would invite the Leader of the Opposition to have regard to the transcript of that very, very good interview, and I suspect he may already have done so. As I say, whilst I am able to answer a lot of the questions which are put to me in relation to the matters that are put to me by the media at large, I think that the issue the Leader of the Opposition is now putting is being confused, because if he has a look at the transcript of what occurred, he will see the full explanation from the member himself.

Disability services: regional and rural Victoria

Mrs FYFFE (Evelyn) — My question is to the Minister for Community Services. Can the minister inform the house of measures the coalition government is taking to ensure that people with a disability living in regional Victoria have access to the care and support they need?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the member for Evelyn for her question and for her ongoing interest in people with disabilities accessing the care and support they need. Supported accommodation and access to it have been longstanding issues. We know that in many instances there are ageing parent carers who are not sure about what is going to happen in the future to their adult

children with disabilities and that there are individuals who can just no longer live at home for a range of issues because of the care and support they need. There are also young people with disabilities who are seeking the independence that all young people seek, wanting to make that transition into accommodation of their own.

These issues are exacerbated in regional Victoria, where often there are challenges in relation to distance and also challenges in relation to a limited number of service providers. Back in 2008 the Auditor-General, in looking into supported accommodation, identified a real concern that there was a one-size-fits-all approach and a limited approach to looking at the individual needs of people with disabilities, particularly in regional Victoria.

As a result of those concerns, the coalition is committed to looking much more innovatively at and funding innovative approaches to accommodation for people with disabilities. We undertook a consultation and engagement process with people with disabilities, with their carers, with their families and with service providers. We had that as our ideas process about what was possible in this area. Using that process, we actually supported disability service providers to apply to the federal government for some capital funding for new supported accommodation, and we committed that if they were successful, we would provide the recurrent funding for those places. We were successful in achieving 53 new places with federal capital funding of \$17 million, and we are contributing nearly \$15 million in recurrent funding. This is in areas such as Geelong, Bairnsdale and Venus Bay in South Gippsland.

We also had further funding for supported accommodation to be fully funded by the state government. This was an election commitment, and it was funded in the first coalition budget. I am very pleased to inform the house that with \$10.5 million of funding, two top-class Bendigo disability service providers, Golden City Support Services and St Luke's Anglicare, will be funded because of the need in that particular area in relation to further supported accommodation. These 14 places are really innovative approaches. They look, for example, at the particularly complex individualised needs of people with a disability, they look at opportunities for families and carers to stay with them in their supported accommodation and they look at new approaches for independence and also for community inclusion.

I was very pleased that Ian McLean from Golden City Support Services said that this:

... is a practical demonstration of —

the government's —

commitment to develop an effective, evidence-based response to the needs of a group that have been largely ignored in the past.

In addition, just last week I was in Wodonga to open the latest addition to the My Future My Choice housing program, which provides age-appropriate accommodation for people with disabilities who would otherwise be in residential aged care. There has been a longstanding bipartisan approach at both the federal and state levels to supporting this transition. I was very pleased to join with the member for Benambra to open the new E. W. Tipping Foundation house in Wodonga. These expansions are happening at the same time as we are consulting on the state disability plan, receiving comments through a submission process and conducting 15 consultations right across the state, including one in Gippsland just today.

This is a government that is engaging with people with a disability, their families and their carers. We are a government that is listening, and we are a government that is delivering for people with a disability, their families and their carers in regional Victoria and right across the whole state.

Parliamentary Secretary for Police and Emergency Services: appointment

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Given that the Premier last week described the member for Benambra as ‘passionate about policing’ and the Deputy Premier said of the member for Benambra that he is an honourable bloke — —

Honourable members interjecting.

Mr ANDREWS — Noting the broad agreement, why then will the Premier not reappoint the member for Benambra as the Parliamentary Secretary for Police and Emergency Services?

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question and for repeating commentary that the Deputy Premier and I made about the member for Benambra. We stand by those comments. The member for Benambra stepped down as the Parliamentary Secretary for Police and Emergency Services, and he spelt out the reasons at the time. He did so with integrity and an understanding of the reasons which he conveyed to me, other members of the team and indeed the government.

I appreciate that the Leader of the Opposition would like to appoint members of Parliament to the cabinet,

and I appreciate that he would like to appoint members of Parliament as parliamentary secretaries.

Mr Andrews — On a point of order, Speaker, question time is not an opportunity for the Premier to regale the house with what he thinks I might or might not like to do. He was asked why he will not reappoint his colleague, and he should answer that question. If he is not prepared to reinstate the member for Benambra, he should explain why.

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

Mr BAILLIEU — I am reminded of an article that appeared in the *Age* on 5 April 2012, I think it was, which referred to some comments that were provided to the journalist, including:

... reflects growing anger and frustration amongst an emerging circle ... and a large cross-section of the caucus with the poor performance of the leader’s media unit and the pervasive, suffocating influence of former failed Brumby government ministers.

Ms Hennessy — On a point of order, Speaker, the Premier is clearly debating the question. He was simply asked: will he appoint the member for Benambra back to the position he held before the Premier hung him out to dry?

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

Mr BAILLIEU — The article went on to conclude that — —

Mr Merlino — On a point of order, Speaker, under standing order 58 the Premier is required to be direct and factual in answering the question. The question related to the member for Benambra and whether the Premier would reappoint him as Parliamentary Secretary for Police and Emergency Services, or is it the case — —

The SPEAKER — Order! The member knows points of order are not an opportunity to re-ask the question.

Mr Merlino — I have not finished the point of order, Speaker.

The SPEAKER — Order! What is the member’s point of order?

Mr Merlino — My point of order is in relation to standing order 58. The Premier is required to be direct and factual with his answer. Currently there is no Parliamentary Secretary for Police and Emergency

Services. Why is that the case, and why will the Premier not reappoint the member for Benambra to that position?

The SPEAKER — Order! I believe the Premier was being relevant to the question asked. It is not up to me to judge whether an answer is factual or not.

Ms Hennessy — On a point of order, Speaker, you are correct in your assertion that the standing orders say ministers have a discretion in the way in which they answer a question, but that discretion is limited by standing order 58, which requires that answers be direct and factual. It is in fact your role to enforce that standing order. Further, the precedents in terms of rulings from the Chair basically reassert and underscore that it is important that the answer must be referable to the question. The question was about whether the Premier would reinstate the member for Benambra to his position as the Parliamentary Secretary for Police and Emergency Services or not. The road the Premier was going down was in no way referable to the question, and it is incumbent on you, Speaker, to bring him back to the question.

The SPEAKER — Order! I believe the answer was relevant. It is not up to me to judge whether it is factual or not. I do not uphold the point of order.

Mr BAILLIEU — If the government has announcements to make about parliamentary secretaries, it will make those announcements. I remind members of the conclusion in that article, which says that a certain person needs — —

Ms Green interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Yan Yean

The SPEAKER — Order! The member for Yan Yean can leave the chamber for half an hour.

Honourable member for Yan Yean withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Parliamentary Secretary for Police and Emergency Services: appointment

Questions resumed.

Mr BAILLIEU (Premier) — As I was saying, the article concludes by saying that a certain person needs to:

... make some difficult decisions by tackling factional interests and remove deadwood from the front bench to make way for fresh faces.

And of whom did the article speak? It was the Leader of the Opposition.

Honourable members interjecting.

Port of Melbourne: capacity

Mr MORRIS (Mornington) — My question is to the Minister for Ports. Can the minister update the house on decisions the government is taking in order to accommodate the growth in trade through the port of Melbourne?

Dr NAPTHINE (Minister for Ports) — I thank the member for Mornington for his question and for his interest in ports and the economy of this state. I can advise that in the calendar year of 2011 the port of Melbourne had a record throughput of 2.5 million TEU (20-foot equivalent units) containers. This is a 6.6 per cent increase on the calendar year 2010. In the current financial year total container volumes are up 9.2 per cent so far and bulk cargo is up 9.7 per cent. The port of Melbourne is Australia's no. 1 container port, handling 36 per cent of the containers going to and from Australia. Total port trade through the port of Melbourne is worth over \$85 billion. The port is clearly vital for jobs and the economy in this great state of Victoria.

It is anticipated that by 2025 there will be 5.5 million TEU containers going through Victoria's ports and by 2030 that will be 8 million TEUs. These volumes are expected to well exceed current port capacity. When we came to government 18 months ago we inherited a situation where those facts were known but the Labor government had dithered, delayed and procrastinated. It would not make a decision about port capacity and placed at risk Victoria's position as the freight and logistics capital of Australia. The previous government placed at risk the jobs and the economic benefits from our ports in this great state.

In contrast to the dithering, delay and procrastination of the previous government, this government has got on

with the job. Under the leadership of the Premier this government has made a number of decisions about port capacity. In the short to medium term, the Premier recently announced a \$1.2 billion expansion of capacity at the port of Melbourne, with the expansion of both East Swanston Dock and West Swanston Dock and the development of Webb Dock East as a third container terminal. In the medium to longer term, this government has made the right decision to develop the port of Hastings as another container port.

Yesterday the Premier and I made a further announcement about capacity at the port of Melbourne. We announced a further \$400 million investment to consolidate and expand the import and export of the automotive trade at Webb Dock West, with 920 metres of new wharves, capacity for 600 000 vehicles per year to cater for the current 375 000 vehicles and growth, and new and expanded pre-delivery inspection facilities so that more of that work can be done at and near Webb Dock to increase productivity and efficiency and reduce the number of trucks going across the West Gate Bridge. That is expansion at the port of Melbourne worth a total of \$1.6 billion towards involving containers and the automotive trade.

There is also the development of the port of Hastings, which I think is great for Melbourne. There are some people who used to support the development of the port of Hastings as a container port but who now want to develop another port and cannot make up their minds. They want to dither, delay and procrastinate again. They are saying, 'We shouldn't develop the port of Hastings; we should look at Bay West'. One of those is the same person who in 2009 said:

No other port location offers the same overall advantages as Hastings ...

And:

Hastings is well positioned to serve as Melbourne's second container port.

The member for Tarneit said that.

Honourable members interjecting.

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

LOCAL GOVERNMENT LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2012

Introduction and first reading

Mrs POWELL (Minister for Local Government) — I move:

That I have leave to bring in a bill for an act to amend the Local Government Act 1989, the City of Melbourne Act 2001 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Mr WYNNE (Richmond) — I ask the minister for a brief explanation of the bill.

Mrs POWELL (Minister for Local Government) — The Local Government Legislation Amendment (Miscellaneous) Bill 2012 will make various changes to the Local Government Act 1989 and other relevant acts to improve the administration of local government in Victoria.

Motion agreed to.

Read first time.

RACING LEGISLATION AMENDMENT BILL 2012

Introduction and first reading

Dr NAPHTHINE (Minister for Racing) introduced a bill for an act to amend the Racing Act 1958 and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! Notices of motion 12 to 21 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Abortion: legislation

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house the long-overdue need to review the Abortion Law Reform Act 2008 which did away with all legal protection for babies in the womb even right up to birth. After 24 weeks a baby may be aborted (killed) if two doctors 'agree' it is 'appropriate'.

This law is a blight on Victoria, a betrayal of the medical profession and health workers. It contravenes irrefutable expanding scientific evidence that babies in the womb are real people; hence the law should protect all unborn children from conception until natural death, thereby respecting all human life.

The petitioners therefore request that the Legislative Assembly of Victoria review the Abortion Law Reform Act 2008.

By Mr BLACKWOOD (Narracan) (931 signatures).

Rail: level crossings

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria at risk from Victoria's worst level crossings draws to the attention of the house the Baillieu government's \$2 million funding for the New Street, Brighton, railway crossing.

In particular we note that:

1. the Department of Transport has identified over 200 level crossings that are a higher priority for safety upgrades than New Street, Brighton, and;
2. St Albans crossing is busier and far more dangerous for users.

The petitioners therefore request that the Legislative Assembly urge the Baillieu government to prioritise level crossing upgrades based on safety needs and reverse its decision to fund the New Street, Brighton, railway crossing.

By Ms KAIROUZ (Kororoit) (900 signatures).

Tabled.

Ordered that petition presented by honourable member for Narracan be considered next day on motion of Mr BLACKWOOD (Narracan).

Ordered that petition presented by honourable member for Kororoit be considered next day on motion of Ms KAIROUZ (Kororoit).

SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE*Alert Digest No. 10*

Mr BROOKS (Bundoora) presented *Alert Digest No. 10 of 2012* on:

City of Melbourne Amendment (Enrolment) Bill 2012

Community Based Sentences (Transfer) Bill 2012

Evidence Amendment (Journalist Privilege) Bill 2012

Marriage Equality Bill 2012

Working with Children Amendment Bill 2012

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Charter of Human Rights and Responsibilities Act 2006 — Report 2011 on the operation of the Act — Ordered to be printed.

Planning and Environment Act 1987:

Amendments to the following Planning Schemes under s 46AH:

Cardinia — C190

Casey — C170

Hume — C166

Melton — C128

Mitchell — C100

Whittlesea — C167

Wyndham — C180

Notices of approval of amendments to the following Planning Schemes:

Boroondara — C123, C140, C175

Cardinia — C124, C156, C172

Casey — C150, C159

East Gippsland — C80, C82

Glenelg — C71

Golden Plains — C57

Greater Bendigo — C181

Greater Shepparton — C148

Hume — C159

Monash — C112

South Gippsland — C69

Wellington — C78 and

Wodonga — C86

Racing Act 1958 — Notification under s 3B of modifications to the Constitution of Racing Victoria Ltd.

Statutory Rules under the following Acts:

City of Melbourne Act 2001 — SR 40

Infringements Act 2006 — SR 36

Local Government Act 1989 — SR 40

Road Safety Act 1986 — SR 37

Supreme Court Act 1986 — SRs 38, 39

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 36, 37, 38, 39.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 8 February 2011:

Resources Legislation Amendment Act 2011 — Part 6 — 1 July 2012 (*Gazette S194, 13 June 2012*).

ROYAL ASSENT

Message read advising royal assent on 13 June to:

City of Melbourne Amendment (Enrolment) Bill 2012

Gambling Legislation Amendment (Transition) Bill 2012

Monetary Units Amendment Bill 2012

Parliamentary Salaries and Superannuation Amendment (Salary Restraint) Bill 2012

Police and Emergency Management Legislation Amendment Bill 2012.

BUSINESS OF THE HOUSE

Program

Mr McINTOSH (Minister for Corrections) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following items be

considered and completed by 4.00 p.m. on Thursday, 21 June 2012:

Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012

Forests Amendment Bill 2012

Motion concerning the carbon dioxide tax

Residential Tenancies Amendment Bill 2012

Statute Law Revision Bill 2012

Working with Children Amendment Bill 2012.

In moving the government business program, the government is continuing with the motion on the carbon tax that was moved by the Minister for Energy and Resources a couple of weeks ago. This is a matter of some significance to the people of Victoria, and we propose to continue with it. A number of speakers still want to make a contribution in relation to that motion. There are five other bills on the government business program, and it is the government's position that there is adequate time for these debates to occur. We anticipate that the opposition will be opposing the government business program, and in doing so, opposition members will be reducing the time available for debate by making their spurious comments during the course of the discussion.

Second readings will be conducted during the normal sitting period of the house, and we will be having a usual sitting of the house this week. Last week was unusual because of the budget, but from recollection only about three or four members on the government side and a similar number on the opposition side were unable to make contributions. I gave notice of a motion — it is on the notice paper and will perhaps come on at some later stage — to enable all members to make a contribution. That is a matter for some future day. The most important thing is that, according to my calculations, with the 40-odd minutes of second readings that will be conducted during the course of this week, if every member speaks for 10 minutes there are still 60 speaking spaces for members to make a contribution on bills and the motion. On top of that, when you add members statements and the adjournment debate, matters of public importance and statements on committees, there are in excess of 100 speaking spaces — almost 120 opportunities for members to make a contribution during normal time.

As we have seen happen in the past, many members do not take the opportunity of using the full time available to them for debate, but that is a matter entirely for them. There is plenty of time. This is just a case of the opposition being mischievous. This is a case of using

the opposition's rules. It started them, and we have continued those rules. The opposition is just being mischievous and wasting this house's time by again opposing the government business program.

Ms HENNESSY (Altona) — I rise so as not to disappoint the Leader of the House. I will confirm that indeed the Victorian opposition does oppose the government business program, and for good reason, despite the characterisation the Leader of the House has put to the Parliament in respect of the opportunities for debate and his claim that he inherited the rules. Poor him! Apparently it is beyond his capacity to alter the standing orders. It is very much a position of saying, 'Such is life', that the leader has taken in his characterisation of the government business program. What the Leader of the House has not told the house is that one of the changes was to put second-reading speeches on Wednesday afternoons, and that is the basis of the opposition's objection. It is taking up valuable debating time, and that is something we object to.

In relation to the specifics, if you look at the notice paper, you also see what is not on the government business program: the Port Management Further Amendment Bill 2012, the Road Safety Amendment Bill 2012, the National Energy Retail Law (Victoria) Bill 2012, the Community Based Sentences (Transfer) Bill 2012 and the Evidence Amendment (Journalist Privilege) Bill 2012. What has the government decided is of greater priority in respect of the government business program? The Statute Law Revision Bill 2012, which in effect dots the i's and crosses the t's. We certainly do not take issue with the Working with Children Amendment Bill 2012, but what the government business program demonstrates is a paucity of policy reform and energy on the part of this government. It has certainly demonstrated that in the specifics of this government business program.

Liberal members continue to misuse Wednesday afternoons for second-reading speeches simply to enable their once friends in The Nationals to go home early. I understand why they would want to make an extra effort at this point in time in an attempt to reinforce or solidify the relationship to the best of their ability, but if the cost to this Parliament is a proper legislative reform program —

Honourable members interjecting.

The SPEAKER — Order! I ask members of The Nationals to come to order.

Ms HENNESSY — On that basis we oppose the government business program.

Mr HODGETT (Kilsyth) — It comes as no surprise that the opposition is opposing the government business program. Opposition members are becoming all too predictable. They oppose everything and are anti-everything; they do not like good news. The truth be known, if we had a government business program such as that proposed by the member who just spoke, those opposite would still be opposing it because they do not care what is on the government business program. We try to provide a program that allows them adequate time to scrutinise bills, but they still whinge, carp and carry on.

Opposition members have short memories. We extended the sitting last week, and it was good to see members of The Nationals working hard well into the night and after 4.00 p.m. on Thursday. We did a second-reading speech after 4.00 p.m. that day. Opposition members have very short memories, and they have stopped listening to the community.

I support the government business program motion moved by the Leader of the House. We have five bills to get through, and we also have the motion concerning the carbon dioxide tax. On this side of the house we have a number of speakers who wish to make a contribution to the debate on this motion. It will be interesting to see if members of the opposition want to make a contribution to the debate on this motion, because we know that Labor sold out Victoria on the carbon tax. This government has fought hard against the job-killing tax, but there has been only silence from the opposition. It is now time for Labor to speak up for Victoria.

I also note that last sitting week we devoted the bulk of the debating time to the budget to allow everyone who wanted to make a contribution adequate time to do so. There was plenty of time for everyone to put forward their views. I note that the Leader of the Opposition failed to make a contribution to the debate on the budget —

Honourable members interjecting.

Mr HODGETT — There was adequate time to speak on the budget. Maybe everyone on that side of the house wanted to put him last because they did not want to listen to him, but there was adequate time.

Honourable members interjecting.

Mr HODGETT — That is what Victorians want to do. Maybe the Leader of the Opposition wants to make

a contribution to the debate on the motion concerning the carbon dioxide tax. We on this side of the house would be very interested to listen to his contribution on that motion.

In the interests of debating time and allowing adequate time to scrutinise the five bills and the motion on the government business program, I commend the motion to the house and urge the opposition to have a think about supporting the government business program motions when we return to sitting after the winter break.

Mr MADDEN (Essendon) — It should be no surprise to the government that we oppose the government business program, because time and again we come to the chamber and say that there is nothing substantial in the government business program. When the government puts something substantial up we might be enthusiastic about the government business program. What is startling to this side of the chamber is that the legislation that comes before us is basically administrative stuff. Of course governments have to do this and we encourage the government to do more of it, but where are the reforms? There are no reforms.

I refer to the ‘sort of’ contribution of the member for Kilsyth, who mentioned that the government gave members the opportunity to comment on the budget after the event. I have never heard anything more ridiculous in my life!

Honourable members interjecting.

The SPEAKER — Order! That is enough from the member for Kilsyth and the member for Bayswater.

Mr MADDEN — The member for Kilsyth was saying, ‘We are being incredibly generous because we are allowing you to get up and talk about the budget after we have passed it’. That does not equate with democracy at all, because the idea of debating in this chamber is that you debate things before they are passed. It is reminiscent of the way the government reinvented the rules of this chamber in order to pass a bill because its members were asleep. It does not surprise us one bit that the government moves motions after bills have been passed and has us debate the same thing that should have been debated before the bill was passed in the first place. It is absolutely outrageous.

Not only that, the government wants to filibuster about the carbon tax because there is nothing substantial on its own legislative program. It thinks it might get a bit of kudos by highlighting every little issue known to man in every nook and cranny in each member’s electorate. That might allow members to issue press releases to

their local newspapers, but it is not really about government business.

Mr McIntosh — On a point of order, Speaker, this is a very narrow debate, and going into the merits of the carbon tax — notwithstanding how reprehensible the tax may be — is not part of the government business program discussion.

The SPEAKER — Order! I note that the motion regarding the carbon tax is one of the items on the government business program, and it has been a wide-ranging debate. I call on the member for Essendon to continue but advise him to maybe get back to just talking about the motion before the house.

Mr MADDEN — It should be no surprise to the government that we are not enthusiastic about its business program, particularly because having the second-reading speeches on a Wednesday basically takes an opportunity for debate from the proceedings of this house — and that is because what we want to do is let members of The Nationals get home early. They have got to get onto the freeway on a Thursday afternoon before the roads get congested. The difference is, as we know, that the roads in Melbourne are always congested, so members who live in Melbourne are not getting home any earlier this week, given the government business program. I noticed last week that when we extended the sitting a little Nationals members were getting a bit twitchy when the sitting went beyond 4 o’clock on Thursday.

I am highlighting that what the government is trying to do is narrow down the debate, fill it with filibustering for its own sake and also confine it to the earlier part of the week so that The Nationals members can get home early. If they were to catch a train they would not be stuck in the train for too long, but we know that they drive, unfortunately, and we know that they have got to avoid the congestion on the freeways because there are so many people trying to leave at around the same time.

As I said, it should not disappoint the government that we are sceptical about its business program, because once again it has shown that it has not got anything on its program of any substance. It has got no reform and basically no ideas on the program. It is the same old, same old, and here we are doing it again.

Mr CRISP (Mildura) — I rise to support the government business program. There are five bills on it, and as the Leader of the House said, 60 speaking places, as well as a motion on the carbon tax, which is, I think, of considerable concern to everybody in this chamber. So much of what we use in our lives contains

energy. I think the response from the opposition pretty much confirms that its attitude to this issue is Labor first, Victorians second and families last. The additional motion regarding the budget contribution is welcome. You would not believe it from what the member for Essendon said, but Labor actually supported the budget. From what those opposite said, you would not believe that.

I also find it amazing that the member for Essendon does not think the carbon tax is important, does not think getting the working-with-children arrangements right is important and does not think reforming some of the higher education and skills area is important. I am just amazed by that, as well as by the statement that the Leader of the Opposition has not had a chance to respond to the budget. One wonders how they do things on that side of the house. With the whip over there, I would think that if her leader wanted time to respond, she would provide it. I am somewhat surprised to hear the member for Essendon's excuse for the leader on this issue. This is a business program that deserves to be supported.

Mr DONNELLAN (Narre Warren North) — I rise not to support the government's business program, which is quite interesting. I note with some interest that the manager of government business indicated that there were 120 opportunities for 88 members, which is just over one opportunity each to speak. That is not really a lot, to be honest. We are not exactly going to spend a lot of time talking about a lot of these bills. Having the second readings on Wednesday — we will have snoozy Wednesday afternoon second readings — so that on Thursday members of The Nationals can nick off early is a bit unfair. Bearing in mind some of those speaking opportunities, taking out 40 or maybe 50 minutes to allow people to go home early on Thursday is cutting out a little bit of the democracy that is so important and for which we are supposedly all here. We are here to debate bills and take them seriously.

Legislation like the Working with Children Amendment Bill 2012 is serious legislation. I remember that some members on the other side of the house were not so supportive of that bill when it was introduced, but I will not go into specific bills apart from saying that there is not a lot happening according to this business program.

We are going back to an old notice of motion from the manager of government business on the budget. We are going back there because we have run out of things to do. We are bringing back that old chestnut of the carbon dioxide tax motion, so we really have not got a

lot to do. There is not a lot to do on this program. This is a do-nothing, lazy government. This is why we do not support the government's business program — because there is nothing happening here. It is ordinary, very ordinary, to put it mildly. This is wrong. We come here as members of Parliament to debate issues. For the manager of government business to suggest that one opportunity to debate is enough for all of us is not right. Having 130 opportunities when we have lost 40-plus minutes and are nicking off early on Thursday to keep The Nationals happy in the coalition — because we know there are strains in it at the moment — is not very good. It is not very good at all.

It is time all members of this house took their responsibilities seriously and we had proper debate, not second readings, on Wednesdays. They should be moved to Thursdays. If they were moved to Thursdays, I suspect we would support the government business program. Debate on the Statute Law Revision Bill 2012 and a couple of notices of motion do not really amount to a government business program. There is no great revolution in legislation here; there is no great reform. There is very little happening with this government.

That is why we on this side of the house do not support the government business program. If we have second readings on Wednesdays, there will be very little on the notice paper, and it is not appropriate to drag members of the house in here to do very little.

House divided on motion:

Ayes, 44

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

Noes, 39

Andrews, Mr	Hutchins, Ms
Barker, Ms	Kairouz, Ms

Beattie, Ms	Knight, Ms
Brooks, Mr	Languiller, Mr
Carbines, Mr	Lim, Mr
Carroll, Mr	McGuire, Mr
D'Ambrosio, Ms	Madden, Mr
Donnellan, Mr	Merlino, Mr
Duncan, Ms	Nardella, Mr
Edwards, Ms	Neville, Ms
Eren, Mr	Noonan, Mr
Foley, Mr	Pallas, Mr
Graley, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Halfpenny, Ms	Richardson, Ms
Helper, Mr	Scott, Mr
Hennessy, Ms	Thomson, Ms
Herbert, Mr	Treaise, Mr
Holding, Mr	Wynne, Mr
Howard, Mr	

Motion agreed to.

MEMBERS STATEMENTS

Higher education: TAFE funding

Ms KNIGHT (Ballarat West) — I congratulate everyone who attended the rally in Ballarat last Friday to protest the TAFE funding cuts. No doubt most members would have seen the extensive news coverage of the rally. Disappointingly, like the Treasurer, the Premier refused to look people in the eye and explain why he thinks it is okay to decimate education, to decimate regional TAFE, including in Ballarat, and to decimate our local economy through massive job losses. Like the Treasurer, the Premier had every opportunity to do so; they were just downstairs.

Hundreds of passionate people — people who, unlike the Baillieu government, understand the importance of education for all — gave of their time to express their horror, shock, grief and disgust at these unprecedented cuts and this unprecedented attack on our local community. I would particularly like to thank the following participants for their support in attempting to save our TAFE: Athan McCaw from the National Tertiary Education Union, Brett Edgington and Paul Clempson from the Ballarat Trades and Labour Council, Erich Sinkis and Greg Barclay from the Australian Education Union and delegates and members of the Construction, Forestry, Mining and Energy Union, the Health and Community Services Union, the Australian Manufacturing Workers Union, the Australian Nursing Federation, United Voice and all the other unions involved.

The Baillieu government has cut \$20 million from TAFE programs at the University of Ballarat, and this will mean that people will lose their jobs and that there will be reduced learning opportunities in Ballarat.

When the Treasurer was in Ballarat a few weeks ago he refused to meet with TAFE staff and students affected by the cuts. He had every opportunity to do so — to defend his decision and his choice; they were just downstairs.

Bendigo: tourism and small business

Ms ASHER (Minister for Innovation, Services and Small Business) — I recently had the pleasure of visiting Bendigo. While I was there I visited the Bendigo Art Gallery, and I was able to confirm the number of ticket sales for the Grace Kelly exhibition. I am happy to advise the house that over 152 000 tickets for the exhibition were sold. This represents an economic benefit of \$17 million to the city of Bendigo. This is a very fine achievement, and it represents a significantly higher benefit than that of the White Wedding Dress exhibition, which was another very successful exhibition held in Bendigo. The number of tickets to this exhibition that have been sold is higher than the population of Bendigo.

I was also able to announce that the mobile business centre will be visiting Bendigo on Thursday, 21 June, and to confirm that more than 550 business mentoring sessions have been delivered to Victorian small businesses. In terms of small business services in regional Victoria, I am delighted to indicate to the house that so far this year 48 per cent of the workshops and seminars have been held in regional Victoria. In terms of the small business mentoring service, 39 per cent of the services provided up to this date have been held in regional Victoria.

These are all very good outcomes — in this case specifically for Bendigo — for regional Victoria in terms of services available from this government in both tourism and small business.

Olivia Newton-John Cancer and Wellness Centre: funding

Mr CARBINES (Ivanhoe) — I rise to thank residents of the Ivanhoe electorate for their support to secure funding to complete the Olivia Newton-John Cancer and Wellness Centre at the Austin Hospital. Last year I collected over 3000 signatures on a petition calling on the Baillieu government to allocate the remaining \$44.7 million required to fit out the centre. This would honour a pledge from the previous state Labor government, which had already committed \$93.9 million, all delivered. In total, federal and state governments have now contributed over \$160 million, and the Austin Hospital's fundraising appeal has raised millions more.

Thanks to community support for this campaign some 2000 patients a year in our community will receive their cancer treatment closer to home when Olivia Newton-John officially opens the cancer centre that bears her name this Friday, 22 June. The centre will be a world-class facility, providing the latest cancer treatment for patients. Many of us have been touched by cancer personally or know people who have needed medical treatment and the support of family and friends to fight this terrible illness. The Olivia Newton-John Cancer and Wellness Centre at the Austin Hospital will bring hope and comfort to many thousands of seriously ill Victorians.

We are fortunate to live in the Ivanhoe electorate, where people have a strong commitment to volunteering and fundraising for a range of community organisations and causes. That is why people fought so hard to save the Austin Hospital from privatisation under the former Kennett Liberal government. It is why we will continue to run campaigns to secure the remaining funds to complete the Olivia Newton-John Cancer and Wellness Centre in the northern suburbs, and that is why we will now pursue funding for the upgrade and redevelopment of the emergency department at the Austin Hospital. Together we will continue to deliver change —

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

Australian Labor Party: performance

Dr NAPHTHINE (Minister for Ports) — Victorians want their politicians and political parties to be open, honest and transparent, but it seems that the tired, old, failed Labor leaders and shadow ministers have learnt nothing from their 2010 election defeat and 18 months in opposition. Despite having recently received a detailed and honest evaluation of their electoral loss that was undertaken by two opposition backbenchers, the members for Brunswick and Williamstown, the gang of failed ministers — the Leader of the Opposition and the members for Monbulk, Tarneit, Essendon and Lyndhurst — have got together to block the public release of this important report.

Apparently this review said that Labor lacked creative spark, that Labor policies were tired, out of date and were largely driven by a few ministers, spin doctors and Labor advisers, that Labor had an uninspired and reactive approach to law and order, and that Labor's policy to fund 200 new Metro staff compared to the coalition pledge of 940 protective services officers was a clear example of incrementalism versus boldness. The report also quite correctly identified cost blow-outs on

myki, the desalination plant and the regional rail link as eroding Labor's infrastructure credibility. The Leader of the Opposition today should publicly apologise to the people of Victoria for the mess he and his Labor mates left behind and should immediately release this secret report on the Labor loss. Finally, the Leader of the Opposition needs to dump his frontbench of tired, old-guard, failed ministers.

Buses: Hallam service

Mr DONNELLAN (Narre Warren North) — This week I was presented with a petition from Leslie John Cook, a local resident of the Saffron Grove retirement village in Saffron Drive, Hallam, concerning the cessation of the 827 bus service which used to stop at Saffron Grove and collect residents from the retirement village who wished to travel to Dandenong. Unfortunately this service has now stopped as part of a previous bus review. New services were introduced, and the route now takes the residents to Hallam station but not to Dandenong or Berwick. Many of the residents in this nursing home use walking sticks and frames and must cross the dangerous Princes Highway to get to this bus service. Dandenong is very much the centre of interest for these residents, as it is where most government services are provided. The residents are finding it difficult to get to Hallam station, then catch a train to Dandenong and walk from Dandenong station to the heart of the Dandenong shopping centre to access services.

I recently approached the bus service providers and asked whether the 828 bus service, which does not go through the Hallam Gardens estate, could go via Saffron Grove before continuing along the Princes Highway to Dandenong as it presently does. Unfortunately at this stage the providers have indicated that would not be possible, and as a result I have received a petition from the community containing 38 signatures.

Victorian Jazz Archive

Mrs VICTORIA (Bayswater) — I had the wonderful opportunity of attending the Victorian Jazz Archive to announce that Parks Victoria has agreed to enter into a new 21-year lease to secure the archive's future at Koomba Park in Wantirna. The VJA showcases and preserves Australian and internationally produced jazz music and artefacts, and makes them available for the public to hear and see. The VJA thrives on the support of its many volunteers who are passionate about conserving the history of jazz for future generations.

Melbourne International Jazz Festival

Mrs VICTORIA — Congratulations to the organisers of the Melbourne International Jazz Festival, another great event for Melbourne. The festival showcased many fantastic local and international jazz artists, and I had the privilege of attending a number of concerts to see firsthand why Melbourne's jazz festival is becoming world renowned.

Metropolitan Traffic Education Centre: young drivers forum

Mrs VICTORIA — I would like to thank the member for Kilsyth and METEC Driver Training — METEC is the Metropolitan Traffic Education Centre — for organising a recent young driver forum. It was great to hear the many suggestions, ideas and experiences that some of our young drivers aged from 16 to 25 years had to share. I was impressed with the level of commitment these young drivers demonstrated to improving the attitudes and safety of their peers.

National Institute of Circus Arts: *Lucy and the Lost Boy*

Mrs VICTORIA — It was inspiring to attend the National Institute of Circus Arts production of *Lucy and the Lost Boy*. The production was a collaboration between NICA final-year students and guest director Sally Richardson. NICA does a fantastic job of preparing these young performers for future employment.

National Sports Museum: Call to the Games exhibition

Mrs VICTORIA — Congratulations to Margaret Birtley and her team at the National Sports Museum for Call to the Games, a wonderful exhibition of posters dating back to 1851 from countries that have hosted the games.

Women's Health Loddon Mallee: funding

Ms EDWARDS (Bendigo West) — The decision of the Liberal-Nationals government to slash funding for women's health is a disgrace and will mean the loss of at least one staff member at Women's Health Loddon Mallee. This service cannot afford to bear the brunt of this funding cut. Its area of work includes approximately 145 000 women from Mildura to Macedon. It supports women in remote areas, many of whom experience social and geographical isolation. The service provides information, advice and advocacy to those women and their families.

What is most disturbing about this cut to women's health funding is that it will mean less assistance being provided to victims of family violence. Crime statistics show that in the 3555 and 3550 postcode areas there has been a 57 per cent increase in the number of reported family violence assaults. The Women's Health Loddon Mallee supports victims of family violence — and women and children make up the bulk of those needing this support. We know that domestic violence is the leading cause of homelessness in Victoria, so when you combine the slashing of funding to the Women's Health Loddon Mallee service and the failure of this government to invest in any support for homeless people, it is a double whammy for women and children in the Loddon Mallee region.

Through collaboration and partnership with women's health services, as well as the provision of increased resources, this government could take a leadership role in developing a new approach to women's health. The government could fund research relating to women in a changing society and disseminate the findings. Instead the government has walked away from any commitment or investment in services that support women and children. Government members have no vision to measurably reduce the inequities and poor health outcomes faced by Victorian women.

Mildura: riverfront development

Mr CRISP (Mildura) — The coalition government has committed \$12.5 million to the Mildura riverfront development for the construction of the connection between Langtree Avenue and the riverfront, improvements to the riverfront park and the establishment of the Mildura Riverfront Authority. The partnership between the coalition government and the Mildura Rural City Council has been successful in attracting an extra \$4.8 million from the federal government. I would like to pay tribute to the persistence of those involved in this project and congratulate the partners in now achieving sufficient resources to deliver the public component of stage 1 of this visionary project for Mildura's future.

Disability services: Mildura employment service

Mr CRISP — On another matter, All Star Access employment services has opened in Mildura, and I would like to congratulate All Star's parent, Mallee Family Care, on achieving its registered training organisation status. Maintaining disability employment services is vital for Mildura, particularly as the federal government moves to a national disability insurance scheme. I would like to thank Rhonda Galbally for

opening the branch in Mildura and for her words of advice on the national scheme.

Carers: Sunraysia workshop

Mr CRISP — Congratulations to the organisers of Communities of Practice, a workshop for carers in Sunraysia. I thank those involved for their appreciation of the government's efforts with the Carers Recognition Bill 2012. Many caring people from the Mildura electorate were present, and the many issues they identified will need work and attention in the future. I look forward to seeing the report of the day's activities, and I thank all carers for the work they do in our community, free of charge, looking after those less able to look after themselves.

Craigieburn: shopping centre construction

Ms BEATTIE (Yuroke) — Last Tuesday I had the privilege of visiting the Craigieburn Central complex, which is currently under construction. This town centre and shopping complex has been needed in the area for over 10 years. Thanks to the people at Lend Lease and their \$330 million investment, it has now become possible. The residents of Craigieburn and surrounding areas are to be provided with this much-needed amenity towards the end of next year.

The new shopping precinct will bring many employment opportunities, both throughout the construction process and upon completion. At the peak of construction up to 600 workers will be employed on the site. There will be 150 stores at the centre, and this will boost the economy and employment opportunities in the retail sector. Craigieburn Central will not only service Craigieburn but also bring people from all suburbs together to enjoy a modern shopping experience.

I would like to take this opportunity to thank the residents of Craigieburn for their patience regarding the need for a new shopping complex in their community, and I would like once again to thank Lend Lease for providing this opportunity to the people of Craigieburn. I must also say that Hume City Council has played a vital role in the delivery of these facilities, and I thank all of those working together for the good of Craigieburn.

Country Fire Authority: Coongulla brigade

Mr BULL (Gippsland East) — The coalition government has a strong commitment to ensuring that our emergency services personnel are equipped with the best possible resources to undertake the vital work

of protecting the community. In line with this, I recently had the pleasure of joining Country Fire Authority staff and volunteers to celebrate two great milestones for the Coongulla CFA brigade: the 40th anniversary of providing emergency services to the local community and the presentation of the keys for a new \$142 000 four-wheel tanker. Coongulla CFA is one of the first brigades in the state to receive the new ultralight tanker.

Queen's Birthday honours

Mr BULL — I congratulate two residents of my electorate who have been recognised for their contribution to the local community, receiving Order of Australia medals. Gil Sheppard of Lakes Entrance was recognised for his years of service to war veterans and their families, local government and the general community. Gil has served with organisations including the Naval Association of Australia and the RSL, and although not a formal representative of Legacy, he nevertheless represented many legatees free of charge. Gil was also a councillor with the East Gippsland Shire Council, serving on two separate occasions.

Don Jarrett of Lindenow South served as inspector of police, inaugural bandmaster of the Royal Australian Armoured Corps band and officer commanding/chief instructor of the Army School of Music and the Third Military District band. Don has also represented the Royal Victorian Association of Honorary Justices. Over a long period of time both Gil and Don have dedicated their efforts to helping others in East Gippsland, and both are to be commended for their volunteer work.

Housing: government performance

Mr FOLEY (Albert Park) — The state government's plan to increase public housing rents, privatise housing stock and end the tenure of public residents is causing great concern for more than 3000 social housing residents in the district of Albert Park. That this is accompanied by a lack of information and a refusal by the Minister for Housing and her government to engage with public tenants in any proper way only adds insult to this injury. Local residents are expressing grave fears for their future and are worried about what secret plans the government has in store.

It is of great concern that we are now receiving examples of what can only be seen as push polling under the guise of a feedback form in relation to the discussion paper entitled *Pathways to a Fair and Sustainable Social Housing System*. We now have a situation whereby public housing residents are being asked whether they would be in a position to buy their

office or housing units. This only adds to the fear we are starting to see in the eyes of people throughout public housing estates in inner Melbourne and beyond.

The Minister for Housing intends to become the person who rips up a successful model of housing for over 120 000 Victorians across the state. These communities are disproportionately populated by the elderly, those from non-English-speaking backgrounds, those with disabilities and those on statutory benefits, and there are real issues about how you consult and deal with these people. These communities need to be treated with respect, not with the contempt that the minister has shown in this regard. I call upon the minister to mend her ways.

Lions clubs: presidential elections

Mrs BAUER (Carrum) — It is great to be part of the global Lions movement, which plays a valuable role in our electorates. I am looking forward to being elected president of the Lions Club of State Parliament, which provides an opportunity for members of Parliament to come together in a bipartisan manner for the benefit of the community.

I commend Evelyn Sainsbury, the newly elected president of the Lions Club of Chelsea District, for continuing service to our Carrum electorate and community that dates back to 1978, when the Chelsea Lions club was established.

Bendigo Bank: Aspendale Gardens branch

Mrs BAUER — The Aspendale Gardens branch of the Bendigo Bank is to be congratulated on its support of our community. In two years \$27 810 has been distributed back to the community by way of sponsorships and donations. I enjoyed attending the branch's second birthday celebrations recently. Well done to Russell Mactaggart, branch manager, and the board for supporting community organisations from Aspendale to Seaford.

Chelsea Yacht Club

Mrs BAUER — It was a full house at the Chelsea Yacht Club annual general meeting and presentation evening on the weekend. Congratulations to Steve Read, the president, and to the incoming committee. The club began in 1938, when it was decided to form a yacht club to conduct racing and organise shore assistance. Well done to Lynette Williams and Gavin Rogerson, two outstanding volunteers who received life membership after decades of club involvement.

Ron Jacobs

Mrs BAUER — Congratulations to Ron Jacobs, who has been recognised for his contribution to the Chelsea community through the prestigious award of the Medal of the Order of Australia. As well as volunteering for the Country Fire Authority, Ron was a local councillor, a member of both the Chelsea and District Historical Society and Kingston Historical Societies Network, and chairman of the Chelsea volunteer fire brigade.

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

Bacchus Marsh: coalmining

Mr NARDELLA (Melton) — Last week I heard author Sharyn Munro talk about her book on the dangers of coalmining and the burning and transportation of coal, especially around Bacchus Marsh. The Moorabool Environment Group has given me a copy of the book, which I presented to the Minister for Energy and Resources. I hope he reads it, especially in relation to coal and the mining of coal around Bacchus Marsh.

Public transport: Mowbray College students

Mr NARDELLA — I call on the Minister for Education to implement a bus service from the Mowbray College Patterson campus in Melton to CRC (Catholic Regional College) Sydenham for all the kids to get to their school, especially the year 11 and 12 students. I also call on the Minister for Public Transport to get the V/Line Bendigo train to stop at Sydenham station for students from Sunbury and Macedon Ranges to get to CRC Sydenham via that line.

Students: education conveyance allowance

Mr NARDELLA — I also ask the Minister for Education to urgently review and reverse the Baillieu government's decision to take away the conveyance allowance for students travelling from Bacchus Marsh and Melton to Ballarat Clarendon College. It is impossible for these kids to attend Greenvale Primary School, as they have been directed to do. It would take them all day to get there and all day to get back, and there are no transport connections. I ask the minister to reverse that decision.

Mowbray College: closure

Mr NARDELLA — I also want to thank Melton Shire Council — Justin Mammarella, Sophie Ramsey and the team there — and Djerriwarrh Health Services

for hosting and organising a thankyou afternoon tea for Mowbray teachers and staff. They certainly deserve it; they have been fantastic in looking after their students and the Mowbray family out there, and I want to thank them sincerely.

Australian Labor Party: scrutiny unit

Mr SOUTHWICK (Caulfield) — We bore the brunt of it in opposition, and we now have positive proof that the man who was party to Victorian Labor's dirt unit in the John Brumby era has been doing the same work for the Gillard government. Nick Reece has employed the same dirty tactics in Canberra that were deployed against the Liberal Party in opposition in Victoria.

It was reported last week that Nick Reece, John Brumby's right-hand man when Labor was in office, distributed an 11-point list on what dirt ministerial officers should be gathering on their coalition opponents. This is the man who smeared and defamed the Premier and was then forced to publicly apologise. He is the man who was hand-picked by the former Premier, John Brumby, to head up Labor's election campaign. 'Look for shit on Labor's opponents' is one of the reported quotes from inside Labor. The dirt unit is alive and well — it's the dirty way; it's the Labor way.

We found Labor's little black book of dirty tricks when we came into office. Victorian Labor must have sent a copy to Canberra, because the tactics federal Labor employs are the same as were used in Victoria in the lead-up to the last election. The to-do list in the Canberra dirt file suggests trawling opposition members' younger days — maiden speeches, ministerial records, study trips, fundraising, pecuniary interests, associated travel reports, companies they may be involved in and investigating potential issues such as litigation, even student newspapers. What is happening in Canberra is no different from what was in the little black book left behind in Victoria. There are no depths to which Labor will not stoop; young recruits are employed to do the same thing. These are shameful tactics by the Labor Party. Labor Party members ought to be ashamed of these tactics.

Paul Georgalis

Mr PANDAZOPOULOS (Dandenong) — I rise to pay my condolences to the family of Paul Georgalis, who died on 3 June at the age of 86. He was born in Ammochostos, an area of Cyprus which is currently occupied, and he has lived through the trauma and suffering experienced by descendants of refugee

communities from Cyprus. Paul was a member of the Labor Party for close on 40 years. More importantly, for many years he was a very strong stalwart on the committee of the Dandenong Greek Orthodox community. In that time he was involved in the building of a new church, a community centre, a senior citizens club as well as his engagement with language and cultural programs at the centre. He was much loved for his dedicated work for the community, having been involved in community affairs in the former City of Dandenong representing the Greek community at many activities. I pass on my condolences to Paul's widow, Helen, and daughter, Georgia, for their loss.

Dandenong: civic centre development

Mr PANDAZOPOULOS — I am also pleased that the federal government, through Regional Development Australia and the Minister for Regional Australia, Simon Crean, along with the federal member for Isaacs, Mark Dreyfus, recently announced a \$6 million grant for the new cultural hub of Dandenong. This is a new civic square precinct that will be located in the centre of Dandenong. It is an innovative project that is supported by both Places Victoria and the City of Greater Dandenong. The federal government has now also provided support for the project. This project will ensure that the new cultural hub of the new and redeveloped Dandenong is this new civic space.

Frankston: business forum

Mr SHAW (Frankston) — On Saturday morning at the Frankston International Motel I was happy to make a presentation to a variety of business owners of bakeries at a forum facilitated by Robert Powell of RnJ Cakes in Beach Street. The business owners think tank was concerned with increased electricity prices due to the carbon tax but participants were also keen to learn what the future holds for Frankston and what the state government's plans are.

Kananook Creek: desilting

Mr SHAW — The fifth meeting of the Kananook Creek Advisory Group was held yesterday with representatives of the Department of Sustainability and Environment, the Kananook Creek Association and the local council. The group was formed by me to carry out the government's election promise of \$2.5 million to desilt the creek. The group has formed an opinion and will advise the government on which is the most appropriate organisation to take control of this task. We will be relaying that decision to the minister. At this point I wish to thank all those involved, particularly the Minister for Water, who has visited Frankston twice

and at all times has wanted to break down the walls of inefficiency and buck-passing that has clogged the creek for 20 years.

Frankston Taxis: industry inquiry response

Mr SHAW — Yesterday I met with Frankston Taxis directors Kevin Dunn, Jack Hodge and David O’Dea to discuss their concerns in relation to the taxi inquiry and their response to that inquiry. Frankston Taxis is a consistent contributor to the Frankston community, having been in business for 60 years. The business owns 64 taxis, including 14 wheelchair-access taxis. The company has a 96 per cent success rate, and 95 per cent of its work is in the bounded area. I look forward to the Frankston Taxis formal response to the inquiry from its perspective as a smaller provider in an outer suburb of Melbourne.

Carbon tax: economic impact

Mr SHAW — Labor has sold out Victoria on the carbon tax. Not once have Labor members spoken out against it; not once have they heard and conveyed the concerns that this job-killing, cost of living-hiking tax will do to Victorian families and businesses. What is their position on the carbon tax? They are in agreement with it 100 per cent. What is their position on the unfair GST cuts? They are in agreement with them 100 per cent. What is their position on infrastructure funding?

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

Broadmeadows electorate: jobs and investment forum

Mr McGUIRE (Broadmeadows) — On Thursday, 31 May, I had the honour of hosting a jobs and investment forum in Broadmeadows that highlighted the desperate need for a vision for Victoria with a balanced economic plan delivering not just fiscal consolidation but also jobs growth and confidence. The forum was organised in conjunction with my Labor colleagues, the members for Yuroke, Keilor and Niddrie, and was led by the shadow Treasurer. Leaders of business, big and small, representatives of local government and education providers, and residents combined to help build on the Local Jobs for Local People strategy I called for and helped initiate years ago as chairman of the Social Justice and Safe City Taskforce in the city of Hume, and which is now being implemented.

The need has been made more acute following the Baillieu-Ryan regime’s reverse Robin Hood budget,

which robs from the poor to give to the prosperous by cutting \$14.7 million from the funding for the promised government services building in Broadmeadows and which robs young people of education and career options by axing TAFE funding and slashing the education maintenance allowance. As the manufacturing engine room that has underwritten Victoria’s prosperity for decades, Broadmeadows deserves much more from this government, particularly given its historic neglect by Liberal administrations. Many families are concerned by the coalition’s inability to articulate how it is going to secure, safeguard and create jobs, an issue that dramatically escalated yesterday with the Age’s announcement that its Tullamarine printing plant will be closed within two years.

Labor stands for jobs, education and the training required to build a state. From Broadmeadows to business, Victorians are staggered by the Baillieu-Ryan regime’s arrogant failure to establish a viable jobs plan, no matter the cost to families.

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

Cobram Secondary College: healthy eating initiatives

Mr McCURDY (Murray Valley) — Well done to Lauren McKeown, a humanities teacher at Cobram Secondary College, who last week ran a Hunger4Change banquet which gave year 7 students the opportunity to put themselves in the shoes of children around the world who have various food insecurity issues. Amanda Clissold and her year 10 peers made lunch and demonstrated the various nutritional differences we have around the world, whilst the year 11 and 12 Victorian certificate of applied learning personal development skills class created a cookbook containing a collection of inexpensive and healthy recipes. The students have worked very hard in putting the book together, and all of them are very proud of what they have achieved. To date students have raised over \$800 for Cobram community house, which is absolutely thrilled. This money will go towards funding programs and initiatives that promote healthy eating in our local community.

Wangaratta: development initiatives

Mr McCURDY — Congratulations to the Rural City of Wangaratta, which is celebrating a period of unprecedented development, with confirmation that the \$5 million Ovens Riverside Precinct development will go ahead with support from the state and federal

governments, with progress on the \$5 million Department of Justice building that is currently under construction and with the announcement of the \$2.7 million courthouse redevelopment. All this complements the \$854 000 Ovens River Link, which I had the privilege of opening earlier this month, and the recently completed \$3 million showgrounds development. We also have the proposed \$25 million Target Country, a multideck car park, the \$29 million St John's Nursing Home development, and the \$8 million Charles Sturt University campus. Wangaratta is truly the most livable regional city in Australia!

Ken Jasper

Mr McCURDY — Congratulations to Ken Jasper, AM, the former member for Murray Valley, who was made a Member of the Order of Australia in the Queen's Birthday honours for his magnificent service to his community and his former electorate.

Country Fire Authority: Murray Valley electorate brigades

Mr McCURDY — Country Fire Authority crews from Strathmerton, Boosey, Cobram and Muckatah came together to demonstrate to the advanced class at Cobram Secondary College the many and varied techniques of firefighting.

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

Diabetes: teacher awareness

Mr PERERA (Cranbourne) — Recently I met with a young family in the Cranbourne electorate who have two children suffering from type 1 diabetes, which is a quite serious health matter. I have met a number of children with juvenile diabetes. If a child's sugar levels peak, the child becomes thirsty and hungry and perspires; if sugar levels drop dramatically, the child will become hungry and shaky. In both instances the child becomes tired and lethargic and loses concentration.

Local parents have put to me that it would be ideal if our teachers were aware of these symptoms and had backup plans to ensure the child's health and safety at school if they occurred. Parents are seeking that the government mandate the training of some teachers in every school to be alert to the implications of children suffering from type 1 diabetes and to be aware of requirements for these children to wear insulin pumps continuously and have their blood monitored daily after

their meals at school et cetera. It is unfortunate that young children are suffering from this incurable, lifelong, life-threatening disease. I have formally written to the government raising their concerns.

Frankston-Mornington Peninsula Medicare Local

Mr PERERA — I also congratulate the Gillard Labor government on delivering a much-needed Medicare Local for Frankston and the peninsula. A local network of providers will bring together doctors, nurses and other health and allied services to work with local people to identify gaps in the area's health services and plan for the future.

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

Russell Ardley

Mr MORRIS (Mornington) — Today I rise to pay tribute to Russell Ardley, who recently resigned from Mornington Peninsula Youth Enterprises. MPYE had its genesis when Russell demonstrated, first at home and later at Mitchell Street, Mornington, the difference that the acquisition of practical skills can make to young people. From a very modest start, MPYE quickly developed into a respected local institution. The former Mornington Sewerage Authority site was pressed into service, and today it contains propagating rooms, hothouses, a training room, woodwork and metalwork facilities, and an extensive native plant nursery. It has provided a new start for countless young people of the peninsula, developing practical skills in the hands-on way at which Russell became so adept.

MPYE would simply not exist today were it not for Russell Ardley's drive, passion, dedication and commitment to the task. Russell has made an enormous contribution to the development of our young people, and he will leave very big shoes to fill. I am sure all members wish him well in whatever task he next turns his hand to.

Opposition: performance

Mr MORRIS — On another matter, I remain amazed at the determination of the opposition to remain silent when matters critical to the future of Victoria remain neglected by its federal colleagues.

The DEPUTY SPEAKER — Order! The time for the making of statements by members has expired.

CARBON TAX: ECONOMIC IMPACT**Debate resumed from 1 May; motion of Mr O'BRIEN (Minister for Energy and Resources):**

That this house notes that the federal Labor government's proposed carbon dioxide tax will:

- (1) increase the cost of living for all Victorian families, notably in relation to the cost of electricity and gas;
- (2) hurt Victorian business and destroy jobs by increasing costs, especially in manufacturing, food processing and agriculture;
- (3) short-change Victorian families and businesses with inadequate compensation arrangements;
- (4) increase costs for all Victorian schools, hospitals and public transport;
- (5) disproportionately hurt Victoria for being endowed with world-class brown coal resources and generation;
- (6) undermine Victoria's export position and the international competitiveness of Australia relative to its major trading partners;
- (7) according to federal Treasury modelling, hit Victoria first and hardest by damaging Victoria's gross state product more than that of any other state for the next 25 years; and —

that this house therefore condemns the federal Labor government for undertaking this action with no electoral mandate and in a direct betrayal of commitments made to the Australian public before the 2010 federal election.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to rise to contribute to this very important debate on the federal Labor government's push for the introduction of a carbon dioxide tax in this nation. I am gravely concerned, like many on this side of the house and the majority of Victorians and Australians, about the potential impact of this piece of legislation. There is one group of people which is certainly not concerned about the legislation and its impact on Victorians — that is, its impact on Victorian industry, Victorian families and government departments, including those responsible for schools and the running of our public transport system — and that group is those opposite. That is why those opposite stand condemned for their position on this very important issue.

The Victorian community is right to ask the question 'What is the alternative government in this state doing on this issue?', because once the legislation comes into force this issue will impact on every person in this state. What are members of the opposition doing? Nothing. What have they done in terms of trying to change this situation? Nothing. What have those opposite done in terms of picking up the phone, talking to their

colleagues in Canberra — the backbench, their ministers and the federal member for Lalor, the Prime Minister — and putting a Victorian position? They have done nothing. They are not prepared to stand up for Victorians, but we on this side of the house will, because we know that once this is implemented there will be a 10 per cent increase immediately in electricity prices.

Mr Foley interjected.

Mr WAKELING — I am very pleased to take up interjections of those opposite. I would be pleased to inform the constituents of the electorate of the member for Albert Park that their member condones and supports a 10 per cent increase in electricity prices once this tax is implemented.

Looking at gas, we will have a 9 per cent increase in gas prices in the first year of this tax. Those opposite talk about utility costs. They can see that there will be a 10 per cent increase in electricity prices and a 9 per cent increase in gas prices. What have those opposite done about that? How many questions about that very important issue have those opposite raised in this house? How many members statements on this issue have we heard from those opposite? What have we heard on this very important issue in the contributions of those opposite during adjournment debates? What questions have they asked about the impact of the 10 per cent increase in electricity prices and the 9 per cent increase in gas prices? The answer is: none. Those opposite are not willing to stand up for Victorians — because they are prepared to stand shoulder to shoulder with Julia Gillard and her Labor mates in Canberra and say that a 10 per cent increase in electricity prices is good for Victorian families.

I for one will stand in this house and say — on behalf of my community and the other communities that we on this side represent, but more importantly on behalf of the communities that those on the other side of the house represent — that it is unacceptable. Whilst the member for Albert Park might think it is acceptable to have a 10 per cent electricity price increase as a consequence of this tax, I will stand up for his community and say that it is unacceptable.

Mr Foley interjected.

Mr WAKELING — It is just a shame that the local member is not prepared to take the same form of action.

The impact of the carbon tax has been warmly embraced by those opposite, but it has not been warmly embraced by the Victorian community. It has not been warmly embraced by Liberal voters and it has not been

warmly embraced by Nationals voters, but more importantly it has not been warmly embraced by Labor Party voters. That is why we have seen support for members in Labor Party seats plummet. Those opposite know that. I have seen what has happened to federal government members and the concerns on their faces about the impact of this legislation.

When the tax comes, what is this lazy opposition going to do to take up the challenge with respect to the impact on our public hospital system? The carbon tax will increase annual power bills for Victoria's public hospitals by around \$13.6 million per annum. Those opposite say, 'What's \$13.6 million?'. In a health budget, \$13.6 million is a significant amount of money. What could be provided in our health service for Victoria's community with \$13.6 million? We should not be wasting \$13.6 million purely to pay for Julia Gillard's carbon tax. I wait to hear the contributions of those opposite, to hear their views and what they think about the \$13.6 million increase in the costs of public hospitals in this state.

In addition, to see the impact of this tax one needs only to look at education. Those opposite stand up in this house and bleat about the education system and what is besetting the schools in this state. They forget the fact that they were in power for 11 years. They had the opportunity over 11 years to improve infrastructure, but they have the audacity to stand in this house and blame the government for their inaction over 11 years in government.

Putting that issue to one side, if I may, \$4.2 million will have to be expended in government schools across this state purely to pay for Julia Gillard's carbon tax. What is the federal government doing to compensate Victorian schools for that \$4.2 million? Is it providing a contribution to the Victorian government to compensate it for \$4.2 million? You would think that was only reasonable, given it is the federal government making this imposition. But the answer is no. Imagine what you could do with \$4.2 million. Those members opposite are happy to stand there.

I would be more than happy on behalf of those members opposite to provide schools in their electorates with a breakdown of the impact of costs on those schools. Their schools are going to have to find that money from their existing budgets to pay for an increase in electricity prices. The school communities' local members of Parliament in this house — who are meant to be standing up and fighting for their needs — are prepared to sit on their hands, say nothing and do nothing in this house in relation to this issue. They are unwilling to write a letter to a minister, unwilling to

pick up the phone, unwilling to stand up for their community, unwilling to call Canberra and unwilling to meet with Prime Minister and call for action.

Mr Foley interjected.

The DEPUTY SPEAKER — Order! The member for Albert Park!

Mr WAKELING — I am happy to take up interjections, although members opposite have gone very quiet. I am more than happy to take up their interjections. I am waiting to hear the contribution of the member for Albert Park on this very important issue. I want to hear what he thinks about the cost impact on his schools. I am waiting to hear his contribution.

There is the issue of public transport. The current — this month's! — shadow Minister for Public Transport is in the chamber. I do not know what rumblings might happen in relation to the opposition leadership and whether there will be a new shadow minister, but it has been estimated that over 2012–13 to 2014–15 Victoria's public transport industry will be affected by the impact of a cost imposition of \$48 million. What has the shadow Minister for Public Transport done on this issue? What actions has she taken to stand up for Victorian commuters in relation to a \$48 million cost imposed by her mates in Canberra? What action has she taken in relation to picking up the phone and speaking to her public transport counterpart in Canberra? What has she done in relation to speaking to her local federal member on this very important issue? The answer is: nothing.

She would have stood up in this house and said, 'I won't stand for a \$48 million cost imposition on public transport in this state'. After I speak, she will have every opportunity to stand in this house — if this is what she believes —

Mr Foley interjected.

Mr WAKELING — We have just heard the interjection. She has every opportunity to stand in this house and stand shoulder to shoulder with the Victorian government and say, 'I for one, as shadow Minister for Public Transport, will not accept Julia Gillard's \$48 million cost imposition'. There is the challenge. The shadow minister has every opportunity to stand up in this house and stand shoulder to shoulder with the government and oppose this unfair tax.

Mr FOLEY (Albert Park) — I rise to oppose this foolish motion because it reflects the position of a government that says and does anything depending on

the prevailing politically opportune winds at that time. But the government cannot even apply its own weathervane approach to politics very well in even this instance.

‘We’ll all be rooned’, according to the government. Members of the government clearly believe in nothing. One day, less than two years ago when they were on this side of the chamber in opposition, they all lined up and supported the Climate Change Bill 2010, but then they turned into the real sceptics that we always knew they were as soon as they occupied government benches. We know that members of this government will say and do anything in order to tap into what they see to be the short-term political cycles of opportunism. When the then opposition members voted in 2010 for that Climate Change Bill they seemed to be converts to the fact that there needed to be a price on carbon. We know now that they misled the people of Victoria.

This position, taken in 2010 and in the years before then, was a part of Liberal Party policy. In the 2007 federal election an emissions trading scheme policy position was taken by the then Prime Minister, John Howard. It was a position that the former federal Leader of the Opposition, the federal member for Wentworth, took to his political grave when the current federal Leader of the Opposition knifed him for it. I only make those passing comments in regard to this motion before the house to show that it is simply this government taking an opportunity to engage in a bit of political opportunism.

Those members opposite have clearly chosen to ignore the fact that scientists have been advising governments across the world for a long time that climate change poses significant risks; it poses significant risks to Australians, including Victorians. These risks range from higher temperatures to changing rainfall patterns, more extreme weather events and rising sea levels. We see mounting evidence of this worldwide, including in this state. The recent scaremongering done by those members opposite and their federal Liberal-Nationals counterparts in Canberra might be good short-term politics, but it is very bad public policy, because climate change represents a serious economic risk. Serious economic risks should be taken — just like the term says — seriously. That is why John Howard took an emissions trading scheme policy to the 2007 election and why the policy continued to be the federal opposition’s policy until such time as the current gross opportunist politically, the current federal Leader of the Opposition, decided to use it as a launching pad to knife his predecessor.

We know that inaction on climate change will cause significant issues right across our economy in areas such as agriculture, tourism and planning — issues relating to how Victorians go about their lives. Faced with this scientific evidence, governments have a public responsibility to act. That is why the federal Labor government is putting a price on carbon, whilst this motion is completely opportunistic nonsense. That price on carbon will offer an incentive for the economy’s largest emitters of greenhouse gases to reduce their greenhouse emissions; it will require them to purchase a permit for every tonne of greenhouse gas they emit. The federal Labor government is ensuring that this is done not only in an environmentally effective and economically responsible way but also in a socially fair and just manner. This is despite the hysteria being whipped up by the federal opposition and the Victorian government.

Notwithstanding what the member for Ferntree Gully might like to think — in terms of what he was rabbiting on about — the price impacts will be modest. Federal Treasury modelled a 0.7 per cent increase in the consumer price index. That modelling shows that the average electricity price impact will be \$3.30 per week per household across the nation. The leader of the federal opposition has previously described the price impacts as unimaginable. We have heard all sorts of over-the-top rhetoric in this debate, not least from the member for Ferntree Gully. Despite what those opposite have asserted, however, state pricing regulators are confirming the federal Treasury modelling — confirming that there will be a consistent price impact of around \$3.30 a week averaged across households.

What is federal Labor doing with respect to this? The federal government is funding a compensation package, that well exceeds that average \$3.30, involving an extra \$10.10 a week through tax cuts, higher family tax benefits and increases in pensions that will be locked in forever, again despite the rhetoric being espoused by those opposite. In a real and meaningful Labor way, that compensation package will target and assist low and middle-income households.

The federal government also announced as recently as yesterday that it will be funding the Australian Competition and Consumer Commission so that it can tackle businesses which try to rip people off with false claims about carbon pricing. I am of the mind that this motion should probably be submitted to the ACCC, because it does not pass the deceptive and misleading test. The framers of the motion — of this proposed resolution of the house — have tried to beat up things in an unsubstantiated way that bears no relationship to

reality whatsoever. The ACCC can have the claims of businesses tested in an appropriate way; they have to be truthful or have a reasonable basis in truth. This is an attitude the government should take with respect to a motion on this issue.

As we tackle climate change we need to realise that we, as Victorians and as Australians, are dealing with an international issue and that we should look to countries in the international forum to see that many nations are taking steps to deal with climate change. Australia needs to pay its fair share and play its fair share as part of these efforts. Ninety countries have pledged to reduce their greenhouse emissions through to 2020. At the United Nations climate change conference late last year all countries agreed to negotiate a new treaty that would apply from 2020 and that would introduce binding obligations on all the major emitters to reduce their emissions.

What do we hear from the federal opposition and the Victorian government? Total denial. Unless preparations for these binding global arrangements are put in place now on a gradual, sensible basis, we will experience much more dramatic effects when those international obligations roll around. Rather than play the short-term politics, rather than play the opportunistic card that we are seeing as the hallmark of this government, those opposite should be looking to the long-term economic and environmental benefits for Victorians and all Australians.

There are very significant implications of this issue for our country, our economy and our state. We should start making sensible, gradual changes to reduce the emissions intensity of our economy. We should play a leadership role in this. We should start to ignore some of the nonsense being proposed, by the Victorian government in this instance. We need to be making sure the path we have to travel between now and 2020 towards a reduced emissions economy will create opportunities for all Victorians rather than heeding this nonsense those opposite would have us believe — that the sky is going to fall in on the first day of next month. To make sure our economy is not hit with the back of an axe come 2020 we need to make the sensible and gradual changes now.

Mr ANGUS (Forest Hill) — I am very pleased to rise this afternoon to speak in support of the motion in relation to the carbon dioxide tax. In making my contribution I intend to go through the seven points the minister has raised in his motion, and as I said I am delighted to be able to stand in support of it today. I have spoken in this place many times in relation to this matter.

I want to make some introductory remarks. We find ourselves in challenging economic times, not only domestically but internationally, which have implications and consequences for us here in Australia and in Victoria. We can summarise this carbon dioxide tax as the fruit of a totally economically irresponsible federal government that is financially totally out of control. If we cut to the chase, what we see is a \$9 billion per annum tax on the Australian community, for which every Victorian, including all members in this place and their constituents, will bear the brunt for years to come. It is the worst possible time for a tax like this to be introduced into the Australian economy.

If we go through the points that the member has raised, firstly, we see that the carbon dioxide tax will increase the cost of living for all Victorian families, notably in relation to the cost of electricity and gas. As the member for Ferntree Gully accurately noted in his contribution, there are a wide range of estimates about the flow-on effects that will inevitably come from this tax regarding the essential services of gas and electricity. Price increment estimates range between 8 per cent and 25 per cent. Australia Power and Gas estimates that prices will rise by 25 per cent. AGL and Origin Energy are also arguing for higher gas rises to potentially hit 18 per cent. You do not have to be an economics graduate to work out the disastrous impact that these price increments will have on Victorian household budgets. The direct impact on the utilities side of things alone will be extraordinary. Of course this does not include the other impacts that will flow through from all areas of the economy onto food, clothes, other consumables and all other purchases within household budgets.

The second point is that the carbon dioxide tax will hurt Victorian business and destroy jobs by increasing costs, especially in manufacturing, food processing and agriculture. There is no doubt about the vulnerability of the Victorian economy to a tax of this nature. We rely on the agriculture, manufacturing and food processing sectors. It has already been estimated that the electricity cost increase for small businesses — and this is just small businesses — will be around \$3051 per annum. Then you have, as I said, a range of inputs. For those in business, inputs can cut across a very broad range — for example, they could include steel, components, transport costs and other things. So the cascading effect of this tax on all the components as they come together in various business units and sectors is going to be extraordinary. There is no way that this can be accurately modelled at this time, given the fact that the extent of the impact on individual businesses is very hard to gauge.

Having said that, Deloitte Access Economics has conducted some modelling which concluded that by 2015 the impact of the carbon dioxide tax on Victoria will mean 35 000 fewer jobs than would otherwise have been the case, with gross state product estimated to be 1.8 per cent lower; I think that equates to \$6.14 billion. What an absolutely disastrous situation that is for all Victorians. How anybody could be sitting on their hands watching this come in without pushing back against the federal government is absolutely extraordinary. It is high time that the Victorian Labor opposition stood up and pushed back against the Prime Minister, federal ministers and their colleagues in Canberra regarding this disgraceful impost on the Victorian economy.

Mr Weller — Act as Victorians!

Mr ANGUS — That is exactly right. They should put Victoria first, not the Labor Party brand. The next point is that this carbon dioxide tax short-changes Victorian families and businesses with inadequate compensation arrangements. There is no doubt about that; a one-off cheque is not going to compensate for an all-encompassing tax on everything. It is interesting to note that the federal government, given its financial recklessness, is borrowing money to pay families and others for this compensation. It certainly is not coming out of any surpluses or accumulated funds held by the federal government; rather it just goes and borrows, as is its wont. About 8 million households are going to pay more through the carbon dioxide tax than they will receive in compensation, so that is going to be very cold comfort for those people, many of whom reside in Victoria.

It is also interesting to note that the compensation package that is to be implemented — \$200 million over seven years — will be less than the scheme originally proposed under former Prime Minister Rudd, which was \$200 million over five years. Even from that cold analysis you can see that it is going down and that it will be inadequate.

In terms of costs for Victorian schools, hospitals and public transport, it is again clear that the impact of this tax has not been thought through and that those opposite are not standing up for the various institutions within their electorates. Public hospitals are going to be \$13.6 million worse off. Every state public school is going to be in the vicinity of \$9100 worse off. Public transport will face rising costs of fuel, repairs and maintenance and asset replacements. Last but not least there is the cost of housing. There will be an ongoing avalanche of cost increases and pressures in all areas, with totally inadequate compensation — in fact no

compensation for schools and hospitals. Who is going to bear the brunt of all that? It is going to be the taxpayers and residents of Victoria. What are members opposite doing? Absolutely nothing. They remain mute against this disgraceful carbon dioxide tax that is going to hurt all Victorians.

This tax will disproportionately hurt Victoria because of our world-class endowment of brown coal resources and the fact that we rely on brown coal for our energy generation. Brown coal is responsible for over 90 per cent of our electricity needs and, despite the fact that Labor wants to shut down a lot of those generators, there has been no explanation as to how they will be replaced. Again, this is a fanciful notion that will put a dagger through the heart of the Latrobe Valley and result in massive job losses and dislocation for industry, not only in the Latrobe Valley but throughout the state of Victoria. Various detailed reports and analysis has been conducted in relation to the devastating impact that such a proposition will have on the Latrobe Valley.

In terms of Victoria's export position and the international competitiveness of Australia relative to its major trading partners, this tax is going to significantly disadvantage us. This is an antibusiness tax. It will be a financial millstone for all Australian businesses. The Deloitte Access Economics report estimates that by 2015 state investment will be down by 6.63 per cent, which equates to around \$6.3 billion. If you say it fast, it does not seem like much, but if you think about it in terms of jobs and the impact upon the Victorian economy, you realise that it is an absolute disaster. Those opposite should be ashamed of remaining silent on the impending introduction of this tax.

The motion also refers to federal Treasury modelling, which estimates that Victoria will be hit first and hardest, damaging Victoria's gross state product more than that of any other state for the next 25 years. I have mentioned that in passing in relation to our major manufacturing establishments and significant food producers. The impact on the dairy sector alone is estimated to be \$30 million, which equates to \$5687 worth of additional costs on every Victorian dairy farm.

I am about to run out of time, but one thing is certain: Labor, true to form, is spending about \$70 million on spin and advertising, including \$24 million post-1 July. The whole proposition is based on a lie, and those opposite should be condemned for not standing up to it. I commend the motion to the house.

Mr PANDAZOPOULOS (Dandenong) — This is a farce of a motion. It is the most hypocritical motion

this government has moved in this house all year. It is from a coalition of political parties whose members sit there and say that theoretically they care about the environment and they care about carbon pollution, and that we need to do something about it. They are the same people whose former national leader, Prime Minister John Howard, supported an energy trading scheme — a carbon price is an equivalent of that. The reality that we face is: if you want to do something about the environment, then clearly you have got to change the rules. All the best thinkers around the world say that if you want to do something about the environment, you put in place a market-based mechanism where the market factors in the environmental costs because we live in a global market economy.

Through the work I have been doing with the Commonwealth Parliamentary Association I have had the pleasure of being a representative on its climate change working group and I have chaired a number of international sessions with a number of members of Parliament from around the world. We in Australia, particularly the conservative parties, are way off the mark compared to what other political parties are doing around the world. Other conservative political parties, like those even in New Zealand and in the UK, are way ahead of Australia on the debate. It is Australian conservative politicians who are reactionary on this.

We have seen other countries that have developed a market base and are committed to developing market-based mechanisms where the environment is taken into account. There is no better way to develop a market-based mechanism than by creating an energy trading system — which, since Tony Abbott became its leader, the federal opposition now opposes, even though when Malcolm Turnbull was leader it supported it — and of course carbon pricing is part of that if you cannot end up delivering on the technicalities of an energy trading system. Yes, you can criticise the Prime Minister.

An honourable member interjected.

Mr PANDAZOPOULOS — Of course you will, as you are criticised for your own actions. But let us look at the reality at the federal level. The Australian public voted for a minority government and a Greens-controlled Senate. Whether Tony Abbott was Prime Minister or not, people would be bagging the government, because as we all know it is very difficult to run a government when you are a minority government in the lower house and you do not control the numbers in the upper house. Right? It is basic maths; we all know that as politicians. Of course you sit

there and accept it as part of that arrangement. The Nationals had to dump a whole lot of stuff to have the benefit of being a coalition partner; as part of their coalition agreement they would have had to do things that were different to what each party supported doing. However, they ended up choosing that the two parties would be joined together in government, and each party does not necessarily get its own way. The Prime Minister at least said that the terms of forming a stable government and doing something on the environment were around a carbon tax.

Let us look at some of the rubbish in the motion:

... increase the cost of living for all Victorian families ...

We all know there is a compensation package. I bet you not one single member from the government side will give any of the compensation package back. I am sure they will not be sitting there organising petitions in their electorates stating, 'We don't want the federal government compensation package'. The point is that the federal government accepts that with the carbon tax there will be an increase in costs and it has rejigged the system so that the lowest paid — those who are the most vulnerable — will get compensated.

Okay, there is a flow-on cost to business. But as we all know, there are a whole lot of other reasons why businesses increase costs. I look at some of the electricity pricing — and there are big debates going on in New South Wales — and why the Australian Competition and Consumer Commission is inquiring into price gouging. Businesses are using the carbon price as an excuse to jack up prices, and it should investigate these things. Is it not a wonderful opportunity? Every time the system is changed, they jack up the prices. Do you know when that happened? The same thing happened with the GST, and the same thing happened when we went to decimal currency. Some people will use such an opportunity to price gouge and increase prices at a higher rate than the real cost increases.

You cannot go around to every single business and go through their books to see how much of an increase is as a result of a carbon price. But we know from looking at some of the work done on electricity prices in New South Wales — because the companies there are a little bit more transparent than they are here — that the carbon price accounts for only about half of the electricity price increases there. What a wonderful opportunity for power companies to jack up the price. They blame the carbon tax and use it as an excuse for why they have increased their prices at a much higher rate than they should have.

When the GST came in there was a readjustment, was there not? There was a readjustment because everything went up, except for food, by 10 per cent — but even food went up because of the embedded costs of the GST. Of course there is also a range of embedded costs in the CPI, but let us not just assume that all increases are because of the carbon price. That is the message from the federal opposition and what it is trying to convince Australians of and fool them about, and it is exactly what this state coalition government is also trying to do. It says the carbon price will hurt our export potential because of our coal resources. No-one is saying that by supporting carbon pricing and doing something about carbon emissions you will not still be able to have coal energy production and will not be able to do things with that coal.

We were moving to an energy trading system in Victoria, and the previous government invested in a whole lot of resources, which this government is rightly continuing, around the potential of new technologies and cleaning up carbon dioxide emissions as much as possible. There are a whole lot of innovations to invest in and solutions to help reduce the impact on the environment. That is why having a market-based price and mechanism helps you make those investment decisions.

In the motion there is a reference to cost increases for schools and hospitals, basically being through the power bill increases that are imposed by the federal government. But this is at the same time that this government has stopped the school building program. The whole idea of that was about modernising and building new schools. But no, this government is bandaiding. It has dumped the schools rebuilding program of the previous government and is now putting money into what it calls school maintenance. Providing school maintenance is bandaiding; that is the reality of it. Building new schools was our plan.

If you look at the building stock, you see that the majority of schools in Victoria were built from the 1950s to the 1970s, when we had our last big population boom. Those schools — they are still like that; there are many in my electorate — have been continually patched up, year after year. If you actually rebuilt —

Mrs Victoria — On a point of order, Deputy Speaker, I know this motion is fairly wide ranging, but I do believe this is straying quite considerably from the motion before the house.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. I ask the member to continue.

Mr PANDAZOPOULOS — It is part (4) of the government's own motion, if the member actually looked at it. The whole idea is that if the government invested in newer technologies, including in building new schools, it would save a whole lot more money than the cost increases from a carbon price. So it should not use the carbon price as an excuse for why it is not doing things for the community and why it is not making public buildings more energy efficient, as we all should. The public would expect us to be putting more resources into making our public buildings more energy efficient. It is something that we should all be doing, and the carbon price will, in effect, help motivate us to do more as governments and as individuals.

This is just filling in during a week when the government has no real agenda or program. Because the carbon price comes in on 1 July, it just throws in something new because there is nothing else to debate during this week in Parliament. It creates some space to highlight that there is no real legislative agenda and no real initiatives from a ho-hum government. That is why we are faced with this motion. It is a silly motion.

At the end of the day, when the carbon price comes through and people start adjusting to it, I have every confidence that we will all sit here and say, 'I wonder what all the hoo-ha was about?'. I will even be daring enough to say that the same occurred with the GST. Some of us were cynics about the GST, but once it happened we realised that at the end of the day we could live with it. Yes, there was price readjustment, and yes, there was compensation. We could argue about the adequacy and the amount, but we all adjusted to it and we can live with it in the same way we will live with the carbon price. We will adjust to it in the future, and we will get a much better environment for our kids.

Mrs VICTORIA (Bayswater) — I was elected in the 2006 election, but there were an awful lot of members from the eastern corridor who lost their seats in the 2002 election because of the fanciful language that had been used — in fact outright changes of policy that had happened before and after the 2002 election. In 2006 some of that was corrected. In 2002 the then Premier, Steve Bracks, stood up in the eastern corridor and said there would be no tolls. Within weeks of being elected —

Mr Howard — On a point of order, Deputy Speaker, the member speaking now recently got up and raised a point of order about what one of our members was speaking about, saying that the member for Dandenong was not speaking on the legislation. The member is now going down the track of talking about

roadworks carried out by the last state government. I ask you to draw the member for Bayswater's attention to the need to at least start off by talking about the motion before us.

Ms Asher — On the point of order, Deputy Speaker, the member for Bayswater had just commenced her presentation. In terms of a speech, I think you could say she was setting the scene. Members of Parliament are allowed to actually set the scene, particularly on a motion which, as has been pointed out by the member for Dandenong, is a very wide-ranging motion. The member for Bayswater is allowed to set the scene by making some preliminary remarks, which is what she is doing. I take up the point raised in the point of order. It does not really matter what points of order members have made in the past. There are standing orders in this Parliament which require a member to speak to the motion, and the member for Bayswater is speaking to the motion.

Ms Richardson — On the point of order, Deputy Speaker, it might help the house in setting the scene, as has been described by the member opposite, that the you draw the member's attention back to the motion before the house in setting her scene.

The DEPUTY SPEAKER — Order! I do not uphold the point of order at this moment. I think the member was setting the scene.

Mrs VICTORIA — Indeed I was setting the scene, and I was reminding those opposite that when an electorate gets told things and then a flip-flop — as it was called constantly in the media — takes place, it comes back to bite them at the following election. I think that is exactly what will happen at the next federal election. If we cast our minds back to 16 August 2010, the Prime Minister said:

There will be no carbon tax under the government I lead.

We had the federal election on 21 August that year, and on 25 February 2011 the Prime Minister announced the carbon tax — an absolute flip-flop. It was not taken to the electorate. At the time of the election we were sold on a concept that was completely different to what we have in front of us now. I would say that an impost of \$23 per tonne, initially, for this carbon dioxide tax is an unfair impost on Victorians — on Australians full stop, but certainly here in Victoria we are going to be hit very hard.

This government commissioned a Deloitte Access Economics brief on the model of the carbon tax and the impact it would have on Victoria. The findings were shocking, to say the least. Deloitte Access Economics

found that by 2015 there would be 35 000 fewer jobs in Victoria. We hear from the opposition members about how they are all about job creation, yet they do not stand up against their federal counterparts and say, 'What are you doing to jobs in our state?'. They need to be more vocal. They are silent on this matter in standing up for their constituencies, and I think that is a real shame.

The carbon dioxide tax is driving instability. I look at the seat of Bayswater and where we are at; there are an awful lot of manufacturing and commercial businesses in my electorate, and a lot of them are very nervous. They have actually said to me that they are not employing people at the moment. They have vacancies, but they are not employing because they do not know what the cost of this tax is going to mean in real terms. If we look again at the Deloitte Access Economics report, we see that it is estimated that in three years the budget will be almost \$660 million worse off. That is something we cannot afford at a time of great uncertainty in the world, with the global financial crisis hitting as it is. This tax is bad for business, it is bad for Victorians and it is really bad timing.

That \$660 million could be put towards schools. I hear opposition members talk about how there should be replacement of school buildings rather than just maintenance of them. I remind them that they had 11 years to do that, and many of the schools in the Bayswater electorate were in a diabolical state. We have done an awful lot to help progress that cause and to make sure that schools are brought up to the sort of standards that our children deserve when they are learning. I also remind the opposition that hospitals, police, roads, public transport and all those things cost money. When we take money away from the state and when we take money away from businesses, everybody suffers. By 2020 the budget is estimated to be \$850 million worse off. I look at what we could be spending that on, and I ask: why give us uncertainty in times like this? It is terribly unfair.

I was looking at the MYOB carbon tax toolkit and a blog for that toolkit, which says:

Confused about the carbon tax? Wondering why Australia needs it and what it means for your business? Trying to make up your mind whether it's an opportunity or a risk?

You're not alone. We recently did some digging around, tapping the pulse of business owners and managers on their thoughts about the carbon tax. We found many had more questions than answers about how it will affect them —

again the uncertainty —

The recent MYOB insights panel — held with almost 400 of your peers — discovered only 36 per cent were ‘well aware’ of the carbon tax introduction. Tellingly, 60 per cent said they were either fairly or very concerned about it.

So, plenty of business owners are in the same situation despite the tax being only weeks away.

This is a job-killing tax.

I turn to my own electorate. The minutes of a Knox City Council meeting of 24 May say under item 3.1, preparation of proposed 2012–13 budget:

The proposed budget also includes funding for:

An allocation of \$1.2 million for the estimated financial impact of the implementation of the ‘carbon tax’ under the commonwealth government’s Clean Energy Future ... legislation.

I look at what could be achieved in the Knox area for \$1.2 million — all the things that need doing, all the things the council would like to do with that money — but instead the council needs to allocate this sum to make sure it is covering its backside for what the tax will mean for the future of its constituency and local area. It is a crying shame that this sum needs to be put aside for that sort of thing. Rates have obviously increased because of it, so it is hurting households.

As a government we have tried to counteract some of this. We have extended our energy concessions and the like to pensioners all year round, which provides them with welcome relief, but that does not help everybody. A couple of days ago I heard a caller on talkback radio, a distraught lady, say she had received \$312 in her bank account and she asked how the \$312 was going to last a whole year. She said it would not come anywhere near covering the increases in her bills. She asked how she would find the balance and do what is right for her family.

The desalination plant will not help. It will be an extra impost on Victorians of nearly \$2 million a day for the next 30 years. We could also be diverting these funds to important initiatives within our electorates. I think it works out as something like \$8 million a year per MP in this house that we could be spending in our electorates.

Mr Howard — On a point of order, Deputy Speaker, I think the member is straying a little again by getting onto issues that are clearly not within the motion.

The DEPUTY SPEAKER — Order! I do believe the member is straying from the motion, and I bring her back to it.

Mrs VICTORIA — As a government we are trying very hard to cut the cost of living through increasing concessions, but federal Labor is doing exactly the opposite. It is adding to the costs of those who are most vulnerable by introducing this carbon dioxide tax. It will directly hit electricity and gas prices, along with so many other things.

This will be an absolute blight on Australia and will affect where we sit on the world stage. I realise it is important to have a good balanced approach and that at some stage we need to take measures to protect the environment — I am all for that — but we have to be balanced. We have to protect our future, protect jobs and make sure it is done in a timely manner, and that has simply not happened. I commend the motion to the house.

Mr HOWARD (Ballarat East) — I am pleased to add my contribution to the debate on this motion, which I note was first moved on the date the state budget was brought down, a day that the same budget advised of further significant cuts to the public service, causing a loss of jobs. Amongst those cuts was the closure of Department of Primary Industries offices in Kyneton, which is in my electorate, and in Ararat. I notice the minister at the table, the Minister for Innovation, Services and Small Business, acknowledging the closure of those DPI offices, something that a number of communities are concerned about. Jobs are being lost in those communities. On that same day significant cuts to TAFE funding were announced as part of that budget, and we are only now starting to learn about the significance of the resultant job losses as TAFE funding has been cut.

Mrs Victoria — On a point of order, Deputy Speaker, I do not know that the TAFE system or what is happening in it is relevant to the motion before the house.

The DEPUTY SPEAKER — Order! I hope the member is leading on to the actual motion.

Mr HOWARD — I certainly am, Deputy Speaker. The previous speaker, the member for Bayswater, said she was setting the scene. I am also setting the scene.

The day that this motion was first moved was the same day the Baillieu government brought down its budget, which made cuts to community health. Today I spoke to the chief executive officer of Ballarat Community Health. She told me that she believes that organisation will lose \$500 million, which again will see more jobs cut. On the same day the state budget was brought down, cutting jobs, the Minister for Energy and

Resources moved this motion that says we should be concerned about jobs being lost through the carbon pricing scheme that the federal government has introduced. It is clearly a false concern. It is a case of scaremongering by the Baillieu government. It is simply echoing the negativity of the federal Leader of the Opposition, Tony Abbott.

The government wanted to focus its motion around the Deloitte Access Economics report which it had received. In talking about the report — and I wonder why the report, which supposedly says lots of jobs will be lost as a result of the carbon pricing scheme, has not been properly and publicly released — the Treasurer said that Victoria would be the first hit and the hardest hit. As we have already heard from the member for Monbulk, journalist Alison Caldwell said that that was not what the report says. The Treasurer tried to say jobs would be lost. He bumbled away, saying the Deloitte report was following the figures that were provided by Treasury, but another journalist said:

It doesn't say that; have you read the report?

It was clearly pointed out that the details that were provided were faulty and not to be relied upon. They did not factor in key features in terms of support for industry and so on that will be offered as part of the overall carbon pricing package. It was very deceptive.

Let us go to the other central feature — the reason that the federal government, supported by the Independents, has introduced a carbon pricing scheme. Again, we need to remind the government that former Liberal Prime Minister John Howard said he was going to introduce the scheme in 2012. When he was in government, John Howard said he would introduce it this year.

The now Premier said in 2009 that he supported a carbon pollution reduction scheme or emissions trading scheme, but suddenly having come to government, or just ahead of coming to government, he decided, 'No, I'll sing Tony Abbott's tune; we'll say this is going to be the worst tax that was ever brought down, and we'll try to draw attention away from our budget, from which there have been so many jobs lost and in which we have not attempted to put any jobs plan'. Certainly in my electorate we continue to see jobs lost every day either as a result of direct government cuts or as a result of government inaction in supporting the business community appropriately.

In regard to the whole backdrop of climate change we know that scientists right across this country — the whole of the reputable scientific community — say that climate change is real, we know that the United Nations

Intergovernmental Panel on Climate Change says that we need to act on climate change, and we know that there are many countries around the world that are doing so. The member for Bayswater says we should stand on the international stage, and yet in Denmark, where I have just come back from, the whole of the Parliament said only this year, 'We're going to go even beyond the European Union's setting of 20 per cent renewable energy by 2020, and we're going to go to 50 per cent electricity generated just by wind by 2020'.

I met with a representative from the Danish Confederation of Industry — yes, industry — who said in regard to that, 'Climate change is real, and there are so many benefits for our country in moving to the forefront. We have already in wind gained so much income for our country both by selling wind turbines and by developing a wind industry'. They said, 'There are so many opportunities for us, and at the same time we are developing a strong wind sector here and building our own industry opportunities'. That was something that was told to me on numerous occasions while I was in Denmark. They are seeing the opportunities of taking leadership — as have countries across Europe and many other countries of the world — because they are taking climate change seriously. They are not being negative about it.

When the government asked Deloitte to report on the effects of the carbon pricing scheme, did it get Deloitte to do something that would cost the effects of not responding to climate change? That is the very real cost that we need to avoid for the people of this state — not only the actual dollar costs but the effects.

We have already seen the potential of climate change through increased flooding and increased droughts. We know we have just come through that period of 10 years of drought, during which people were asking, 'Is this perhaps the start of climate change?'. We do not know, but we know that the predictions of scientists are that there are going to be more periods of drought and more periods of significant activity like floods and so on, where clearly we will bear the brunt cost wise if we do not respond.

We have also seen — and it was rather sad — the Minister for Environment and Climate Change get up to speak on this motion, supporting it and saying how dreadful it is that we are going to have a carbon pricing scheme, when you would have thought that the climate change minister in this government would stand up to do something about climate change. What has he done since he has been in office? He has overseen the dismantling of some significant climate change policy developed under the former government. We have seen

the wrecking of the wind energy industry in this state, where no new are permits coming through and no new development.

Instead in the electorate of the member for South-West Coast Keppel Prince announced that 24 jobs will be lost because it is not getting any contracts to build new wind towers anymore, so direct jobs are being lost there. Tim Piper from the Australian Industry Group said that we know investment has been lost in the wind industry and that there will also be unintended consequences. He is concerned, as are other people in industry, by this movement against the wind industry in this state, and it is also happening against the solar industry.

The Hamilton *Spectator* of 29 May has an article headlined 'Solar sell-out?', which points out that this government has taken away the premium feed-in tariffs that were offered. This government could have continued them, but it has dropped them right back and is happy to see them go altogether. The government has got a transition arrangement in place, and then will be leaving it up to the energy retailers in the near future. Again we see those opportunities in solar energy that could have provided industry and could have provided jobs, especially in regional Victoria, I might add. These opportunities are being lost because this government and this Minister for Environment and Climate Change are doing nothing. The minister is happy to see solar energy opportunities go backwards.

What I have seen in Denmark and in other parts of Europe just recently is that if you step forward in regard to addressing climate change, there are so many opportunities for the environment and the economics of your country or your state. We are missing out on those opportunities by turning our back on them. Not only have we seen jobs lost at Keppel Prince but we have also seen so many opportunities being lost lately, and we want to see that turned around.

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

Ms RYALL (Mitcham) — It gives me great pleasure to rise and speak on the motion that relates to the carbon dioxide tax, the timing of which is so appalling that it creates a concern about job destruction. We have just heard the member for Ballarat East speaking about jobs. It is really interesting that some jobs are important to the opposition and the opposition leader but other jobs are not important to the opposition or the opposition leader.

An honourable member interjected.

Ms RYALL — That is right. We have a situation where he will want to save all Victorian jobs except those that are lost as a result of the carbon tax. It is absolutely beyond me why some jobs are important and some are not.

Ms Green — Acting Speaker, I draw your attention to the state of the house. We are talking about jobs, and some people are not doing theirs.

Quorum formed.

Ms RYALL — It is interesting that we only have one member of the opposition in the chamber — that is, one member of the opposition who is actually doing something. To not hear the truth, the opposition has called a quorum!

I go back to the point that in the eyes of members of the opposition some jobs are important but others are not. If we look at the federal government's view to having a contract to close down 2000 megawatts of brown-coal-fired generation and not only at the instance of what we have just seen in Yallourn with the power stations having to run off one generator because of flooding, where would we be in that instance? Where would our baseload power come from in that instance? We have not heard a single utterance from the federal government in relation to the impact this carbon tax will have on our baseload power and its impact on jobs, those in the Latrobe Valley area but also those in our local area. From the Deloitte Access Economics report I know there would be a significant impact on the City of Whitehorse, which covers the majority of the Mitcham electorate.

Given the circumstances, it is interesting that the Brumby Labor government wanted to shut down a quarter — that is, 400 megawatts — of the Hazelwood power station, but it had no idea and no plan for how it would pay for it, nor did it have a plan for how it would replace the power that was required to be covered in that event. We will soon see the impact of an immediate 10 per cent increase in electricity prices this year and a 9 per cent increase in gas prices, yet all we hear from those opposite is that there is compensation. There is no compensation for business, and there is no compensation for state government services. Let us look at some of those services.

Let us look at our hospitals. Members opposite are the first to cry out about health services, but they have been the last to cry out about the fact that health services are going to be hit by millions of dollars of extra costs as a result of the carbon dioxide tax. From mid-2012 these extra costs will amount to \$13.6 million per annum. As

we move to 2020, there will be \$143 million in extra costs as a result of this tax. Where should that money come from, according to the opposition? Have members of the opposition picked up the phone? Have they argued the case? How are they going to tell their constituents that their hospitals are paying more money as a result of this tax and that not a cent will be allocated by the federal government to the state government for those services?

It is exactly the same situation for our education organisations. For the schools that our kids go to — not just governments schools but non-government schools as well — there will be massive increases in running costs based on the conservative estimate of a 10 per cent impact on utility costs. There will be a \$4.2 million increase in the first year, and it will rise after that. As I said, that is not just state schools but non-government schools as well. The conservative estimate of the increase in costs for non-government schools is \$2 million. What are opposition members telling their constituents in relation to where this money is coming from? Will it come out of the sky? It is certainly not coming from their colleagues in Canberra. We have heard not a single word — not a single utterance. We hear a lot about jobs, but we hear nothing about the job impacts as a result of the carbon dioxide tax.

Having spent a considerable part of my working life in business, I have a little bit of an understanding of what happens when price impacts hit — impacts such as increased electricity costs — and how such costs have to be borne somewhere. Often that will lead to an increased cost of the product. But not only that, there is the supply chain at the other end, where everybody increases their prices. Ultimately these costs end up being charged to the customer. We hear the rhetoric: ‘But they are getting compensated!’. The thing is that they might be getting compensation — they might receive a little money — but will it cover the costs of the vast number of services and products that go up in price as a result? Because costs will flow on down the supply chain to the end users, who are the customers and our constituents.

I find the jobs issue quite interesting, particularly that apparently people are going to be so sufficiently compensated that all the costs of the carbon tax will be covered. If members of the opposition were currently in government, would they be putting their hands out for the money to cover the government’s increased service costs? Would they be doing that? I do not think they would be. If the shoe was on the other foot, they would absolutely be hounding the federal government, saying, ‘We need this money!’. Hang on a minute — they would probably get that money if they were in

government! It might just be that it is because they are not in government that we are not getting this money.

Who knows what the method is around that, but what we do know is that there will be supply chain issues and ultimately cost increases in areas such as manufacturing. There will be cost increases for anything that requires the production of steel or concrete. I did a bit of work at one point in time at the Portland aluminium smelter, and I understand how that works in terms of the enormous power generation that is required there. In terms of the costs that we end up with to make aluminium, to make concrete, to make the supplies we need for our public transport system, to build and improve our hospitals and to improve and to build our schools, all these things will be affected. We will get cost rises across the board.

In terms of local government, I have certainly heard from the City of Whitehorse about how its costs are going to rise significantly as a result of the carbon dioxide tax. That will impact on rates, and I am not sure how the federal government’s compensation will cover all of those increases in rates. I am also concerned about the community organisations in my electorate. We have small organisations that provide great community services. There are disability services, services that support women in difficult circumstances, such as those involving domestic violence, and a range of other services, and their costs will go up. I am not sure where their compensation will come from either. Where on earth are they going to recover their costs from?

Once again I appeal to members of the opposition to stop being silent on this issue, to stop avoiding the issue, to come clean with their own constituents, to come clean with the people of Victoria and to say outwardly that they support this tax and that they support the increased costs in the lives of their constituents. I am grateful that at least someone in this Parliament is standing up for Victorians and talking about the costs, the jobs and the need for common sense. I commend the motion to the house.

Mr KATOS (South Barwon) — It gives me great pleasure to rise this afternoon in support of the motion moved by the Minister for Energy and Resources. One of the fundamental things about this motion is the fact that the federal government has no election mandate for the carbon dioxide tax. As the motion states, this represents a direct betrayal of the commitments made to the Australian public before the 2010 election. On that fateful day of 16 August 2010 — and we normally talk about ‘those 3 little words’, but in this case it is ‘those 11 little words’ — we heard the Prime Minister say, ‘There will be no carbon tax under a government I

lead'. That is a direct quote of a statement made by the Prime Minister of Australia, Julia Gillard, down the barrel of a Channel 10 camera, and it was said in a desperate attempt to woo voters and shore up support for a failing government.

That reminds me of what I see as the Labor way. I will quote a former governor of Minnesota, Mr Jesse Ventura, who in a previous life was a wrestler and a wrestling commentator. His actual quote was 'Win if you can, lose if you must, but always cheat!' That is the quote from former Governor Ventura, and it pretty much sums up this lie to the Australian people. The public has certainly given its views on the carbon tax, as have the backbenchers in the federal government.

I quote from the front page of the *Geelong Advertiser* of 8 February:

Geelong has rejected the incoming carbon tax and will dump Corangamite MP Darren Cheeseman at the next election, according to an exclusive *Geelong Advertiser* reader survey.

The survey of more than 800 readers found 53 per cent of people gave Julia Gillard's carbon tax the thumbs down, with 12 per cent so opposed to the tax they will stop voting Labor.

On page 53 in its editorial of the same day it states:

These figures can't be ignored by sitting member Darren Cheeseman or, we might mention, the member for Corio, Richard Marles, let alone their brethren in Canberra.

It's impossible to see how this government can reverse its slide. The bellwether has sounded.

It is no coincidence that in February of this year those federal backbenchers who supported the coup against Julia Gillard were all from manufacturing seats. Darren Cheeseman, the member for Corangamite who instigated the coup, Nick Champion, Owen Griffin, Laura Smyth, Anthony Byrne and the former manufacturing minister himself, Kim Carr, were at the heart of this coup because they realise that this toxic carbon tax is bad for their electorates and it is bad for the country. Although federal members like Darren Cheeseman will not say it publicly, they know that this is a job-destroying tax and that is why they moved against Prime Minister Gillard — but unfortunately to no avail; she is still there.

On 28 February, the day after the coup, the *Australian* commented on this in an article headed 'Gillard can never clean away this bloody mess' — those are its words, not mine — and it stated:

Gillard's leadership is terminal. Whether she stays or goes, with Rudd or without him, she's finished because of how she is seen: untrustworthy and unprincipled. However, she will never concede it or accept it. Anyone who seeks to depose her

has witnessed the measures she will take and the style of campaign she will run to stay as leader.

That pretty much sums up the Prime Minister of this country.

I will turn our attention to the Geelong district. Geelong has a heavy manufacturing base, with companies like Alcoa, Shell, the Ford Motor Company and Blue Circle Southern Cement, and it will be drastically affected by this toxic carbon tax. Interestingly each of these companies is in one of the Geelong electorates, with Alcoa in Bellarine, Shell in Lara, Ford in Geelong and Blue Circle in my own electorate of South Barwon. Where are the other members? Where are the member for Geelong, the member for Bellarine and the member for Lara? They are not in this house, they are not standing up against this tax and they are not standing up for manufacturing in Geelong.

When it comes to the crunch the best way to preserve jobs in manufacturing in Geelong is to dump this carbon tax. These are the big manufacturers in Geelong, and they will receive some level of compensation, but interestingly only Shell has invested in further plants and equipment, with its investment in a water treatment plant. The other companies are not investing in new equipment.

The other issue is that there are a lot of small to medium manufacturing enterprises in Geelong and they will receive absolutely no compensation under this carbon tax. Manufacturers such as Backwell IXL — which manufactures the IXL Tastic that most people would have in their bathroom — will not be compensated. They will have to either bear the brunt of this increased impost or pass it on, which means increased costs of living to the consumer. As mentioned earlier by the member for Ferntree Gully, electricity prices from 1 July will rise by 10 per cent as a result of this tax and gas will go up by 9 per cent.

We have a compensation package — and I use the word 'package' in inverted commas — which is completely inadequate for Victoria as far as our schools, hospitals and public transport system go. It will raise the cost of all those government services and departments. Every time a student turns on a heater or flicks on a light switch in their classroom the government will have to find extra money to provide basic things such as heating and power.

There are ads running at the moment about the compensation scheme which we have all seen. There is a nice kitchen shot with a fridge with the magnets and the bills on it, and we are being told about this marvellous amount of money that is going to be hitting

our bank accounts. We are going to be compensated; we are going to get this lovely amount of money placed into our bank account. What a fine federal government we have!

Federal government members are so ashamed of this tax that they are not even prepared to tell you why you are getting that extra money; they cannot look you in the eye and tell you why. It is an absolute disgrace. It has nothing to do with being a good, caring government that wants to help you out with your power bill; we are coming up to an election, and this is an election bribe from the federal government to try to shore up its position. As far as compensation goes it is a very simple concept: do not tax in the first place and you do not have to compensate. If this carbon tax were removed, there would be absolutely no need for compensation.

As I said, in the Geelong region cement manufacturers, petroleum refiners and aluminium producers are manufacturers that are susceptible to the carbon tax. The problem is that this tax could — and probably will — end up sending some of these manufacturers overseas, so you will see investment in aluminium smelters in China, where there is no carbon tax and there are cheap energy bills. All it will do is send Australian jobs offshore. It will make absolutely no difference to global emissions. If anything, it will put them up. Companies such as Alcoa Australia are leading the world in reducing emissions with regard to the smelting of aluminium. If its smelters were to go offshore, you would see jobs go and you would see an increase in global emissions, which is absolute madness.

A lot of these measures are temporary; they are designed to get us through to the next election. This tax will go up. It is clear that \$23 is only the start of it. The Greens would like to see it closer to \$100 a tonne and also being applied to fuel — to petrol and diesel. That is where they want to this to go, and you can imagine the cost to your hip pocket. With that, I am happy to commend this motion to the house and —

The ACTING SPEAKER (Mr Northe) — The member's time has expired.

Mr WELLER (Rodney) — I will speak in support of the motion that the federal government's proposed carbon dioxide tax will increase the cost of living for all Victorian families. After announcing that she would not impose this tax in the lead-up to the 2010 election, Julia Gillard did a backflip later on. The Gillard government's carbon tax categorically increases cost of living pressures on all Victorians, and it will hurt

Victorian businesses and destroy jobs by increasing costs, especially in manufacturing, food processing and the agriculture sector. In my electorate these sectors are already doing it tough due to numerous federal Labor government policies, like water buybacks, which are directly reducing jobs for Victorians.

Commonwealth Treasury modelling for the carbon tax demonstrates three things. One: there will be an immediate 10 per cent increase in electricity prices and a 9 per cent increase in gas prices in the first year. Two: around 8 million households across Australia will pay more through the carbon tax than they will receive in compensation, which the federal government has admitted to, while there is no direct compensation for small business or state governments. Three: Victoria will be the hardest hit by the carbon tax until about 2038.

Food processing and farmers are very important to my electorate. Food production is integral to economic wealth and growth in my electorate, and food producers and processors such as milk companies and abattoirs will wear the cost impacts of rising electricity bills under Labor's carbon tax. Furthermore, dairy processors' costs will increase by at least half a cent per litre under the carbon tax. This represents \$30 million across the industry, or an average of \$5587 for each and every Victorian dairy farm. Food producers will also be hit with indirect energy costs from on-farm inputs, such as the production of fertiliser, farm chemicals and transport, while irrigated dairy farms and horticulture businesses will also have to contend with the impact of rising electricity costs in relation to pumping irrigation water.

The Department of Primary Industries has undertaken modelling based on five dairy farm scenarios with a mix of irrigated and non-irrigated farms, factoring in those direct and indirect costs. Farmers in my electorate will be affected, with the modelling showing the impact of the carbon tax ranging from \$4879 for a small irrigated farm in northern Victoria to up to \$27 689 for a large non-irrigated farm in the state's south-west. If you add the impact of the \$5587 in reduced income which companies will not be able to pass on to farmers and the on-farm costs of \$4879, you find that each farm will be worse off by over \$10 000. That is to come directly off those dairy farmers' incomes. That is at least a \$10 000 reduction in income for each dairy farmer here in Victoria. Finally, Labor's carbon tax will reduce the competitiveness of Victoria's agricultural sector and hit intensive farming, including dairy, horticulture, broiler farms and egg producers, the hardest.

We have had some interesting contributions from opposition members. The member for Monbulk claimed that we abolished the premium solar feed-in tariff. We did not abolish the premium solar feed-in tariff. When Labor brought in the tariff during its term in government, it imposed a limit of 100 megawatts. Under its legislation there was no plan for when we had reached that total. The coalition government has introduced a plan. Rather than having a tariff of 66 cents per kilowatt hour, as Labor had in its system, we have a tariff of 25 cents per kilowatt hour. In its system Labor was proposing to rob from the poor, who could not afford to put solar panels on their roofs, and give to the rich, who could. I would have thought that the Labor Party was here to represent the workers — that is what it traditionally says — but in this it walked away from them. Labor said it was fine to charge people who could not afford to put in solar panels more for their power so that the rich, who could afford solar panels, could be paid exorbitant prices for their power. We introduced a bill for a solar feed-in tariff of 25 cents per kilowatt hour, which made it worthwhile for people to install solar panels and did not have a big impact on the price of electricity for people who could not afford to do so.

The member for Monbulk said that the coalition government is walking away from jobs in the environment sector. Nothing could be further from the truth. This coalition government went to the last election with a commitment to introduce another 60 Landcare facilitators, and that has been delivered. That was our election commitment, and we have delivered it. It is well known right across Australia and now across the world that the Landcare model, which started here in Victoria, is the model for improving the environment. This government has been very up-front in giving Landcare the support it deserves.

One of the other issues with this motion is that it talks about the timing. We have heard the opposition talk about John Howard in 2007. Let us remember that in 2007 our federal budget was somewhere in the range of \$40 billion in surplus. In 2012, when this tax is being introduced, the federal budget is in deficit and Australia has gone from having reserves of \$40 billion to having a debt approaching \$300 billion. It is unbelievable that the federal government should bring in a carbon tax which will drive jobs out of the country and drive up costs.

One of the things we should remember is the hypocrisy of Labor. In 2005 the Bracks government signed a deed with International Power, Hazelwood, to provide access to coal. Premier Bracks is reported in *Hansard* of 6 September 2005 as saying:

International Power's 1600 megawatt Hazelwood power station contributes about 25 per cent of Victoria's base load electricity.

It is one of the crucial and important generators in this state — and obviously crucial for security of supply in this state also.

However, in a media release of 26 July 2010, the then Premier, Mr Brumby, said:

The most cost-effective way to clean up our environment and achieve this reduction in greenhouse gas over the next four years is to close two of the eight units at Hazelwood power station.

That was a definite backflip on the part of those opposite.

What we also have to remember — and you, Acting Speaker, would be well aware of this — is that if we had gone down that track, a fortnight ago when water got into the mine the lights would have gone out in this state because there would not have been enough power. It is therefore imperative that the government ensure there is enough power generated in this state. With those few words, I conclude my remarks.

Mrs BAUER (Carrum) — It is a great pleasure to make a contribution to this debate. It is certainly an important debate, and I commend the Minister for Energy and Resources on his notice of motion concerning the carbon dioxide tax. This is a tax that without doubt will hurt Victorians. It is an unacceptable hurt that will be spread right across not only Victoria but Australia. It will hurt volunteer organisations, clubs, schools, hospitals and public transport — and the list goes on.

In the contributions to the debate by members who spoke before me we heard about Prime Minister Julia Gillard's broken promise. Just before the last federal election she said, 'There will be no carbon tax under any government I lead'. What happened? Voters were tricked. This was the ultimate betrayal and anyone — and we have heard this previously — who thinks voters will not resent a carbon tax will get a rude shock at the next election. Without a doubt, voters were deceived. I will be very interested to see the implications of this tax at the 2013 federal election.

We have heard that this carbon dioxide tax will increase the cost of living for all of us. It will add 10 per cent to our electricity bills and 9 per cent to our gas bills. The costs of food, manufacturing and service delivery will all be impacted upon, and we have members of the state opposition remaining silent. They are prepared to stand up and support their federal Labor mates. They are turning their backs on their Victorian constituents by

not being vocal in their opposition to this tax. They do not care, but we certainly do. The state coalition government realises that the tax will hurt Victorians. We have heard that Victorian hospitals will have to pay \$13.6 million in tax per annum. Between 2012 and 2020 this equates to \$143 million in extra payments hospitals will have to make. It will impact on the Frankston Hospital and the Monash Medical Centre, both of which service my electorate. Imagine how much extra investment in nurses, doctors and equipment we could be making if we did not have to pay \$143 million potentially from 2012 to 2020. It is criminal.

Then there are our Victorian schools. There are 15 primary schools and 2 secondary schools in my electorate. The principals and teachers are telling me they are concerned about the extra costs this tax will impose on their budgets. What are they going to cut? How are they going to pay for the increase in electricity charges? The figure we are hearing is \$4.2 million. This represents the extra costs that just primary schools will have to cover. It will certainly damage our communities. We will see the cost of the carbon tax ricochet and see its effects throughout our community. Churches, clubs and local organisations such as the Rotary and Lions clubs will all be forced to make tough decisions about which programs they run and which initiatives they pull.

My local councils are feeling the burden of the tax, and they are being very vocal about the impact it will have on the community. The City of Kingston has just released its draft budget for 2012–13, and we believe rates will increase by 6.35 per cent. Cr John Ronke, the mayor, has attributed some of that unexpected rate increase to the impact of the carbon tax. Frankston City Council is facing similar issues. Most councils will be footing carbon tax bills of well over \$1 million. This money has to come from somewhere. Where will it come from? It will come from residents within their communities. Once more households are going to have to cough up to cover these expenses. The Municipal Association of Victoria, a local government peak body, believes that on average council rates will go up over 3 per cent as a result of the carbon tax.

We have heard other speakers say that this is a job-destroying tax, and I certainly agree. This tax is eroding business profits and confidence within businesses, and I believe the consequence will be job losses. We are already seeing that occur. Last year it was reported in the *Mordialloc Chelsea Leader* that the imminent introduction of the carbon tax has already created job uncertainty in Melbourne's south-eastern manufacturing sector. It has delayed investment

decisions in Victoria. While the country holds its breath waiting for the impact of the tax, local businesses are busy investigating moving overseas. I am hearing this from local manufacturers in the south-east who are looking at moving to manufacturing hubs where tax breaks and other incentives are being offered. This again is criminal.

The executive officer of the South East Melbourne Manufacturers Alliance, Paul Dowling, has been quoted as saying that the lure of an 8-to-10-year tax-free status in South-East Asia has businesses delaying investment decisions. This alliance has 180 members and more than 9200 workers. Mr Dowling has said that a carbon tax of \$20 a tonne was set to cost one association member between 6 per cent and 10 per cent of sales. This company's Asian competitors will be the ones to benefit from the rising costs of manufacturing in Victoria.

I believe federal Labor has not thought this tax through. The tax will put an unnecessary burden not only on businesses but also on households. To see that we only have to look at the compensation arrangements. They are messy and misguided, with the government dishing out compensation to some households and leaving other households literally out in the cold.

In the suburb of Chelsea in my electorate 39 per cent of households are single-parent families. They cannot afford for the government's estimated calculations to be wrong. This will certainly put them under increasing strain. With just weeks to go before this dreadful tax is imposed, I have many families in my electorate unsure as to whether they will receive compensation. They are asking me, 'How far will my supposed \$200 stretch?'. They have used the federal government's online calculator, and they are still confused.

Pensioners are already having difficulties paying their bills. Even the hugely conservative estimate of a \$10 a week rise in the cost of living is too much for many pensioners in my area to cope with. A local senior has raised her concerns with me, saying, 'The federal government cannot possibly foresee all the ramifications of this tax. Please plead with them to stop introducing new taxes. If they need more money, we're not fooled. Adjust an existing tax; don't bring in another one'.

The sad thing is that Australians have not had a chance to vote on this tax. They were lied to, they were deceived, and they are justifiably angry about it. The carbon tax comes with a by-line: 'Federal Labor — we break our promises'. It says to the disillusioned voters that the government of the people ignores the voices of

the people. I implore the members of the opposition to support Victorians and denounce the introduction of this tax. With that, I commend the motion to the house.

Mr MORRIS (Mornington) — I am very pleased to rise to join this debate on the motion on the carbon tax, and I commend the Minister for Energy and Resources for bringing it forward. It has been a very illuminating debate. If we cast our minds back to 1 May and the contributions of the lead speakers for the opposition, we remember that several took the same position. We had a series of stunts, with references to alpine grazing, which has absolutely nothing to do with the carbon tax.

We heard the hypocrisy of opposition members, which has been shown again today, with allegations that the solar feed-in tariff was abolished by this government. The fact — as you, Acting Speaker, and I know — is that that scheme was supposed to last for years. It was supposed to be an ongoing scheme, but it had a cap. That was put in place by the then Minister for Energy and Resources, Peter Batchelor. I do not wish to speak ill of the departed, in the sense that he is no longer in this place, but as with many things touched by that particular minister that scheme proved to be poorly constructed because it simply did not meet the test of time and the cap on it was reached earlier this year. The government has, of course, put in place a further scheme to make sure that there is still an incentive.

For Labor members to come into this house and suggest that we have abolished the scheme is utter, complete and absolute hypocrisy. They simply could not design a scheme properly in the first place. Every single person who had access to that scheme continues to have access to that scheme. Not one person who had access before has lost that access.

The fact is that throughout this debate opposition members have completely failed to address the central issues. Even earlier today we have seen that. We have had stunts, with quorums called for. Now absolutely no-one on the other side wishes to participate in the debate. That highlights the hollowness of the contributions that were made to the debate about the government business program and the crocodile tears that were shed about the lack of speaking opportunities. Clearly when there are opportunities for those opposite to contribute to debate, yet they do not wish to take them.

We have had from those on the other side in this debate nothing better than a series of personal attacks, diversions and misrepresentations — anything but addressing the subject — because they simply do not get it. They do not understand that the carbon tax will

add costs to business, and if it adds costs to business, it costs jobs; people lose their jobs. It also adds costs to government services. The fact is that we have a finite amount to spend on services, so when they cost more you have to provide less of them. The impact of this tax will be fewer jobs and fewer services for the community.

There will be additional costs for health care, additional costs for schools, additional costs for public transport and additional costs for councils. Extra costs, more spending and less delivery will be the impact of this tax. It will make our exporters, who are such an important part of the Victorian economy, less competitive. We already have a strong dollar — not as strong as it was but still relatively strong, certainly in historical terms — and this carbon tax will add another layer of costs and make our exporters even less competitive. That again will mean fewer jobs, yet opposition members refuse to recognise the impact of this tax. They would rather back their mates in Canberra than back people in Victoria who need to keep working.

As you, Acting Speaker, I am sure would agree, it is never a good time to introduce a tax of this type. But this surely is the worst possible time to introduce this tax. Those opposite clearly do not get it. They do not seem to understand just how tough conditions are. The fact is that this tax has the potential to stop the Australian economy in its tracks. Victorians expect their representatives to be doing everything in their power to keep people in work and to keep the economy at least ticking over, and preferably growing. That is what this government is trying to do, and figures that have been released in the past couple of weeks indicate that we are starting to get some traction there. But I have to say that we are getting absolutely zero support from opposition members.

We know that this tax is going to give Victoria a huge jolt. Energy costs will soar, with electricity prices going up at least 10 per cent and gas prices going up 9 per cent — and the impact will still be felt 25 years from now. In the next three years it will have a direct impact, with 35 000 fewer jobs, many of them in regional Victoria; per capita income is likely to be down \$1050; and the gross state product will be down 1.8 per cent or \$6 billion at least. These are horrendous figures, and they will certainly impact particularly on areas such as the Latrobe Valley. When we had the regional sitting at Churchill we discussed the carbon capture and storage bill. We had lots of commentary from Labor members about the wonderful resource of brown coal that we have in the Latrobe Valley; now they want to toss the valley overboard. It is absolutely despicable.

I conclude by saying that once again Labor members have gone missing. Once again they have demonstrated very clearly to the people of Victoria that they do not care. The response of opposition members to this tax makes it very clear that not only do the Gillard government and federal Labor stand condemned but their mates in Spring Street stand condemned with them. That is absolutely clear from this debate, and they too must shoulder the blame for the consequences.

Dr SYKES (Benalla) — I will make a brief contribution to debate on this motion regarding the carbon tax. As members of this side of the house have said, this issue highlights the hypocrisy of the federal government, the hypocrisy of the state Labor Party and how out of touch Labor governments are in general. We are going to grapple with the consequences of this. There is nervousness out there in relation to what the carbon tax really means. I am sure the consequences will continue to make an impact.

As other speakers have said, the Prime Minister, Julia There-Will-Be-No-Carbon-Tax Gillard, executed the greatest act of betrayal since Steve Bracks, a former Premier, said that his government would not pump water from north of the Great Dividing Range to Melbourne. Clearly the carbon tax is going to result in a significant cost imposition on all Victorians, including many rural Victorians. The deceit of the Gillard government continues. For example, the income redistribution strategy, which is supposed to help people meet additional costs, is seen by many as a cynical exercise in vote buying. I will pass the message to Ms Gillard and others that regional Victorians can see through that deceit and dishonesty. Whilst they will spend the money on goods, I can assure members that that will not buy their vote, because regional Victorians want someone of substance to represent them. They want a government that knows about the operation of the Australian economy and how to make sure that we remain competitive.

I find it interesting that our Prime Minister is on the world stage at the moment telling the rest of the world to follow our lead when managing their economies. That should be done at a comedy theatre. She is the former federal Minister for Education who oversaw the Building the Education Revolution program. Although good projects were undertaken through that program, their cost was more than 40 per cent in excess of what they should have been. There was the pink batts saga. There have been many examples of absolutely incompetent management, so it is amazing that our Prime Minister went out onto the world stage and suggested that people should follow our lead and that all will be well.

In relation to the local level, my colleague the member for Rodney — who by chance is Acting Speaker at the moment — gave me a briefing before I got up to speak. He told me that the increase in costs for the average dairy farmer was going to be in the order of \$10 000 per family farm operation per year. That is a combination of the increasing costs of inputs and the decrease in prices paid by processors, because they also have to wear increased costs. To compete they needed to pull back what they could pay to the supplier. Even on my small farm, which is a beef farm, I know the carbon tax will add several thousand dollars in extra costs every year. Those extra costs will be electricity costs in particular, because I rely on electricity to pump my bore water through a pipe and trough system to get water to my livestock. They are just two very small examples of the inevitable impacts of a carbon tax at the local level. I am sure we are going to see many more as the whole package unfolds.

Previous speakers have mentioned that the timing could not be worse. There is a tough economy out there. If people got beyond the end of tram tracks, they would see the mess we inherited from Labor — that is, massive cost blow-outs left, right and centre — and the turn down in the global economy. We realise it is a time for efficiencies and tightening the belt. The Baillieu-Ryan government is attempting to do that, but this carbon tax is going to put us at a competitive disadvantage in relation to our overseas competitors. Those who live in cosy inner suburbs may not realise that Victoria and Australia export a very large proportion of the agricultural food and fibre we produce and are very much at the mercy of global factors.

We already have a very high Australian dollar, which means we start off being less competitive. If a carbon tax is then imposed, we are going to struggle to maintain market access, given that many of our competitors do not have a similar cost imposition. You, Acting Speaker, know that when you lose market access, for whatever reason, you have a darn hard job to get that market access back. Once countries like the United States, Brazil, Argentina and various others which are producing competing products grab the market share, they will do what is necessary to hold it.

It defies common sense to introduce a carbon tax in an environment where the global economy is tough and export industries — whether they be the primary industries or manufacturing industries — are already battling to retain market share at a profitable level. I share the concerns of people on the conservative side of politics. This is yet another example of the deceit and incompetence of the federal Labor government. It will

cost Australians dearly and impact on our standard of living.

Mr SHAW (Frankston) — It is a pleasure to rise to speak in the debate on the carbon tax. I have been involved with tax in my business life for over 20 years. Every member on this side of the house who has also worked in business has had to deal with tax. In my business life as an accountant and financial planner I also had to do that. Over the years capital gains tax, fringe benefits tax and the GST were introduced — all those different taxes were introduced. There is more than one change to tax law every day. There have been over 350 changes to tax legislation each year. That is a massive number of changes, and it does not give stability to businesses moving forward. But this change is bigger.

I note that the member for Dandenong talked about the GST being introduced. We just got used to the GST; we may not have liked it when it first came in, but we have got used to it. That is true, and it will be true in relation to this matter as well. A tax will be imposed, and we will just get used to it. There will be the water charge in relation to the desalination plant; we will just get used to that too. But does that mean it is right, just because we get used to it? I do not think so.

When we first heard about the carbon tax and why it was put forward it was all on the premise of our needing to do something about the environment. I note that the member for Ballarat East spoke about how all reputable scientists were in agreement. I have just a couple of quick points on that. In 2008 in the world press 22 000 scientists disagreed with the United Nations global warming push. I thought that was pretty interesting to see. I also had a look at 2009 and found that amid charges of the hiding and manipulation of data and suppression of research by academics who challenged global warming, over 30 000 American scientists had urged the US government to reject the Kyoto protocol. I just want to put this into perspective. It is not the case that every reputable scientist agrees; there is debate there.

US President Obama's press secretary, Robert Gibbs, said:

I think everybody is clear on the science. I think scientists are clear on the science ... I think that this notion that there is some debate ... on the science is kind of silly.

I thought that was pretty interesting: just because people are against global warming theories, all of a sudden they must be lunatics. Yet that is what this carbon dioxide tax has been built on.

It was also interesting to hear opposition members saying, 'This will make us meet more renewable and sustainable' — as they put it — 'energy requirements'. It is interesting that in relation to the state's renewable or sustainable energy targets, a Victorian Auditor-General's report of April 2011 said that in 2002 the then government committed in an election statement to:

increase the share of Victoria's electricity consumption from renewable sources from 4 per cent to 10 per cent by 2010 ...

That is quite a noble goal if you are into that type of stuff, but you would think that if that was the left's position, those on the left would actually be wanting to reach that target. They have thrown it out there and have said, 'Let's try to reach it', but that has not happened at all. In any case, in 2002 Victoria was not at 4 per cent but at 3.6 per cent, and by 2009 Victoria had only gone to about 3.9 per cent. Those opposite failed in their targets miserably, and there will be failure in relation to this tax.

Let us just bring it back: those opposite do not care about renewable energy. They showed that when they said they would go from 4 per cent in 2002 to 10 per cent by 2010 but achieved nowhere near that. They do not care about that. This is a tax that will be collected for the coffers of the spendthrift federal government we have. The money will be put into its budget to be spent on more crazy programs that the federal government implements.

What will that do to the Victorian economy? It is going to increase electricity and gas prices by somewhere in the range of 9 to 10 per cent. That is a huge cost to place on the Victorian people. In my area of Frankston, where the incomes are not as high as in other areas, that is going to impact quite substantially. The federal government says, 'Hey, listen though: we're going to give that back to the people who really need it'. Is that really going to be the case, or does that represent a new bureaucracy that is going to be created? I think it is the latter, because with a Labor government in control, that is what happens. The bureaucracy gets bigger, it gets more complex, it takes more money and it spends it on the bureaucracy.

How is that going to affect small businesses? When small businesses experience price increases they do not always pass those on. In fact for the most part they let them eat into their profits. They do not pass on every single cost rise that comes through, whether it is in relation to a product, a service or a utility. There comes a time, however, when you do start passing that stuff on. That is exactly the situation with respect to this carbon tax. The price is going to be passed on, and

people are going to be paying more money. It is a tax we do not need. It is going to impact on Victoria. It is going to affect our competitive advantage with brown coal. The Labor members on the other side should be standing up to their federal counterparts and saying 'No carbon tax!'

Ms MILLER (Bentleigh) — I am delighted to make a contribution to this debate on the carbon dioxide tax. I know that the people in the Bentleigh electorate are in absolute fear in relation to this tax. There is so much uncertainty, and people are coming into my office on a daily basis.

I first want to put on the record that earlier today we heard members of the opposition talk about the opportunity to speak on bills, but the state of this house is a true reflection of that issue. Three members of the opposition are in the chamber, and we have only had three opposition speakers on this motion. Opposition members talk about having the opportunity to speak on bills, but I think they need to take a bit of a look at themselves.

Just on that, I note that those opposite talk about how they care for the people of Victoria and their respective constituents. Do they care? No. Are they for working families? No. Do they want to create jobs? No. The *pièce de résistance* is that the federal leader went to the Victorian people and to the people of Australia and said there would be no carbon tax under the government she would lead. Furthermore, to date the state opposition leader has not made a contribution to this debate on the carbon tax, which I find quite interesting.

As I said, those opposite proclaim that they are for Victorians, that they care and that they are for jobs and all the rest of it, but this carbon tax could not come at a worse time. Globally we are in very uncertain times, nationally we are in very uncertain times and consequently in Victoria we are in uncertain times. What we are certain of, however, in Victoria is that the Baillieu government has done the responsible thing. We have handed down a responsible budget. We are pulling things back into order and living within our means.

I just want to touch briefly on how this is going to affect the health-care sector. I have some experience there. In terms of hospital food, there used to be cook-chill systems where the preparation of food was either outsourced or done inside the hospital. A lot of the outsourced cooking has now been brought back into the hospital, and the energy required to prepare that food for the inpatients is going to incur the carbon tax.

What about the impact of fuel costs on the air ambulance service and those who are heli-lifted from regional Victoria to city metropolitan hospitals? There is another carbon tax. What about the health services that were exempt from GST under the Howard government? Julia Gillard does not acknowledge health care in the same manner. That is a significant point. What about the aged-care sector? What about the utilities for those elderly people who rely on mobility treatments such as hydrotherapy? There is another carbon tax. The list goes on. The elderly, most of whom are on fixed incomes, are going to find it challenging. This tax is going to affect not only nutritional aspects of wellbeing for the elderly but also their physical mobility. This is just ridiculous.

Look at the public hospital power bills; they will rise to around \$13.6 million from mid-2012. It is just incredible. The cost of capital works to our hospitals and health services will go up. In fact the Department of Health has looked at the capital works for a number of projects, and key materials in construction such as concrete, steel and aluminium are all going to go up. This really could not come at a worse time.

I have school leaders, including principals and teachers, as well as parents, coming to talk to me about the impact the carbon tax is going to have on their school community. It is estimated that school running costs will go up somewhere around 10 per cent. In order to have a safe environment in which to learn, every child needs to be warm in winter and cool in summer. How are we going to do that? I do not think any wind turbine or solar power panels are going to operate a school in the extreme heat conditions which we have experienced over the last couple of years, and they are certainly not going to power the hospitals, particularly the operating theatres, coronary care units and intensive care units. It is just ridiculous.

There has been absolutely no thought or consultation as to what impact the tax is going to have on all Victorians, especially those who live within our respective electorates. The constituents I represent in Bentleigh are very concerned about the carbon tax. They come to my office on a daily basis to ask, 'How will it impact on my health care? How will it impact on my child's education? How will it impact on my cost of living? How will it impact on the food I put on the table and the clothes I put on my back? Tell me how it is going to impact on me'. I will make my contribution brief. I think that this carbon tax could not come at a worse time.

Mr WATT (Burwood) — I rise to speak on the motion before us on the carbon dioxide tax. I would

like to say I take delight in rising to speak on this motion, but unfortunately I do not take all that much delight, because if the carbon dioxide tax did not exist, then I would not have to get up here and explain to those opposite why they should be advocating against this carbon tax for their constituents and the people of Victoria.

During the 2010 election, at which I was elected, one of the things that was talked about a lot was the cost of living and reducing or relieving the pressures on the cost of living. I note that in debate on this year's appropriations bill a number of those opposite talked about the cost of living. The member for Bellarine, the member for Lara, the member for Ivanhoe, the member for Narre Warren South, the member for Thomastown and the member for Mill Park all got up to talk about the cost of living; they all got up to talk about relieving the pressures on the cost of living. However, I note that of those opposite, only three members got up today to talk about the carbon tax — the member for Ballarat East, the member for Albert Park and the member for Dandenong. But I do not remember hearing — and I am happy to be corrected if I am wrong — any of those members talk about relieving the pressures on the cost of living.

The first group of members I mentioned stood up in this place during the appropriations bill debate and talked about relieving the pressures of the cost of living but then had the gall to sit silent or not come in here at all to talk about the pressures that this carbon dioxide tax will place on people or the bills they will face because of it. I find that amazing.

One of the most prominent issues I face when people from my electorate of Burwood come into my electorate office or call or contact me — whether they are from Ashwood, Ashburton, Box Hill South, Camberwell, Surrey Hills, Chadstone, Alamein, Solway, Glen Iris or Wattle Park; it does not matter where they come from in my electorate — is in relation to the cost of living. If you add in the carbon dioxide tax to the cost of living, including the 10 per cent increase in electricity prices, the 9 per cent increase to gas prices and the Tim Holding water charges — the good old Holding charge on the desalination plant — what we will see is an increase in the pressure that people will face.

People do not have a bottomless pit of money from which the Labor Party can just, on a whim, keep drawing resources without thinking about the costs and what is actually happening to people in their homes. We need to think very hard about the cost of living pressures that people face. This carbon tax — a tax that

nobody asked for or wanted and that the Prime Minister promised she would not give us — is going to so greatly affect people's bills that many of them are going to be pushed to the brink.

The member for Frankston talked about the pressures that taxes place on businesses. I appreciate that not many of those opposite have any idea about businesses. In fact I am not sure whether any of those opposite understand the pressures that businesses face. But what this carbon dioxide tax will do is push some of those businesses over the next pricing point. Suffice it to say that in my previous occupation as a carpet cleaner you would absorb a lot of these pressures to a point where you could no longer absorb them anymore and you would then take your pricing point over and above what is expected by a government because you have gone past that tipping point. That is what this carbon dioxide tax will do to businesses: it will push them up to the next pricing point.

I implore those opposite to stand up and speak to those in Canberra; I urge them to speak to Julia Gillard and their federal colleagues. If members of the Labor Party in Victoria really cared they would stand up and be counted; they would come into the chamber and talk on this bill. But, as I said, I do not think any of the members for Bellarine, Lara, Ivanhoe, Narre Warren South, Thomastown and Mill Park have got up to talk about cost of living pressures caused by this carbon dioxide tax.

Mr Carbines interjected.

Mr WATT — Do you want to talk about water bills? Let us talk about the Holding charge on water bills and what that will do to the cost of living for Victorians.

The ACTING SPEAKER (Mr Weller) — Order! The member for Burwood knows that it is wrong to respond to interjections.

Mr WATT — On that note I commend the motion to the house.

Mr SOUTHWICK (Caulfield) — Normally for many businesses 1 July is a good time. It is a time when the end of the financial year ticks over and the new year starts. It is a time to get things moving and to kick off the new financial year with some good initiatives. That is what businesses tend to do. Unfortunately this year 1 July will be a tough time for all businesses, particularly in Victoria, because that is when the federal government's carbon tax comes to fruition. We have heard nothing but silence from the opposition on this. At a time when we would expect opposition members

to be standing up for Victoria, they have been deafeningly silent. Today they have had a good opportunity to make contributions, but the contributions have been minimal.

The motion before the house is an important one because we in Victoria will be the worst hit by the carbon tax. On 1 May during the adjournment debate I raised a matter for the Minister for Energy and Resources and called on him to attend my Caulfield electorate to run a forum to talk to the electorate about the implications of the carbon tax for Victoria and for my electorate. Further to that the member for Bentleigh and I conducted a forum last Tuesday. It was attended by about 80 local residents, many of whom were absolutely dismayed at the implications of the carbon tax and what it would mean for them.

I will give a quick snapshot of the people who were also on the forum panel. It featured a small businessperson, a printer, who talked about the implications for the printing industry, not just with electricity costs but with supply, transport and raw material costs — all of those further costs that need to be built into how he will be able to conduct business. There was also a local councillor, who spoke about the effect the carbon tax would have on council rates and about waste and what will happen in terms of overall rates and electricity costs for the local municipality.

The last one I want to touch on is a bit of a surprise for all of us, because it is a local charity, TRY Australia, formerly Try Youth and Community Services. Its CEO, Damien Mowlam, was on the panel. This particular charity, a not-for-profit organisation, supports some 30-odd child-care centres. Mr Mowlam spoke about the implications of the tax on child-care centres and how, with the difficulties currently faced by the charity in fundraising, the further implications of the tax would mean it would have no alternative other than to cut services.

This is a difficulty that we all face. In tough times the last thing we want to be doing is cutting services and not supporting the very basis of the people we are all here trying to support. It is disappointing that we have heard nothing but silence from opposition members. We need to stand up for Victoria. Opposition members have not done that. I support the motion before the house.

**Debate adjourned on motion of
Ms WOOLDRIDGE (Minister for Mental Health).**

Debate adjourned until later this day.

WORKING WITH CHILDREN AMENDMENT BILL 2012

Second reading

**Debate resumed from 24 May; motion of
Mr CLARK (Attorney-General).**

Ms HENNESSY (Altona) — I am pleased to have the opportunity to speak on the Working with Children Amendment Bill 2012. This is a bill from the Attorney-General which proposes to make some non-controversial amendments to the Working with Children Act 2005.

By way of summary, the bill seeks to amend the Working with Children Act 2005 to alter the test that the secretary and VCAT (Victorian Civil and Administrative Tribunal) must apply in deciding whether to issue an applicant with a working-with-children check; make murder a category 1 offence; remove the right in certain circumstances to work in child-related work whilst an application is being considered; provide the Secretary of the Department of Justice with the power to revoke a card following a suspension; and clarify the application of provisions of the act and streamline some administration.

The opposition will certainly not be opposing the bill, but in speaking to this bill I pause to reflect on how far we have come on the issue of trying to enhance protection for children. We have certainly moved on from earlier times — I would call them darker times — when the concept of protecting children and giving full recognition to the rights of children was seen as something that properly ought sit within the private domain; it was not a matter the government or the public or the community ought necessarily have been involved in.

I am pleased that over recent decades, in particular over the last 10 years, we have moved into this space in a public policy sense and that we rightfully consider that the rights of children are indeed deserving of protection and that these are matters in which public policy ought be involved and which do not sit within the private domain from which governments should keep out. That is a really critical shift that has occurred. There has been some incredible reform and advancement, not just in this state and nationally but also internationally, with legal instruments such as the United Nations Convention on the Rights of the Child. It has had a real success story, with the sort of leadership that has been shown in governments right across the world that have sought to utilise the legislative and policy powers

available to them. The advancement of the Working with Children Act is further evidence of it, albeit reasonably small.

People often say that societies ought be judged by how they treat their most vulnerable. Children, of course, because of their age, their lack of competence and their lack of autonomy, are certainly share that character. I am pleased that in 2005 the Labor government saw fit to introduce the working-with-children legislation. The initial legislation aimed to assist in protecting children from sexual or physical harm by ensuring that people who work with or care for them have their suitability to do so checked by a government body.

The working-with-children regime is fundamentally different from the national police check, in that those who have passed the check will be monitored for future relevant offences. Obviously a debate occurred under the previous government, when I was not a member of Parliament; sadly, from my perspective, I was a member of the previous government for only a brief period of time. But obviously when such initiatives and regimes were introduced there was a debate about their regulatory impact, particularly given that the reach of this regime extended to community groups and volunteer groups. They obviously impose a regulatory burden on groups that do not necessarily always have resources available to them, and I understand that was a matter that was ventilated in the debate on the working-with-children checks.

Obviously when there is a need for such a regulatory burden I for one have a strong view that it is a burden that needs to be met, that the obligation to protect children and the rights of children ought trump the regulatory burden and its impact. That is not to say that we should be dismissive of the impact and the concerns that some community groups and volunteer associations would have had at that point in time. But I am pleased to note that it is a regime that has been embraced wholeheartedly.

Obviously there are administrative difficulties along the way, and it is important that governments of whatever colour respond to those and try to mitigate the impacts and difficulties that volunteer and community groups confront when they seek to ensure that they comply with the regime. But it is interesting, from looking at the budget papers and the performance measures contained in them, to see that a large number of applications from people applying for working-with-children checks are received and processed by the Department of Justice. Whilst the introduction of such a regime often causes people anxiety and concern, it is interesting to see how the

norms have ultimately evolved, which is evidenced by the number of people actually utilising the system.

I am very pleased to be able to speak on a bill whose primary aim is the protection of children. I understand that at the time of the 2005 act the coalition was not at one on the bill. The Liberal Party in opposition supported the bill. The Nationals opposed the second reading of the bill, largely motivated by some of the regulatory impact issues, as I understand it from a cursory reading of *Hansard* from that time. It was also interesting to note that at the time of those debates the then Liberal opposition spoke of and advocated for a streamlined scheme where all people who work or volunteer with vulnerable people, including the elderly or people with a disability, could be brought into the one scheme. I would be interested to know whether or not there is any desire on the part of the now government to pursue that.

The act commenced operation in 2006. It was phased in over a five-year period. Since that time there have been two amending bills which aimed to further improve the safety of children and enhance the clarity and efficiency of the act by addressing some of the practical and legal issues that arose during the operation of the scheme. These bills were introduced in 2007 and 2010.

It is important when a scheme such as this, which has not been in place before, is introduced that governments are responsive to any administrative challenges. If governments are in a position to try to streamline these processes and make them better, these are obviously amendments that governments should take up. Furthermore, where a regime does not achieve the policy objectives that were sought through the legislation, governments ought to respond to that. The bill we see today falls into that category. This bill makes changes to the operation of the initial legislation. As was the case in 2007 and 2010, this bill is a necessary consequence of a scheme created by an act under which practical situations have arisen and from which lessons have been learnt. To that end, I commend the bill.

As I said, we certainly do not oppose the legislation and would indeed encourage the government to continue to review the operation of the act. If and when there are administrative issues that can be improved or there are circumstances that arise — for example, VCAT interpretations and applications of the act — the government should be responsive to them.

This bill introduces a new test. The test in the current act applied by the Secretary of the Department of Justice and VCAT in assessing the suitability of an

applicant is whether that person poses an unjustifiable risk to the safety of children, having regard to a number of factors. This bill introduces a number of additional criteria. It says that they must also be satisfied that:

a reasonable person would allow his or her child to have direct contact with the applicant that was not directly supervised by another ...

And that:

the applicant's engagement in any type of child-related work would not pose an unjustifiable risk to the safety of children.

The policy objective of the second criterion is intended to address cases where VCAT has decided to grant a card after consideration of the purposes for which the applicant has applied for a check. It is important where VCAT has interpreted the act and applied it in such a way that it has not delivered on the aims and objectives of the initial legislation that governments respond to this. In fact this bill intends to achieve that. It seems to me that VCAT may not have given weight to the fact that the card is portable and that once obtained it permits the cardholder to engage in any type of child-related work.

The bill also seeks to amend what is considered a category 1 offence. A category 1 offence gives an automatic exclusion. Currently an application is category 1 if the applicant is subject to the sex offenders register or the Serious Sex Offenders Monitoring Act 2005 and they have no appeal rights or they have been convicted of a sexual offence against a child, including child pornography, but they have an appeal right to VCAT.

Category 2 applications are those where the applicant has committed offences such as sexual offences against an adult, a serious violent crime including murder or intentionally causing serious injury, or a serious drug offence. There is a presumption that a category 2 application will be refused a check unless the secretary is satisfied that there is not an unjustifiable risk to the safety of children. That applicant may in fact appeal to VCAT. The bill moves murder from category 2 to category 1. This effectively means the secretary has absolutely no discretion to issue a working-with-children check in these cases, but an applicant may still apply to VCAT for a review under the new test, so there is still not an automatic exclusion in terms of the appeal rights in those circumstances.

Those changes are in response to cases where VCAT had overturned the secretary's decision not to issue a working-with-children check to certain applicants. I think it was a fair observation by the *Herald Sun* that decisions taken by VCAT have not always been in the

interests of the children and their parents, and this bill addresses this issue. For example, the secretary refused a working-with-children check to an applicant who stabbed a man to death, but VCAT overturned that decision. My understanding is that there are currently four cases before the Supreme Court where the Department of Justice is appealing VCAT's decision to overturn an original decision to deny a working-with-children check.

The new test imposes an additional criterion. It says that VCAT can consider in-depth submissions, references from employers, psychologist tests and the like in determining whether or not a card ought be issued, but it has to consider whether an applicant poses an unjustifiable risk to the safety of children. The new test imposes a requirement on VCAT to consider what a reasonable parent would think about the applicant having direct, regular and unsupervised contact with their child. I hope, and have every expectation, that VCAT will be able to apply that sensibly.

I try always to be a reasonable parent, but there certainly are occasions where my children would accuse me of being an unreasonable parent. In fact I received an anonymous note only two days ago making certain accusations about favouritism, and I was very impressed with the handwriting of the seven-year-old who was making the accusation. I think that is a test that can be interpreted well, and obviously courts and tribunals use reasonableness as a criterion quite regularly. That is a sensible proposition, even for those of us who sometimes stand accused of being unreasonable parents.

There are also some provisions in this bill in regard to the revocation of a working-with-children card. Under the current legislation the secretary is able to suspend a working-with-children card for up to six months if he or she becomes aware that the cardholder has been charged with, convicted of or found guilty of a serious offence. What the bill does is enable the secretary to revoke a card if a suspended person fails to provide the secretary with requested information. That will prevent applicants from stalling the reassessment process when the department is advised of a change in circumstances — namely, a charge or conviction against the applicant being detected via monitoring procedures. I think that is a sensible measure.

The bill removes the right to work in certain circumstances. Currently an employee or volunteer is permitted to engage in child-related work if they produce evidence that they have applied for a working-with-children check — that is, if they can show the employer a receipt for such an application.

This measure was introduced to ensure that an applicant's job prospects will not be unfairly affected while the department processes their application, but it has provided an opportunity for people to misuse it. This bill removes the automatic right to work with a receipt where a person has a charge, a conviction or a finding of guilt in relation to a serious sex, drug or violent offence — category 2 offences. The onus is quite rightly on the applicant, and it will be an offence if an applicant commences work prior to being issued with a card if they knew or ought to have known that a category 2 offence had to be assessed.

In practice that means that many employers and volunteer organisations will wait for the assessment to be completed before allowing an applicant to commence work. I do not oppose that in any way — I think it is sensible — but I hope the department has sufficient resources to ensure that there will be no unreasonable delays in assessing applications. This measure is designed to catch out the bad apples, but we would not want to see unnecessary delay caused by a lack of resources in respect of the good apples.

The bill also contains a number of clarifying amendments. It clarifies that a person on a supervision or detention order under the Serious Sex Offenders (Detention and Supervision) Act 2009 is unable to apply to VCAT for review of a decision to remove their ability to engage in child-related work. It clarifies that a person alleged to be on a detention or supervision order can apply to VCAT for review on the basis of mistaken identity.

The bill captures earlier versions of the offences of causing injury intentionally or recklessly and obscene exposure. The Working with Children Amendment Act 2007 amended the principal legislation to provide the secretary with an exceptional circumstances discretion 'to refuse an authorisation to work with children based on offences other than those defined as relevant offences for the purposes of the legislation'. What that weaselly worded mouthful means in effect is that the provision was designed to ensure that no relevant offences would be excluded from consideration. Offences that existed but may have been redefined either by the common law or by the Crimes Act 1958, for example — and obscene exposure is one of those — would still be captured despite the fact that they were no longer defined or labelled as offences that had been updated. It is important to note that the secretary currently has the power to consider the earlier versions of causing injury intentionally or recklessly and obscene exposure.

The bill also goes some way towards streamlining processes for a person to move from a volunteer working-with-children card to an employee working-with-children card without the application having to be considered afresh each time. I think that is very sensible.

As I said at the commencement of my contribution to the debate on this bill, it is important to reflect on the advances that have taken place in relation to public policy and children. Some of the initiatives of the previous government that I think are worthy of note are the introduction of the child safety commissioner to advise the government on issues impacting on the lives of children; the creation of the Best Start program to strengthen the local capacity of parents, families, communities and early years services to better provide for the needs of young children; and the adoption of the Every Child, Every Chance policy, which is a child-centred approach to driving government policy and the services that are put in place for children and their families.

Protecting and advancing not just vulnerable children and children at risk but the capacity and capability of children generally is something that governments need to constantly and continuously work better at. The concept of children's rights is a far cry from the adage of many decades ago, which my grandmother used to share — that children should be seen and not heard. It was not an adage I followed in any kind of discipline sense. It is important to reflect on the evolution of children's rights.

When the Convention on the Rights of the Child was first debated in international law forums it was seen as a controversial instrument. It was seen as impeding the rights of parents to make decisions about their children. The convention has had an incredible impact in anchoring rightly minded governments of all political persuasions in a variety of international jurisdictions around the rights and capabilities of children and introducing legislation to protect them in light of the particular rights set out by the Convention on the Rights of the Child.

Some of those rights are critically important. For example, there has been some amazing case law in South Africa, where there were great cohorts of children who were not getting access to adequate standards of health care, primarily in the form of access to pharmaceuticals around the HIV epidemic. A lot of that was caused by trade debates and parallel importing issues. Most people in this chamber would be aware of the absolutely catastrophic state of children with HIV in many African countries. Litigation arose using the

Convention on the Rights of the Child to address the issue of parallel importing of pharmaceuticals, and this had an incredible impact in ultimately ensuring that these children got access to the pharmaceuticals they deserved.

The Convention on the Rights of the Child has also been used to drive governments to address issues around adequate housing. In countries such as India there have been decisions made by governments around the demolition of housing to make way for development. It was not fantastic housing by any stretch of the imagination; in fact a lot of these areas were slums. However, the consequence of that housing being demolished would have been homelessness for thousands and thousands of children, and some good soul has used the instruments that seek to protect the rights of children to challenge government decisions around how those governments have resourced particular services and how they have applied those decisions with respect to the provision of housing.

In Australia we often have this debate in relation to both an international and a national context, about how our laws intersect with international legal norms and the sovereign rights of national governments and about the rights of state governments to make decisions about how they allocate resources and what their priorities are. I think the power of the Convention on the Rights of the Child, corroborated by all the emergent research and literature on how to best support and enable children to prosper — let alone protect them from people who do not deserve to have access or be exposed to children — is incredibly important. These are not easy public policy debates to continue to resource, and it is not always easy to respond to some of the regulatory difficulties. Trying to get various jurisdictions and departments to cooperate is a very difficult challenge when we have the issues of child vulnerability played out before us.

We are now at the point where we do not think children should be seen and not heard. We are disgusted, revolted and ashamed that such horrendous treatment and such horrendous abuse have been meted out to children under our very noses. We no longer consider that that is a private matter; we consider that that is a public matter and a public obligation for all of us — not just governments, not just police, not just child protection workers, but communities at large.

We have moved a long way along that stream in public policy terms, and it is a stream I would like to see us also move along with respect to family violence — that it come to be considered not a matter of private conduct but rather a matter of public concern and public

obligation. The reforms to the Working with Children Act 2005 represent an opportunity to reflect upon how much we have evolved to a large degree around what we consider to be in the public domain and what we consider to be in the private domain. These amendments are absolutely essential.

But of course giving children the best start in life and ensuring that they can rightfully live the lives that they want and can evolve in the way their capabilities justify also requires investment in things such as education and health, as well as schools. These are also matters about which the opposition has raised concerns with regard to government funding decisions not just around vulnerable children but around all Victorian children. It is important that we constantly reflect upon how we resource these issues.

Often, as we saw in the debates when the enabling bill was introduced in 2005, there are conflicts when it comes to enhancing the rights of children, and the regulatory impact, as I have said, was something that was very passionately invoked by many of our friends from The Nationals. I do not dismiss those concerns. I do not say they are illegitimate issues to raise, but often in these public policy debates you do have a conflict and there is a regulatory impact that needs to be considered and addressed, and where possible we need to mitigate the harsh effects as much as we possibly can.

That is certainly why the previous government made applications for working-with-children checks free of charge. As I said, I do not dismiss those considerations, but where there is a conflict between the rights of the child and another public policy imperative it is my very strenuous view that we should always, where we possibly can, land on the side of the rights of the child, for the very reason that it is our fundamental obligation. In light of that, I wish the bill a happy passage through the house.

Mrs VICTORIA (Bayswater) — It is with great pleasure that I stand tonight to speak on the Working with Children Amendment Bill 2012, and I commend the Minister for Mental Health, who is at the table, for the work she has done on this and for what it will mean to children, the most vulnerable people in our society, in times to come. This will strengthen the legislation that is currently in place; it will make amendments to the Working with Children Act 2005. Some of the initiatives of the legislation we are introducing today are strengthening the tests for people applying for a working-with-children check and changing and expanding some of the categories of offence that require further scrutiny of or mandatory negative

notices being issued to the person who has applied for that working-with-children check.

The Working with Children Act 2005 actually commenced in 2006, obviously after it was introduced, and the idea was to protect children from harm, be it physical or sexual harm, and obviously psychological harm comes into this as well. It required a person who was having contact with children on an unsupervised basis to undergo checks to make sure that they were a fit and proper person to be working in those sorts of occupations.

As I said, children are by far the most vulnerable members of our society and are quite often powerless against the predators who decide to work in a relevant field because they can have access to those who cannot fight back. Of course we see predators in the news unfortunately quite often, and they can be, or appear to be, the most upstanding members of society. They could be members of the child's family, or perhaps members of their school community or involved with a sporting club or a community organisation or even, as we have heard, unfortunately, with religious groups or even in a situation where our children are away from us for the longest period of time — for example, in holiday camps and that type of thing. The idea is that we are now strengthening the regulations around who will be able to apply for a working-with-children check and who will be granted one.

Sitting suspended 6.30 p.m. until 8.01 p.m.

Mrs VICTORIA — As I was saying before the break, the Working with Children Amendment Bill 2012 is certainly a very welcome set of amendments to the Working with Children Act 2005. I was mistaken before when I said which minister was at the table, but I am pleased that the Attorney-General is now at the table. I commend him for the legislation before the house.

There are now some 20 occupational fields in respect of which people who are seeking employment are required to get a working-with-children check. Certainly these checks are very comprehensive and most of them are incredibly logical. The current law, the one we are amending, has probably gone a little bit too far in putting at the forefront the interests of the person who is applying for the working-with-children check rather than the interests of the children. What we are going to do is reverse that, so we are actually giving priority to the rights and safety of the children and the interests of their welfare and that of their families. This is a very good initiative.

I reiterate that the main purpose of the bill is to strengthen the tests that people will have to undergo before they can receive a working-with-children check in full. The bill will prevent a person under what is called a category 1 or category 2 application from engaging in any child-related work while their application is live. After they make their application they cannot work until it has been approved. While it is being assessed they need to refrain from working in those particular fields.

The bill is going to make murder a category 1 offence, which it was not previously, and certainly that is an incredibly logical step. I commend those who included it in this bill. The bill gives the Secretary of the Department of Justice the authority to revoke a working-with-children check. If a current holder of a working-with-children check is outside the boundaries of someone who should be holding a permit, it gives the secretary the opportunity to revoke that working-with-children check.

The bill gives the Victorian Civil and Administrative Tribunal (VCAT) the opportunity to look in a new way at people who are asking for a review. If an application is being revoked or if a person is applying under one of the categories where their application actually needs to be reviewed rather than simply going through a straight-out process, the decision must be made by the Secretary of the Department of Justice. If that is refused, the person can go to VCAT, but the tribunal can now take into consideration the interests and welfare of the children rather than just what offences may or may not have been committed. There will now be a couple of different tests, or checks if you like, that will be applied when the secretary and VCAT are reviewing a decision. One of those concerns is an unjustifiable risk to the safety of children and the other is the public interest test.

I want to go back to the categories for a moment and look at category 1 offences, which include serious sexual offences. That is a no-brainer. If a serious sexual offence has been committed by an adult against a child or a child pornography offence has been committed — and we certainly know, unfortunately, that the openness of the internet has given so many more people access to the absolute blight of child pornography — there is an automatic issuing of a negative notice, and so there should be.

Category 2 offences are most serious sexual offences or drug-related or violent offences. In this case applicants cannot work until their application has been processed, so applicants need to go through the statutory test, which is applied by the secretary. If they are not granted

a working-with-children check, what they can actually do is go to VCAT on appeal. However, those tests I was talking about concerning the public interest and that sort of thing have to be adhered to when that review is happening. Category 3 offences are the slightly less serious offences, but again it is the same process: if an application is knocked back, it can be reviewed by VCAT but the tests need to be applied.

We are also strengthening the unjustifiable risk test. This is where a check is being undertaken and it is deemed there is an unreasonable risk with the person who is actually applying. Say, for example, as a mother — a very protective mother, I have got to say — I were applying the test, I might say that a person was not somebody I would allow to have jurisdiction over my child when my child was not in my custody. So if a person were looking after my child as a babysitter or a scout group supervisor or something of the like, if they were going to look after my child unsupervised, the test would be whether I would find that a risky situation. That is one of those tests that are now going to be applied, and I think common sense will prevail there.

There has been an awful lot of research done into who applies working-with-children tests. Obviously we know the categories, but the statistics show that between 3 April 2006, when they were first starting to be granted, and 31 March this year the assessments were done quite widely. In fact there were approximately 905 500 assessment notices issued. There were 1309 interim negative notices and 1000 negative notices. There were 69 assessment notices issued following a review by VCAT. Of those who were deemed unfit at first blush, 69 had a review and had the decision overturned. Obviously there are lots of children's groups out there who are saying that perhaps this is not fair, and we have certainly seen many such cases in the media over the last few years.

I commend the work of all the children's protection agencies. There are over 100 that we fund as a state government, and the work they do is quite amazing. I have Anchor Foster Care in my electorate. The work it does is not only wonderful but also heartbreaking. I think it is amazing. Of course Bravehearts looks after the best interests of children. They are fantastic people, and I understand where they are coming from. I certainly believe that a lot of initiatives in this bill will help allay some of their fears. I wholeheartedly commend this bill to the house.

Mr CARBINES (Ivanhoe) — I am pleased to make a contribution to debate on the Working with Children Amendment Bill 2012. In particular I want to outline a

few points that were raised by the Scrutiny of Acts and Regulations Committee in relation to the bill. This bill strengthens the tests that must be satisfied before an assessment notice may be given; it makes murder a category 1 offence — it is currently a category 2 offence, and that is listed in clauses 3 and 4 of the bill; it increases the range of offences to be considered when assessing a person's eligibility for assessment notices; and in particular, something I would like to come back to, the bill clarifies provisions relating to applications to the Victorian Civil and Administrative Tribunal by persons subject to supervision or detention orders under the Serious Sex Offenders (Detention and Supervision) Act 2009.

What I think we have also been able to do here is reflect back on some of the work that has been done in relation to working-with-children checks. This is legislation that was introduced in 2005 by the previous government. Of course if you pose a risk to children, you are prevented from working with them either as an employee or a volunteer. These are the sorts of points that were raised when this legislation was originally introduced in 2005.

I will read from the second-reading speech of the Attorney-General in which he pointed out that:

Since commencement of the act in 2006, and as of 30 April this year, over 910 000 Victorians have applied for a working-with-children check and approximately 1024 people have been issued with a negative notice, thereby preventing them from lawfully engaging in child-related work.

That gives us an opportunity to look back and reflect on the fact that some 910 000 Victorians have applied for working-with-children checks, so I think you could safely say they have been embraced by the community and there is an understanding of the value of getting involved and supporting this process. We have been able to weed out some 1024 people across that time who have not been able to meet the high standards that we have set as law-makers in this place to reflect community standards about who is able to work with children.

Looking back in *Hansard* at the debates that took place in 2005, I saw there were some parties in this chamber who had concerns and who put up straw men about bureaucracy and paperwork getting in the way of people's capacity to volunteer and suggested that somehow volunteers would disappear from the face of the earth and the heavens would collapse. But of course we have seen that volunteers have been able to have their checks done free of charge and have embraced the opportunity to be part of this process.

People want to look for concerns or reasons not to do things. We have seen that in the past, and I know that there is a temptation when in opposition to go down that path at times. As a member of Parliament I have always been determined to make sure we look at how we get things done. It is a salutary lesson for those who are now in government to reflect on what their position was some time ago in this chamber and the comments that were made by the Attorney-General in his second-reading speech which acknowledged that this bill reflects the values in the community to protect children and that the legislation has been embraced by nearly a million Victorians, who have sought to apply under those laws, and has weeded out a significant number of people who, in the end, may not have had any particular issues but did not meet the standards that the community expects to be applied to those who want to work with children.

As the Attorney-General said in the second-reading speech:

There is strong public acceptance of and support for the working-with-children check scheme.

He further noted that:

The amendments made by this bill will strengthen and improve the operation of the scheme ...

I would like to pick up on some matters that get back to the United Nations Convention on the Rights of the Child and how they relate to the values that underpin the working-with-children checks and the amendments to this legislation. A summary of the United Nations Convention on the Rights of the Child lists a number of different points, and I just want to highlight a few of those. It states under article 4:

Governments must do all they can to fulfil the rights of every child.

It states under article 19:

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and mistreatment by their parents or anyone else who looks after them.

That reflects back on the role of the child safety commissioner, Mr Bernard Geary, and some of the work he is responsible for in relation to the working-with-children checks and the reports he gives to the Attorney-General on these matters. I will speak further about this shortly.

Some of the other points from the United Nations Convention of the Rights of the Child summary relate to the sorts of values we have applied to the

working-with-children checks and include the provision that:

Governments must provide extra money for the children of families in need.

That is something the government could reflect upon in relation to the scrapping of the education maintenance allowance payments for students in my electorate. The convention also states that:

Every child has the right to a standard of living that is good enough to meet their physical, social and mental needs. Governments must help families who cannot afford to provide this.

Cutting things like the School Start bonus goes in the wrong direction when making sure that government can meet the needs of families and children in their communities.

The convention summary also notes:

Every child has the right to education. Primary education must be free.

We have already seen in relation to recent TAFE cuts by the government that such things impinge on children's ability to be able to exercise their rights as citizens and expand their opportunities to make contributions as citizens. We are continually working to improve the Working with Children Act 2005, and the changes we have made since 2005 when this act was implemented are not just about protecting vulnerable children or children who are in the care of others in the community, whether they are volunteers or other professionals; they also go to the value statements governments provide, not just in legislation to protect children who are in the care of others but in relation to a range of other rights of children that this place is meant to protect.

I will move on to the report of the Protecting Victoria's Vulnerable Children Inquiry, volume 1, which states:

The vast majority of Victoria's children and young people live in families where they are loved, cared for and encouraged by their families. These children will be supported by their families through the highs and lows of childhood and adolescence and will grow up with the personal resources and capabilities to live independent, well-adjusted and productive lives.

I quote that because what we have found is that all children — including the majority of children in Victoria who have these sorts of opportunities — still need the protections of the working-with-children checks that apply to volunteers and other adults in the community. These checks are critical to making sure that children have a safe environment and that parents

can have some confidence in the activities and involvement of their children in the community.

The child safety commissioner, Bernie Geary, is very well known to people in Heidelberg West, in the electorate I represent. It is the area where he began his social work, and he has been a strong advocate for underprivileged people in our community. The work he has done in providing advice to the minister, not only through the work and the review done on the Working with Children Act 2005 but also through the work done in raising issues of concern in relation to vulnerable children in the community, has been very substantial. As Mr Geary says:

The overwhelming desire of all Victorian children is that they are happy, safe and afforded opportunity.

My concern in relation to the child safety commissioner, the work he does in overseeing the working-with-children checks and the advice he provides to government pertains to the changes the government is proposing to make, which it announced in the budget, to the way the role of the child safety commissioner will work in the future. As the *Age* noted on 30 May:

The Baillieu government is establishing a commission for children and young people. The membership of the new body has yet to be revealed, and people are watching to see what role Geary will have. Many in the sector hope he will remain front and centre of what is a battle that never ends.

I know Mr Geary would be mortified, because in the work he has done in the community it has never been about him. He is very well respected in the Ivanhoe electorate and particularly in the Heidelberg West community.

I say to this government that in the work it wants to do to continue to tweak, amend and strengthen the working-with-children checks, which were introduced by the previous Labor government in 2005 and have now been subscribed to by almost 1 million Victorians — and we have weeded out people who have perhaps not been appropriate to work with children — we need to continue to provide an independent child safety commissioner. We need a child safety commissioner who is independent not only in name but in law — not someone like the FOI commissioner but someone who is actually going to be independent. That is something this government needs to consider very seriously, and we on this side of the house will be watching very closely to see what happens in relation to these matters.

Mr NORTHE (Morwell) — It gives me great pleasure to rise this evening to speak on the Working

with Children Amendment Bill 2012. The bill seeks to do a number of things, and the amendments proposed within it are very important, as are the working-with-children (WWC) checks and provisions. As other speakers have alluded to, the genesis of the working-with-children checks was in 2006 under the banner of the Working with Children Act 2005. That legislation came into operation in 2006. The purpose of that act is to protect children from physical and sexual harm from adults. That is something for all of us in this chamber to reflect on. It indicates a scourge of society that one would even contemplate the idea that that type of activity occurs. It is important that we have measures in place to ensure that our children and their families are protected. That is why the working-with-children provisions in this state are so important.

Much interaction between children and adults occurs on a regular basis in a range of different fields, whether it be through employment, sport or voluntary work. As the member for Ivanhoe pointed out, over 910 000 Victorians have applied for working-with-children checks since 2006, and in excess of 1000 applicants have been issued with a negative notice over that period of time. On the whole, the checks have served their purpose, but it is important that where possible we strengthen the criteria and regulations around them. That is what the Attorney-General seeks to do through these amendments.

The five-year phasing-in period that began in 2006 elapsed last year. Members of 20 occupational categories are now required by law to obtain a WWC check. Within the community there are a number of interesting occupations or activities in which people serve that fall under that banner. These of course include child-care services and child minding, but if you have a look under the banner of clubs and associations, there are obviously a number of sport and recreation activities where WWC checks are also required. Whether it be in athletics, football, cricket, netball, martial arts or swimming, it is important that those who are dealing with children as part of their coaching roles have those WWC checks in place. Coaching and tuition are an important aspect of that, as are educational institutions and even general play facilities. Those who interact with children must have a working-with-children check, as must those within religious organisations and even school crossing services. Without going too much into that, I guess it just gives a snapshot of some of the vocations, including community work, where a working-with-children check is required.

It is important that working-with-children checks have the strongest possible component of oversight and that we make sure applicants are given the strongest test possible, and that is what the Attorney-General seeks to do with this legislation in the best interests of children and their families. It has been said that there has been a greater focus on the applicants and that we need to make sure that paramount thought is given to the interests of children when a person is applying, not only in the decisions of the secretary but also when issues are brought before VCAT (Victorian Civil and Administrative Tribunal).

In his contribution the member for Ivanhoe mentioned the Protecting Victoria's Vulnerable Children Inquiry, and I want to quickly reflect on that and commend the Minister for Community Services on the good work she has done in this regard. From a local perspective, through the latest state budget we have funding for a multidisciplinary centre of which Latrobe Valley will be the beneficiary, and that is very important. On top of that, the additional child protection workers for the Latrobe Valley and the wider Gippsland region are absolutely imperative if we are going to tackle some of the issues we are being confronted with. That is wonderful to see; we are lucky to have support from the Minister for Community Services in that regard. The member for Ivanhoe also spoke about the work of Bernie Geary, for whom I personally have the highest regard. He has been a regular visitor to our region, and I cannot speak highly enough of that particular man.

I will return to the bill and talk about some of the amendments it proposes. One of the amendments is with respect to when the secretary refuses a WWC application and the applicant is considered a risk. VCAT can review such a case, but it is important that regard be given to the welfare of the children and the families affected. One of the key elements of the bill is making sure we strengthen the test applying under that application. As I said, the secretary and VCAT have a very important role in this regard. It is important that we have more guidance on a person's suitability to be the recipient of a working-with-children check.

There are three different categories that exist in terms of an application: categories 1, 2 and 3. Category 1 covers the most serious sexual offences perpetrated on a child by an adult. As I said, I will not go into more detail, but they include offences such as child pornography. In that case the secretary must refuse an applicant and issue a negative notice. Under category 2 we are talking about serious sexual, drug and violence offences. Category 3 covers less serious offences. These categories are subject to a statutory test applied by the secretary, but as I said, they can be reviewed by VCAT.

There are three tests that either the secretary or VCAT can apply under those various categories to determine an applicant's suitability. One is whether there is an unjustifiable risk to the safety of children. There is also a public interest test. If the applicant has been convicted of an offence under category 1 the secretary must refuse the application, but if VCAT reviews that decision it must have regard to both of those issues — the public interest test and the unjustifiable risk test.

Under category 2 the secretary can apply the unjustifiable risk test, and if the application is referred to VCAT it would have to have regard to both tests. Under category 3 the secretary must issue a working-with-children check unless they are satisfied that it is appropriate to refuse to do so. The third test is, if you like, the appropriate-to-refuse-to-do-so test. VCAT applies this test and the public interest test in this regard. Refusal can occur if the secretary believes there are grounds to do so because of exceptional circumstances, and the unjustifiable risk test is applied by the secretary and VCAT in that circumstance.

We are seeking to amend this bill by strengthening the unjustifiable risk test. This is well articulated in the second-reading speech where it asks: would a reasonable person as parent or guardian agree to their child being cared for by the applicant in an unsupervised capacity? That says it in one, and it is something that should be given due regard during the assessment process. Also, the unjustifiable risk test should be considered in relation to any type of child-related work. VCAT and the secretary must also be satisfied that that test has been met. Under category 3 the appropriate-to-refuse-to-do-so test will remain, and that is important, but it will also be strengthened similarly to the changes I referred to earlier.

During a period of reassessment on categories 1 and 2 notifications or on an application receipt, further protections will be applied. Those particular amendments are referred to in the second-reading speech, and they are very important.

There is another substantive change to this legislation, as mentioned by previous speakers. Currently murder is a category 2 offence. The bill will be amended to ensure that murder is a category 1 offence, and of course that means the secretary must refuse an application that comes under that category. There are other important aspects of this bill, including streamlining the processes, which is important for those applying for working-with-children checks.

In closing I thank the Attorney-General for a number of the measures he has taken in this term of Parliament to ensure that legislative provisions protecting Victorians are adhered to.

Mr DONNELLAN (Narre Warren North) — I rise today as the former shadow minister for child safety to speak on the Working with Children Amendment Bill 2012. This legislation when introduced in 2005 was a substantial addition to the measures for the protection of our children. It set in place strong systems to try to ensure that the vulnerable in our society, our children, are protected day and night. This bill continues the evolution of working-with-children checks, which as I mentioned were introduced in 2005, commenced in 2006 and were phased in over, I think, six years.

The bill now before us seeks to amend the Working with Children Act 2005. I understand it alters the test the secretary and VCAT must apply in deciding whether to issue an applicant with a working-with-children check. I understand the check proposed is that additional criteria must be satisfied, and that is whether a reasonable person would allow his or her child to have direct contact with an applicant who was not directly supervised by another. I think that is a pretty appropriate test in the circumstances. It is sort of a common man's test which asks people whether they would feel comfortable in that situation. The second part of the test is that the applicant's engagement in any type of child-related work would not pose an unjustifiable risk to the safety of children. I think that is an appropriate additional test to be added to this legislation.

The bill makes murder a category 1 offence. It is currently category 2. The bill also removes the right to do child-related work whilst an application is being considered in certain circumstances. I understand that would deal with very rare but unusual circumstances. The bill provides the secretary with the power to revoke a card following a suspension and clarifies the application for revision of that decision and the streamlining of the administration.

In recent years there have been various decisions by VCAT which, to put it mildly, shocked me and would shock me under the new test the government is introducing — that is, the test of the common man — that being whether a reasonable person would allow their child to be taken care of in those circumstances by the applicant.

I note that in May the government put forward a story in which it indicated that under a Baillieu government plan murderers would be banned from working with

children. I think that is appropriate in the circumstances, but there was an interesting case in which the Victorian Civil and Administrative Tribunal had given a person who had molested a young man of about 16 years of age the right to work with children. In the decision the VCAT vice-president said that the man, now in his 50s:

... was depressed at the time, withdrawn and isolated, and suffering after the break-up of his first homosexual relationship.

I thought a little bit about that. I do not take depression lightly, but I considered it quite bizarre for the vice-president to be more concerned about the depression of the person and the fact that they felt withdrawn and isolated and subsequently to decide that the person, after they had molested a 16-year-old, who was I think asleep at the time, would be an appropriate person to work with children. The government has been sensible in moving to apply the test I mentioned previously — that is, would a reasonable person consider it appropriate in the circumstances or would they feel comfortable about their child being taken care of by that person? That is especially so when there is a decision such as the one I have described, before which the psychologist's report and all other matters, including the perpetrator's low self-esteem and his inner conflict about his own sexuality, were taken into account.

As the father of a young child, I would be furious if this person had had a working-with-children check and had been passed, because it is totally inappropriate to be concerned more about whether someone was suffering depression or feeling low self-esteem than to what has happened to the victim who, to be blunt, is probably suffering depression and low self-esteem after having had this act perpetrated upon them. I do not know how a decision such as that was come to by a senior legal person.

When the original bill was introduced there was a high level of resistance to it by some members of the current government, then in opposition. At the time that was rather concerning. There seemed to be an obsession with the supposed invasion of civil liberties, the administrative burden and the like. I find it terribly concerning that that became of paramount concern, more than the protection of our children. One comment on the 2005 act made in 2007, when those opposite finally supported amendments to the original act, by the Leader of The Nationals, currently the Deputy Premier, was:

We felt that passing the original act was like using a sledgehammer to crack a nut. I see that in the second-reading

speech there is reference by the Attorney-General to the fact that the department has received 100 000 applications seeking appropriate notifications under the principal act. The department, at my request, has been good enough to provide me with a series of figures, and they make interesting reading.

It might seem like a sledgehammer but, to be blunt, I would feel like using a sledgehammer on someone if they perpetrated anything like that on my children. I do not think I would be very reasonable in the circumstances. It is quite concerning that that became of higher concern that the actual protection of our children. That is especially so when one considers that the government of the time had made the working-with-children checks free for volunteers and the like but various members of The Nationals would not support the amending bill. I note that in 2007 they did support the amending bill, but in 2005 there was a hysterical and quite ridiculous response that the bill would suddenly bring the world to an end for volunteer groups. It did nothing of the sort.

The original bill was considered to be a bureaucratic burden on already stretched community and sporting groups and a classic example of legislation being made on the run. The legislation seems to be working and the working-with-children checks seem to be working very well today. The hysterical response to the bill at the time was way out of proportion with the outcome. That outcome is a better system in place for the protection of our children. The opposition obviously will not be opposing the amendments in this bill because they actually improve the act and they deal with what I consider to be some ridiculous decisions by members of VCAT and the like in relation to this.

Obviously some people have come around to the right way of thinking on this. They realise that, while there might have been some 900 000 checks up to April this year, this is a systematic way of providing as much protection as we can to our children in these circumstances to ensure as much as we can that terrible acts and crimes are not perpetrated upon them. With that short contribution, the opposition does not oppose but supports the bill. It is an appropriate revision of and addition to the 2005 act.

Ms McLEISH (Seymour) — I am very pleased to rise this evening to speak on the Working with Children Amendment Bill 2012. As members have heard, the bill strengthens the scheme for working-with-children checks that we have in place. The key reason for strengthening that scheme is to continue to enhance protection of our children from physical and sexual abuse. In addition it clarifies the application of provisions of the act and streamlines its administration. Issues have arisen that have been identified through the

Department of Justice. They are addressed by this bill, which will improve the operation of the act and also clarify a number of areas. The key point is that we need to have a robust system that the community can be confident of. We need to have that confidence in the system maintained but at the same time we do not want to have a scheme that is very imposing in its compliance requirements.

The reason I wanted to speak to this bill is twofold. As a mother, I feel very strongly about the protections that need to be in place when my child is in the care of other people, particularly in sporting organisations and at school. I was working as a CEO of a sporting organisation when the working-with-children checks were first put in place, so I have pretty good experience of how that happened and some of the issues that sporting organisations faced at the time.

One of the things that is extremely important about this legislation as a whole is ensuring that those who work with and care for our children do so with integrity. I suppose it is really an extension of the duty of care. What we see with this amending bill is a shift of the focus from being on the person who is applying for the working-with-children check to the protection of our children in their daily activities.

Members have heard that the act came into force in April 2006 and that there have been some 900 000-plus applications since that time, with just over 1000 of those having been denied. Some of those whose applications have been denied have gone on to appeal a decision and others have just drifted off. We have had five years of this system and it is important that this step is taken at this time because there have been some anomalies, which was not the intent of the initial bill.

Looking at the system that is in place for the working-with-children checks for volunteers or employees of organisations which in the main work with children, the process is that the applicant completes the paperwork, it is sent off for assessment, a decision is made and then it comes back to the organisation. Decisions are made behind the scenes. Checks are made against the list of offences. There are three categories of offences that are used on the checklist. Category 1 is the worst category. It is cut and dried and involves offences that are not acceptable and are the most serious sexual offences committed by an adult against a child, including child pornography offences. There are two pages of these offences; it is quite extraordinary that there are so many offences. Category 2 involves serious sexual offences and offences involving drugs and violent crimes that are not

necessarily against children. Category 3 offences are less serious.

The applications are assessed against the categories. There is a right of appeal, as there is in many instances. Some cases that were appealed have been the subject of headlines. In the decision-making process the secretary of the department and the Victorian Civil and Administrative Tribunal are involved. We know there have been instances where VCAT has overturned the secretary's decision. As I said earlier, this amendment bill provides a focus on child protection not on the person who is applying for a working-with-children check. The priority is very much on the welfare and interests of children.

A year or two ago one of my girlfriends spoke to me about her involvement in her son's junior football club. She was getting her head around the working-with-children check and started to trawl through the legal system to have a look at what happens to matters that are appealed. She was quite surprised to discover how many decisions were overturned. She spoke to me about them at that time. I was pleased to be able to say to her that this was something we are addressing, because the welfare of children is what is absolutely key in this instance.

There are four purposes to this bill: firstly, the bill strengthens the tests that need to be satisfied before a working-with-children check is given or maintained; secondly, the bill prevents a person who has made a category 1 or category 2 application from engaging in child-related work while his or her application for a working-with-children check is assessed — prior to this such a person could have a receipt and begin to work, but this bill will prevent this; thirdly, the bill makes murder a category 1 offence when previously it belonged in category 2 because it was not necessarily an offence against children; fourthly, the bill authorises the Secretary of the Department of Justice to revoke a working-with-children check if the holder fails to provide the secretary with requested information.

A couple of hurdles have been put in place that the secretary and VCAT will need to consider. The bill provides more guidance to the secretary and VCAT. In the chamber we have heard talk about the reasonable person test. The first hurdle is: would you allow your child to have direct, unsupervised contact with this person? That puts the focus on the welfare of the child. The second hurdle is about whether the applicant is suitable to work or volunteer for any type of child-related work, not just the type of work specified in the application; but that first hurdle has to be overcome. The bill strengthens charges, convictions

and the findings of guilt in relation to serious sexual offences, violent offences and drug offences.

I want to talk about the time I worked in sport when the working-with-children checks came in. We were quick off the mark to introduce this requirement when doing due diligence and caring for kids. I worked in women's sport, and there were lots of girls. We sent kids on camps with employees and volunteers. We paid golf professionals to come and work with us. It was due diligence on our behalf to go down that path. We did over and above what we needed to do, but those early stages were certainly not without hiccups. There was quite an administrative burden on us in those early days until everyone sorted it out and knew exactly what the process was and what we needed to do. That took a little bit of time.

One thing that is overlooked in relation to the working-with-children checks is one of the spin-offs. I remember attending a course about how to spot a paedophile at 100 metres. I found that you cannot. But when working for a sporting organisation there are things you can do which pose barriers to help minimise your organisation's exposure to paedophiles. One thing we would do was to say we were a child-friendly organisation. In every advertisement that encouraged employees and volunteers to apply, we stated that we required a working-with-children check. We were told at the time that that is a barrier. If people had been thinking of entering and becoming involved in sporting organisations for the wrong reasons, they might have thought twice about our organisation and have gone somewhere else. Being able to use it as a tool and as a barrier to help protect children in our organisation was something we very much valued.

I want to comment on a couple of other things in the amendment bill. The bill streamlines the process whereby a volunteer with a working-with-children check moves to being an employee. A volunteer can receive a working-with-children check free whereas workers need to pay. The bill puts systems in place to improve timely processing.

There has been consultation on this bill, as is to be expected from a coalition government. We consulted with the child safety commissioner, the privacy commissioner and various government departments that have an interest in this bill. I support this thoroughly. I am pleased to see that our government has brought this bill onto the program. The bill is a good initiative. The bill puts a strong focus on our children, which is where it needs to be, rather than on the applicant who can appeal a decision, and you may get somebody who may

be inappropriate to work with children, as has happened in the past.

Ms BEATTIE (Yuroke) — There is no greater trust than that involved in leaving your children in somebody else's care; that is why I am pleased to make a few remarks on the Working with Children Amendment Bill 2012. This bill comes from the Attorney-General, and it is fairly non-controversial, making relatively minor amendments to the Working with Children Act 2005. It seeks to amend the test that the Secretary of the Department of Justice and the Victorian Civil and Administrative Tribunal (VCAT) must apply in deciding whether to issue an applicant with a working-with-children check. It also amends the act to make murder a category 1 offence; it is currently a category 2 offence. We all support that. It removes the right of a person to do child-related work whilst their application is being heard in certain circumstances. It provides the secretary with the power to revoke a card following a suspension, and it clarifies the application of provisions of the act and streamlines administration — and I must say that on this side of the house we do not oppose that at all.

As I said, there is no greater trust than that involved in leaving your child with somebody else. That is why we introduced the working-with-children legislation in 2005. That was to assist in protecting children from sexual or physical harm by ensuring all those who work with or care for children have their suitability checked by a government body. The Attorney-General's second-reading speech indicates that since then over 910 000 people have applied for a card, and over 1000 have been weeded out, or have been deemed unsuitable to work with children.

This working-with-children check is different to the national police check in that those who have passed the check will be monitored for future relevant offences. At the time Labor did not want to place any financial burden on clubs, community groups, religious organisations or any group or person who gave their time freely to work with children. Of course all members of the house value volunteers. As I indicated, the community embraced the check, as evidenced by the fact that 910 000 people have applied for a card.

We must reflect on what came before the legislation, and I have to say that the Liberal Party previously attempted to stall the legislation. Liberal members did not vote against it, however, and that was a good thing. However, with The Nationals — and I remember being in the house at the time — you would have thought that the sky was going to fall in. The Nationals opposed that bill, and I think it should never be forgotten that its

members opposed it. They stated their main concern was the supposed burden on volunteers. Members who were here at the time will recall claims that the legislation would stop grandparents letting their grandchildren help on the farm and would do all sorts of other things.

None of those things has come to pass, and all members of the house accept that that bill enhanced protection. It was phased in over five years, and since that time two amending bills have further improved the safety of children and enhanced the clarity of the act.

I want to talk a little about what this bill proposes to add. It relates to tests that the Secretary of the Department of Justice and VCAT apply in assessing the suitability of an applicant. The bill adds additional criteria, including that the secretary and VCAT must be satisfied that a reasonable person would allow his or her child to have direct contact with the applicant if they were not supervised. That could be deemed a very common-sense clause. Nobody should have to leave their child with someone they are not comfortable leaving them with. The other part of that provision is that the applicant's engagement in any type of child-related work would not pose an unjustifiable risk to children. A second criterion is intended to address cases where VCAT has decided to grant the card after consideration of the purpose for which the applicant had applied. It should be noted that VCAT may not have given weight to the fact that the card is portable and, once obtained, permits the cardholder to engage in any type of child-related work.

I want to talk about another clause which could be deemed common sense, which moves murder from category 2 to category 1. Category 2 applications are those where the applicant has committed offences such as a sexual offence against an adult, a serious violent crime, such as murder and intentionally causing injury, or a serious drug offence. There is a presumption that a category 2 application will be refused a check unless the secretary is satisfied there is not an unjustifiable risk to children. Of course the applicant may appeal the decision to VCAT.

As I said, this bill moves murder from category 2 to category 1, which effectively means the secretary has no discretion at all to issue a working-with-children check. The applicant may still apply to VCAT for a review. This strengthened test, in which murder has been moved to category 1, is in response to cases where VCAT has overturned the secretary's decision. It must be noted that the newspapers have taken a great interest in this bill and other bills like it. I am sure all members of the house support this bill.

I also want to talk about the revocation of a working-with-children card. Under the legislation the secretary is able to suspend the card for up to six months when the secretary becomes aware that the cardholder has been charged with, convicted or found guilty of a serious offence. The bill provides the secretary with the instrument to revoke the working-with-children card if the suspended person fails to provide the secretary with the written information. The relevant clause will stop applicants from stalling the reassessment process.

In conclusion, this bill is a good bill. It addresses the practical and technical issues that have been raised. We do not oppose the amendments. We encourage the government to monitor and improve the scheme as required. Over the period 2005 to 2012 there were some amendments, and I am sure along the way there will need to be further amendments. Should there need to be further amendments in the future, provided that they are in the interests of child safety and they are put to the house, I am sure Labor will support them. With those few remarks I commend the bill to the house.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debate adjourned until later this day.

FORESTS AMENDMENT BILL 2012

Second reading

Debate resumed from 18 April; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Ms NEVILLE (Bellarine) — I am pleased to have the opportunity this evening to speak on the Forests Amendment Bill 2012. This is a bill that is the result of a poorly thought out and poorly executed policy by members opposite. It is a bill that those opposite may claim implements an election commitment, but even then it fails to deliver what they, or at least a member for Northern Victoria Region in the other place, announced prior to the last election.

It is a bill that changes a longstanding practice across many governments in this state, both Liberal and Labor, whereby permits have been required for collecting firewood in Victoria. It is a change that has been made for no apparent reason and without consultation or proper consideration of the impact that it will have on the environment, jobs and those communities and individuals who rely on firewood for heating. For that

reason, the opposition is moving a reasoned amendment. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words:

'this house refuses to read this bill a second time until the proposals contained in the bill have been referred to, and considered by, the Environment and Natural Resources Committee'.

That is the opposition's reasoned amendment. I hope the government will support this reasoned amendment, but if it does not, the opposition will be opposing the bill. I will come back to talk about the amendment in more detail, but I am sure that my discussion of the bill itself will make clear that further work needs to be undertaken to assess whether this is the right policy and whether these are the right changes to make to what have been longstanding arrangements in Victoria.

Last year, about eight months ago, the Minister for Environment and Climate Change — bowing, I am sure, to pressure from The Nationals — announced that the government would be scrapping the requirement to obtain a permit to collect firewood on public land. As I said previously, this flew in the face of longstanding policy here in Victoria; in fact that policy was put in place by a Liberal government back in 1958. But surprise, surprise — the minister discovered that he could not just announce to the world that firewood collection permits were no longer required. As a result of his un-thought-through announcement, for months we have had people, including commercial operators, collecting firewood — apparently illegally. The minister was so across his portfolio that he did not realise that the permit system was entrenched in a number of pieces of legislation in Victoria and that any changes would require legislative changes. Therefore we have this bill before the house.

In addition, this policy change has caused massive concern and confusion across the state. At the time of making the announcement the minister failed to point out that the removal of the permit requirement did not apply to roadsides, so we then had councils and the Municipal Association of Victoria scrambling to clarify for local communities that people still required permits to collect firewood on roadsides. The minister went into hiding at that time. Since the minister's announcement we have seen some very concerning practices across regional and rural Victoria. We have seen commercial operators from Melbourne being accused by regional residents of taking large quantities of firewood. They say those operators have basically pulled out all the existing firewood that was previously available to

people through a permit system to assist them in their heating needs during winter.

In the *Bendigo Advertiser* of 7 April, Axedale resident Jeff Wallis was quoted as saying that the new system had become ‘a disaster’ and that the government needed to revert to the permit system. He went on to say:

The merchants have made an absolute killing: free firewood by the truckload, to be sold at high prices to city customers. There’s no way locals can get any legal firewood now.

We have seen similar comments in other regional papers. The *Weekly Times* of 2 May opened with a story headed ‘Open slather as traders abuse no-permit collection’. On the same day the headline of another article in the *Weekly Times* read ‘Backfire on firewood scheme’.

The bill before the house is an attempt to at least try to fix the legal bungle of a minister who is out of touch with his portfolio and to fix the fact that we have had people collecting firewood illegally for the last eight months. What it will not fix is the fact that a free-for-all, unmonitored system will not assist those local residents who rely on firewood for heating.

I will look at the bill. As I said, the provisions were contained in a number of pieces of legislation, so the bill amends a number of acts to enable firewood in Victoria to be collected without a permit. The bill applies to the collection of firewood in state forests and those regional parks where firewood is currently allowed to be collected under the permit system.

The bill puts limits on that collection similar to those that applied under the permit system — for example, it defines two collection seasons; it establishes a process for designating those areas where firewood can be collected; it creates offences to try to prevent and manage behaviour around collection and commercial firewood collection; it sets daily limits on collection — the top limit is 16 cubic metres per year per person; and it provides that only wood that has been felled or has fallen can be collected. Certain powers rest with the secretary to vary conditions. For example, the collection of firewood could be limited to people who live in the local area.

On that basis, what is the issue the opposition has with this bill? The minister himself alludes to the problem in the system in his second-reading speech, where he says:

Previously, firewood permits typically contained information on where, and how much, firewood could be collected and under what conditions.

That means it was always clear who could get a permit — that is, not commercial operators. People had to go through a process to apply for a permit, and it was always very clear where people could collect firewood from and under what conditions et cetera. People were clear individually about what responsibilities and rights they had in relation to firewood collection.

The bill sets up a system in which it will be difficult for people who collect firewood to understand the conditions that apply to that collection. In fact, as I understand it, the conditions can change during a particular season. People collecting firewood would be required to read the *Government Gazette* or look at the Department of Sustainability and Environment (DSE) website to understand their rights and the restrictions on collection.

As I said, if the secretary decides that only locals who live in a particular area can collect wood, for whatever reason — because of supply issues, et cetera — the only way anyone will know that is when they read the *Government Gazette*. I am sure many of our constituents regularly read the *Government Gazette* and come to talk to members about the items that are contained in that gazette! *Hansard* cannot pick up the fact that I am displaying an element of scepticism about the degree to which government gazettes are read.

Not only that but the bill also relies on regular and large monitoring of firewood collection areas to ensure that only individuals who are allowed to are collecting the wood and that they are collecting the right sort of wood in the right areas and in the right quantities. We know what will happen there. Given the large funding and job cuts to DSE and Parks Victoria, the capacity to monitor firewood collection processes will be limited.

James Williams from the North Central Catchment Management Authority is reported in the *Weekly Times* of 2 May as saying that the government no longer had staff to patrol firewood collection points and that:

People are going in, we hear they’re merchants from the city, and just taking everything ... the free system was always going to be open to abuse.

In fact the DSE pretty much confirms this in the same article in the *Weekly Times*. Paul Bates, a spokesperson from DSE, is reported as saying that DSE has also heard ‘anecdotally’ of the merchant raids. I suggest that DSE has heard that anecdotally because its officers are not out there. They are unlikely to be out there, because DSE does not have the resources or the staff to provide the monitoring that would be required to ensure that the provisions of the legislation are adhered to.

How on earth does the government think it can restrict supply to local residents, which is one of the options that is flagged in the second-reading speech, without that sort of monitoring? How can rules and conditions be changed during the season — which is also flagged in the second-reading speech — without staff being out there to assist people to understand any changes, given the reality that we know people will not be looking at the *Government Gazette* regularly to see those sorts of changes.

There is still ongoing confusion about roadside collections. They will not be allowed under this legislation. However, as I said earlier, the original announcement made by the minister and the so-called election commitment — and I will come back to that — suggested that people would be able to collect from roadsides without a permit. That has never been the case, even under the previous legislation. When the minister made that announcement it was never the case that collection without a permit would apply to roadsides. The government has not taken any significant steps to try to rectify that misinformation that is out there in communities. It has left it up to councils to try to manage the issue, putting in jeopardy councils but also individuals who are unclear about the rules because they are risking fines under the current arrangements.

The other major issue is the impact this free-for-all system will have on jobs and private industry in regional and rural Victoria. Over the years we have seen farmers diversify their land use by growing trees for commercial firewood. The Northern United Farm Forestry Group, which represents these farmers, is expressing strong concerns that this policy change will undermine local business development and jobs.

The irony of this legislation and policy change is that some communities could in fact be worse off under this arrangement. In the past, decisions about how much firewood is taken have always been based on supply, which might vary region to region. That often meant that in some regions, particularly somewhere like Gippsland, larger amounts of firewood were able to be collected, given the supply. Under this legislation Gippsland residents are likely to suffer and be more limited in the amount of firewood they can collect.

Of course there are environmental concerns in relation to firewood collection, and it was those environmental concerns that drove the introduction of permits right back in 1958 — not that the Victorian environment minister really cares about that. We should call him the anti-environment minister and maybe the rubbish minister, because if people follow the environment

minister's website or media releases they will see that the only thing on which this minister seems to make a contribution is rubbish and waste management. I am not being critical of that effort, but it is the only space in which the minister claims to be advocating for environmental improvements in Victoria.

We know there are ecological impacts from firewood collection. In fact in 2009 a Melbourne University report on this issue — amongst a whole range of others — stated that 21 species of native birds are considered to be threatened by firewood collection in Australia and 19 of these species occur in Victoria. We also know how absolutely critical hollow logs are in providing a home and refuge for native animals.

This report, which was previously proudly displayed on the DSE website, mysteriously disappeared — was taken down — after the firewood policy change the minister announced last year. Surprise, surprise! The government is again trying to hide the truth and ensure that the environment is not a consideration in policy changes. That is particularly concerning when it is in relation to the environment minister.

As I stated earlier, the government will claim this is an election commitment, and I am sure that there are people lining up to say, 'This was a commitment we took to the Victorian people'. Basically it was an election commitment that was not in the environment policy because, as we know, there was no environment policy. It was announced in a media release put out by a member for Northern Victoria in the other place, the then shadow minister for country Victoria and now Minister for Housing, on 3 November 2010.

In that so-called election commitment the shadow minister said that the coalition would remove permits for firewood collection. Okay, that is what the coalition said; however, the shadow minister then went on to say in that media release that this would mean:

Unrestricted access will be permitted for the collection of firewood for household use from roadsides without the requirement to obtain authorisation from VicRoads or the local council, as is the case under Labor ...

This legislation actually does not deliver on that election commitment, which said there would be no permits required for roadside collection from either VicRoads or councils. This legislation does not change the status quo, which is that permits are required to collect firewood from roadsides. One could in fact argue that this is a failure by this government to deliver on what it claimed was an election commitment. One could say that it is a broken promise.

Let us have a further look at that media release by the then shadow minister for country Victoria, which went on to say:

The coalition's plan will make firewood available year round.

The release was very critical that the Labor policy only allowed collection during two seasons. Again this legislation does not deliver on that commitment. The coalition went to an election, saying, 'All year round, right across the state, on roadsides — it does not matter where it is — there is a free-for-all for firewood'. The government has not delivered on that — and it has not attempted to. Those opposite cannot stand up tonight and say, 'You should support this. We went to the Victorian people and this was an election commitment'. What it promised is not what it is delivering, so even assuming anyone was aware of this media release that went out at the end of the day on 3 November or 2 November — whenever it was — this was not contained in any policy document and was something that people were aware of. The government has not delivered on the commitments it made.

This whole policy is a complete debacle. It does not deliver what the coalition promised. It was announced without any consultation, without any understanding of the current laws and without any understanding of the policy's environmental and economic impact and importantly its impact on local regional and rural communities. This is why the government should support our reasoned amendment. It is a sensible amendment. It is a chance for a joint parliamentary committee to look more closely at this policy change and to look more closely at the provisions that are contained in this legislation.

Given the legal bungle, which alone raises concerns about whether this government and this minister know what they are doing in this policy area, let us have a close look at the implications of the change of this longstanding practice. Let us have a real look at the impact it might have on jobs. As I said, jobs have in the past been created through farmers diversifying their land and actually developing a commercial firewood industry. Let us have a look at what it will mean for those businesses, and as I said, at the impact on jobs.

Let us have a real look at the research and the science. I know The Nationals particularly do not like to look at science around these issues, but let us look at the issues around the environment. Let us have a look at whether this will improve access to firewood for local communities or whether it will mean that there is greater competition — more people trying to compete for a limited and scarce resource, firewood. Let us have

a real look at the level of monitoring that would be required to be provided by DSE and Parks Victoria to ensure that people follow the conditions and the rules that are set by this legislation but that are also being set from time to time by the secretary of the department.

Let the committee actually do some consultation with regional and rural communities. More and more of these communities are expressing concern that this policy is not working for them, that it is working for commercial operators from Melbourne but not working for them and not ensuring that they have got access to adequate supplies of firewood. As I said, this is a sensible amendment which will help to ensure that we can be confident that if this change were made it would be in the interests of regional and rural Victorians and in the interests of the environment. Unfortunately I am not confident that the government will support this. Its record on caring about the environment in Victoria is absolutely appalling.

Never before in Victoria have we seen a government actually take steps backwards when it comes to our environment. We know what it thinks of national parks: apparently they are paddocks for cattle! That is not what Victorians think of national parks. Victorians have consistently nominated national parks as critically important, pristine natural assets. The government has allowed firewood collection to continue in the Gunbower and Barmah national parks.

We have recently seen the dropping of the emissions target. I will digress slightly on the motion that was before the house earlier on what the government is calling the 'carbon dioxide tax'. It is ironic that the government comes into this house saying, 'We are getting rid of the emissions target' — the 20 per cent target that it voted for and that it supported while Labor was in government — on the basis that the commonwealth government is introducing a carbon price. It does that one day and the next day it comes into this house and says, 'We oppose the carbon price'. What irony! The government is using the carbon tax to justify taking absolutely zero action on climate change. It is saying, 'We do not support the carbon price, and we do not support taking action on climate change'. It is trying to con the Victorian people.

This evening I heard a number of people say, 'Where was the member for Bellarine?'. Just to remind people, the government moved that motion on budget night, from my memory, because it was so embarrassed by its budget. I recall making a significant contribution that evening on that particular motion, even though my community was keen to hear from me about what was not in the budget for them. The hypocrisy around this

emissions target and the carbon price knows no bounds. Those opposite went to the last election saying they supported a carbon price, an emissions trading scheme and an emissions reduction target for Victoria, yet they accuse the Prime Minister of not telling the truth — the irony and the hypocrisy.

I will move back to the other lot, because there is a long list of failures and lack of action by this government when it comes to the environment. Going hand in hand with reducing the emissions target, the government is moving away from a renewable energy target. Government members have blinders on when it comes to the science of what we need to do as a community to respond to changes in our climate. We have seen the cutting of energy efficiency programs. Members of The Nationals have been completely silent on this while their communities have been screaming out about the need to put protections in place around coal seam gas. We have seen nothing from those opposite, who have tried to handball it over —

Mr Bull — On a point of order, Acting Speaker, this debate is about the Forests Amendment Bill 2012, which relates to firewood, and I urge you to bring the speaker back to the content of the bill.

Ms Hennessy — On the point of order, Acting Speaker, you would be aware that as the lead speaker on this bill the shadow Minister for Environment and Climate Change is permitted flexibility in terms of what she contributes and how she contributes, and it seems to me that it is entirely appropriate for her to continue in the vein she has been following.

Mr McIntosh — On the point of order, Acting Speaker, I certainly agree with the member for Gippsland East that the lead speaker for the opposition in relation to this bill is straying well and truly away from the purpose of the bill, which is firewood collection. She had her opportunity to make a contribution on the carbon dioxide tax debate; I do not know whether she took that opportunity or not. This is a narrow debate about the Forests Amendment Bill 2012. While the member for Bellarine has latitude as a lead speaker, she should be brought back to the bill.

The ACTING SPEAKER (Mr Languiller) — Order! I do not uphold the point of order, but I ask the member to establish the links between her commentary and the bill.

Ms NEVILLE — The issue before the house is about changes to a longstanding practice that has applied in Victoria to require permits for firewood collection, and the basis of the decision to maintain that

requirement made by many governments over the years has been environmental concerns. I was making the point that this government is not concerned about the environment, as we have seen through a long list of things. I point out to the Minister for Corrections, who is at the table, that I was not speaking about the carbon tax; I was speaking about coal seam gas. Members of The Nationals are out there saying ‘Free-for-all firewood’ and ‘Free-for-all coal seam gas’. If they talked to their local communities, they would find out that these measures are not working well for these communities but are working against the interests of regional and rural Victorians.

The list goes on. The government has made new wind farms basically impossible to put in place in Victoria. We will not see new ones; there will be no new investments. I know a great new company in Geelong that has created a whisper-quiet wind turbine, but it will struggle to get business in Victoria. We have seen the cutting of the premium feed-in tariff. These are just some of the many examples — like making the decision to remove permits through this bill — that show that this government has no understanding of and no commitment to the environment in Victoria.

It is the first Liberal-Nationals Victorian government to have walked away from the environment, to take backward steps when it comes to the environment. This will get worse when we see the massive cuts, both in staff numbers and in funding, to the Department of Sustainability and Environment and to Parks Victoria take effect. Those opposite should hang their heads in shame over this record.

The only time we see the environment minister — or the anti-environment minister — is when he talks about waste management, because he cannot talk about anything else with credibility. He is taking us backwards when it comes to the environment. Let us see if the minister and the Liberal Party stand up on this bill — stand up to the unresearched policies and unscientific views of those in The Nationals and agree to a proper investigation into this legislation and what it means for jobs, for the environment and for the members of rural and regional communities who rely on firewood for heating.

I hope the government supports the reasoned amendment before the house, that it rejects the poorly thought out debacle of a policy that has resulted in the bill before the house and that it actually stands up for the environment for once. Let us look at these issues properly and give rural and regional Victorians a real chance to have a say in how firewood is best collected and distributed in their communities.

Mr BULL (Gippsland East) — It is with great pleasure that I rise to speak on the Forests Amendment Bill 2012. Open fires are a way of life in many country towns and for many country families. Many of us grew up being educated on life by our parents and grandparents while surrounded by our siblings around an open fire. I can remember sitting in front of an open fire while being educated by my great-grandfather with his life experiences. More importantly, for many years and in many areas solid fuel has been vital for heating and cooking. Whilst in a number of places, and in particular in urban locations, the open fire is not as popular as it once was, it is still a much-used source of energy and warmth in a number of rural and remote communities throughout the length and breadth of our great state.

The government has committed to making domestic firewood collection on public land more affordable for families by abolishing the need to obtain a firewood collection permit. It has been well documented that many families are facing tough economic times. The abolition of the need to pay — and to travel to pay — for a firewood collection permit has been much welcomed. Contrary to the views of the previous speaker, this move has been well received and supported within my electorate and my community of Gippsland East. It certainly has not caused the massive confusion that has been suggested; it has been a very streamlined and straightforward process.

The need to obtain a permit to collect firewood was previously very costly and in the vast majority of cases extremely inconvenient for those wanting to do so. I will touch on that shortly. Families were being charged to collect a resource that they had been able to source freely for many decades. The permit system was exceptionally inconvenient. When rural householders needed to get a load of firewood to cook their food or warm their family at night, they were faced with this predicament of having to drive often very long distances to firstly purchase a permit and then perhaps drive back past their home or their place of residence to go to their firewood collection area and carry out their firewood collection. The system was burdened with a lot of unnecessary red tape.

The situation in a lot of rural and regional areas of Victoria is that many property owners are able to source firewood to meet their requirements from their own land. Many people in rural and remote communities own acreages where there is ample firewood, but that is not the case in all situations. There are also many people who live within townships in rural and regional areas or who have very small acreage lots who need to collect their firewood from public land. This new,

streamlined process will allow people to simply go and collect a load of wood straight from their closest or favourite collection area and will remove the travel component, which was costly, inappropriate and ineffective.

Previously when you picked up your firewood collection permit it would include information that related to the various conditions of that permit, such as where you could go, how much you could collect and what conditions applied at any one point in time. Now that the permits have been removed, the details of collection will be dealt with in a very straightforward manner. There are clearly defined rules and regulations that are precise and easy for firewood collectors to understand. The bill will also designate firewood collection areas, and the new areas put in place in my electorate of Gippsland East, which I would suggest is the biggest firewood collection area in the state of Victoria, have proved very appropriate and will certainly meet the needs of my community.

The bill imposes limits on the amount of firewood that can be collected, but the limits that have been put in place are appropriate for the average household. They allow for a personal collection of 2 cubic metres per person per day and 16 cubic metres per household per financial year. Importantly, it also allows for a person who cannot collect firewood themselves to nominate another person to collect wood on their behalf. This is critically important in an area like Gippsland East, where we have a large retiree population and a number of service clubs that go and collect firewood on behalf of local people. A number of people rely on their friends and neighbours to collect firewood on their behalf.

Such a system requires various checks and balances, and these new guidelines strike an appropriate balance by introducing a much simpler and more affordable system while ensuring that there are strong deterrents to illegal commercial operations. To achieve this, the bill creates a series of offences with appropriate penalties. Previously most of the offences had to be dealt with through the courts, which was not seen as ideal. The bill creates several new offences that can be handled through the issuing of infringement notices, which I think is a much more acceptable course of action. It provides compliance tools that will encourage adherence to the collection rules but also allow flexibility so that a more serious case can be taken to court, should that eventuality arise. The offences relate to firewood collection outside of a collection area, outside of a collection season or in excess of the limits that have been put in place.

The bill reflects the government's commitment to removing the need for domestic permits and creates a simpler and more affordable system — there is absolutely no doubt about that. I know that in my electorate of Gippsland East the move to a non-permit system has been well received. It is far less cumbersome and much more workable and convenient than the permit system. It also removes the unnecessary financial burden on rural families that rely on solid-fuel heating and cooking of having to travel to get a permit and then travel back again — that is, the financial burden of paying for a permit system that was forced on them. This is another step by this government to reduce red tape that might make life simpler and easier.

Before I finish I would like to pick up on some of the comments made by the previous speaker about this government having a poor environmental record. I think the comment was made that we believe national parks are there for grazing cattle. This government, in its short term so far, has a very strong environmental record when it comes to national parks. We inherited a system that had suffered due to the previous government being happy to let wild dogs run riot right through national parks, encroach on properties and rip the bellies out of sheep. That government did absolutely nothing about the issue, to the point where the previous minister came to a public meeting in Bairnsdale and was famously quoted on the front page of our paper as saying, 'We're not doing anything about it; they're not our dogs'. This is a government that has taken firm action on the wild dog problem and has also introduced a fox bounty. We are serious about getting rid of vermin — —

An honourable member interjected.

Mr BULL — I take up the interjection. I am commenting on our environmental record, which was raised by the opening speaker. We have also invested \$10 million in the Gippsland Lakes, which is a far bigger investment than the previous government made, yet those opposite sit there and question our environmental record. That is an absolute joke.

This is a common-sense bill. It has been very well received in my electorate. It removes the burden of people having to travel to get a permit. It is a much more streamlined and a much fairer process. I have no hesitation in commending the bill to the house and wishing it a speedy passage.

Ms DUNCAN (Macedon) — It gives me great pleasure to follow the member for Gippsland East in speaking on the Forests Amendment Bill 2012. I will try to make my contribution with a straight face,

because the member made his with a straight face. I would like to take up a couple of points raised by the member for Gippsland East, who, sadly, has left the chamber and is not going to hear my response.

Mr Nardella interjected.

Ms DUNCAN — That is right; he is not going to hear my scathing response to his contribution. There are a couple of points I would like to make in response to his contribution. One of them is the suggestion that this free-for-all is actually about making the collection of firewood more affordable. I live in a rural area; the only heating I have in my home is a Coonara wood heater, and I love it. We love collecting firewood. We are on 10 acres. We can collect a fair bit of firewood on our own property. However, the cost of a permit to get firewood was the cheapest aspect of collecting it. Chainsaws, chainsaw maintenance, petrol and trailers — and learning how to back the damn thing! — all of these things are far more onerous. The least expensive aspect of it all was actually collecting a permit, which I think varied in price from \$20 to \$40, or something of that order. So it is actually a nonsense to suggest that this legislation is about saving people money.

The other point I would like to make is about access. The member for Gippsland East suggested that there had been free access for many years, going back decades. There has not been free access for the last 54 years. I am not sure how many people who are 80-odd years of age would be capable of going out to a forest today and cutting up firewood. It has been many years since anyone has been able to collect firewood without first obtaining a permit.

The member also talked about a streamlined process. There is no process. It is not streamlined. It has just been completely abolished. There is no process whatsoever. I noticed that the member talked about how in the old days — like about six months or six weeks ago when you did require a permit — that you were given information about where to go and information about the safe use of chainsaws, about what to do and what not to do. There was some useful information as part of that. I am not sure — maybe I missed it — whether the member indicated where that information will now be found. We know where people need to go to get that information. Let us hope the *Government Gazette* becomes a bestseller in rural areas because, as I understand it, that is the only place that people will have access to that information about where they can go to collect firewood.

My other point is about the amount of wood you can take. I do not have any qualms with 16 cubic metres a year, but I suspect that some people will have some issues with 2 cubic metres a day. On a good day, people who have a good trailer and a decent chainsaw will go out, find their spot and they will have all of this beautiful wood to collect, and 2 cubic metres is not a lot. Most people will try to collect their whole year's firewood in a couple of days. One of the hardest things about collecting firewood is finding a good firewood collection day. It has to be dry, but not too dry. That will not be warmly greeted despite what the member said.

I was part of a working group about six to eight years ago under a previous government. We were looking at firewood collection in the box-ironbark forests. It was a very interesting reference and we learnt a lot. Part of what we learnt was how much people collected and where they collected from. We got that information through the permit system. Putting aside the other benefits the permit system provides — and it is a little bit of a balance and a little bit of a prevention of a free-for-all — the permit system also provided some very good data for governments to determine future firewood policies. We relied on that data quite significantly in helping us to determine the policies that would be implemented in those forests in the northern parts of Victoria. It will be a loss of a source of information as well as allowing this free-for-all.

You need a permit to catch a fish, so to suggest that you should not require a permit to go into a forest, into a designated area, and take a certain amount of timber from certain areas is just mind blowing. I fail to understand how government members could think this is a good thing. When this proposal was first announced by the minister, despite what other members have said and what the member for Gippsland East said, there was some serious disappointment among people in our area. According to locals one of the best ways to access firewood is roadside collection. It is right there, in your face, and you do not even have to drive to the state forest.

Again, just to pick up on the shadow minister's contribution, this is not even meeting the election commitments of this government. It is taking a little bit out. I thought the government's election commitment was ridiculous. For the most part in my area what people were wanting to see was not a free-for-all, because people do not mind getting permits. What they want to be able to do is collect firewood from state forests around our area. In our area most of the commercial logging was stopped as a result of the Our Forests, Our Future policy under the previous

government. When we applied a little bit of science to the logging operations in our area in one instance, in the Wombat State Forest, they were exceeding the sustainable yield figure by 80 per cent. So the yields were cut by 80 per cent in the Wombat State Forest. There is no commercial logging — not on any scale — going on in the Wombat State Forest. Similarly, there has not been commercial logging in the Cobaw Forest for some years. These are the areas where people were wanting access for firewood collection, and I am not sure this bill delivers that either.

To conclude, we have already heard that Department of Sustainability and Environment staff have been cut and offices have been closed, so there will be no monitoring of this system, which is pretty much a free-for-all anyway. We know that locals who rely on firewood collection for their heating, and as I have said I am one of those, hate to see commercial firewood collectors coming up from the city and taking great swathes of wood.

It is like recreational fishermen watching commercial fishermen coming into, for example, the Gippsland Lakes with great nets. When we did an inquiry there some years ago the recreational fishermen said, 'You may as well go home for a week', because it would take that long once the commercial fishermen had been through the place before they saw another fish. That is why I think it is important and I support the reasoned amendment moved by the shadow Minister for Environment and Climate Change, the member for Bellarine, that this legislation be referred to the Environment and Natural Resources Committee, of which I happen to be a proud member and have been for 12 years. I would be very pleased for our committee to look at this reference and to look at all of the implications of this bill.

It would be very nice to throw a bit of science into the mix here, which is something I know this new government is not too keen on. It says, 'Let us not let the science stand in the way of a piece of legislation — —

Ms Hennessy interjected.

Ms DUNCAN — That is right. I can only assume that members of The Nationals have been lobbying; the bill reads like a Nationals sort of bill. The people in my area are not looking for a free-for-all; they do not mind regulation when they understand what it is about and if they think the permit system is not too onerous. I grant that there are some processes that improvements might be made to, but this is not the way to go about it. You do not remove the permit system completely. There is a

big difference between removing it and improving it, and what this government has done is to give open slather access to our forests with no concern at all about environmental protection.

This is not the way to go about making firewood accessible, because there will be no firewood left. This is not about maintaining supplies or making supply sustainable; it is just about pandering to some sectional interests. It is not the way to go about it, and I support the reasoned amendment moved by the shadow minister.

Mr KATOS (South Barwon) — I am very pleased to rise this evening to make a contribution on the Forests Amendment Bill 2012. The bill seeks to create a legislative framework where firewood collection is enabled for individuals so they can collect firewood for domestic purposes without the need for a permit. Under the old system you had to buy a permit and pay a fee, which gave you the right to take wood from a certain area within the state. You could buy permits around the state; you were not restricted to buying a permit in one area. If you lived in the Western District of Victoria, you could buy a permit in that area, but you could also buy a permit to harvest firewood up north. You could buy multiple permits.

Previous speakers have raised issues around lack of data. Basically the only data that was collected was about where people bought permits. There was no return filled in to say that on such and such a date, for example, I was in the Otways region and I collected 2 cubic metres of firewood from such and such an area. There were no returns, so there was no data coming in to show where and when firewood was being collected. The only thing that was judged was how many permits were being issued. That does not necessarily mean that each permit-holder took their wood from that area or took their full legal entitlement.

A point was raised earlier about the *Government Gazette* and changes made. The shadow minister said that not many people read the *Government Gazette*, and I would have to agree with her about that. I do not know that too many people read the gazette for leisure. But if an alteration was made to an area, and, for example, there was a change saying it was only for local collection, appropriate signage would be put in place. Information would be posted on the Department of Sustainability and Environment's website, and you could also gain information from your local DSE office. So there would be options for getting information other than from the *Government Gazette* if changes were made under the regulations.

This is important legislation for country Victorians. In Melbourne, and in my electorate of South Barwon in the Geelong region, we have a cheap and reliable source of heating in the form of natural gas; however, in certain areas of country Victoria there is no natural gas. The coalition government is certainly committed to extending natural gas to more parts of regional Victoria through the Regional Growth Fund, but there are currently parts of the state where the local populace depend on firewood collection as its primary source of heating. As the member for Macedon pointed out in her contribution, that is how she heats her home.

Basically the bill abolishes the requirement to have a permit to collect firewood. It prescribes two seasons: an autumn season and a spring season. This is logical given that the winter is quite wet and in summer there is a fire risk involved in putting vehicles and equipment into firewood collection areas. The bill establishes a process for designating firewood collection areas in state forests and regional parks where that collection is currently allowed. There are also rules in place around when firewood may be collected, how much may be collected and who can collect it.

A series of offences is created to act as a deterrent to non-adherence to the provisions of the bill. These will encourage appropriate collecting behaviour and deter the illegal collection of firewood. The bill applies only to domestic use; under this system the commercial collection of firewood is simply not permitted. Any firewood collected is for personal use and cannot be onsold. In the same way that an amateur fisherman who catches his 20 whiting per day can use them for his personal consumption but cannot onsell them, there is a similar principle with this bill. It provides a set of checks and balances to ensure that there is a sustainable collection of firewood into the future.

The bill provides for one person to nominate another person to collect firewood on their behalf. I believe it was the member of Macedon who raised the point that with the permit system if you were an elderly person, you may not be able to get out and collect firewood, even if you could purchase a permit. Under this system you can nominate someone to collect firewood on your behalf — for example, if a person is too old to go out and collect their own wood but has a son or daughter who is capable of doing it for them, then that person can be nominated to collect wood on their behalf. That is a sensible proposal because in areas where firewood is a primary source of heating we do not want to make it difficult for a person who, because of their age, is no longer capable of collecting firewood on their own.

Under the rules of the scheme firewood can be collected from designated areas and, as I said, there are seasons. It can only be fallen or felled timber, so there is no cutting down of any living or even dead trees or shrubs. Wood that is hollowed and has moss or fungi growing on it, which could be habitat for native animals, is not permitted to be taken, even if it is lying on the ground, and collection is only for domestic use. People will be allowed to collect 2 cubic metres per day and a maximum of 16 cubic metres per financial year per household. I remember that 16 cubic metres is quite a substantial amount. I remember that the tip truck I used in my former work in the fish trade held 6 cubic metres, and if you had two and a half of those, you would have a substantial volume of wood, which would certainly be adequate to heat the average home.

From 1 March to 30 June is the autumn season. The spring season is from 1 September to 30 November. These seasons are sensible; people will not be collecting wood in the heat, during times of fire risk or in the mud and rain. As I said, 2 cubic metres of wood may be collected per day and 16 cubic metres per financial year. There will also be designated areas for collection. There will be power within the regulations to designate an area for local use only. There may be people living an area that does not have access to natural gas, and the designated local firewood collection area would be their primary source of fuel for heating. It would be illogical to have people from Melbourne coming up and taking 2 cubic metres of firewood per day, depriving locals of what is essentially their only source of heating.

This scheme will apply to state forests under the Forests Act 1958 and to two regional parks under the Crown Land (Reserves) Act 1978, one of those being the Shepparton Regional Park. The scheme will also apply to several other parks reserved under the Crown Land (Reserves) Act to which particular provisions of the Forests Act apply. These include the Cobboboonee and Otway forest parks and part of the Kurth Kiln Regional Park. My electorate of South Barwon is on the eastern flank of the Otway Forest Park. It is an area where firewood can be collected.

This is sensible legislation; it reduces red tape by eliminating the need for people to go and purchase permits. There are defined rules and checks and balances provided within the bill. There are deterrents against inappropriate behaviour, which will encourage proper firewood collection practices. I commend the bill to the house.

Ms EDWARDS (Bendigo West) — I too would like to make a contribution on the Forests Amendment Bill

2012. Firstly, I would like to point out that Labor is opposing the bill in its current format and that the shadow Minister for Environment and Climate Change has proposed that the bill be referred to the Environment and Natural Resources Committee for further consideration. The reason that Labor has requested this amendment is that this issue has become a significant one, and any changes to this legislation with regard to the collection of firewood and the abolition of permits requires careful consideration before this legislation is rammed through the Parliament without regard to how these measures will impact on the environment, how the proposed changes will be monitored and policed and how the legislation will impact on private wood growers — that is, the farmers who have diversified to incorporate growing trees specifically for firewood and now find themselves being undercut by a free-for-all, taxpayer-funded, government-sanctioned wood collection fiasco.

In order that the member for Gippsland East does not think he has a monopoly on knowing the importance of firewood to families, I would like to add that I also grew up in a family that relied on firewood collection for heating and cooking in our fireplace in the lounge room and on my mother's old wood stove. I recall that, along with my father, uncles and many cousins, I spent many weekends collecting firewood in the bush with permits purchased by my uncles and my father. Of course back in those days they used axes to chop the firewood, not chainsaws.

My father and uncles had permits to collect firewood, and they knew exactly where they could collect it from and how much they could collect. Year after year they would obtain their permits and abide by the requirements of those permits.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Trafalgar Victory Football Club: funding

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for Sport and Recreation, and the action I seek is for him to provide funding for the Trafalgar Victory Football Club via the Strengthening the World Game program application submitted by the Baw Baw Shire Council. Trafalgar Victory Football Club has a proven track record when it comes to raising awareness regarding the need for new soccer grounds

and facilities in its community. When it came to the construction of the new soccer grounds, the club played an important role in securing the necessary funding from the Baw Baw Shire Council and the state government. The outcome was as a result of considerable work from a number of organisations such as the Trafalgar Community Development Association, the Trafalgar Recreation Precinct Committee and the Baw Baw Shire Council, working very closely with the Trafalgar Victory Football Club.

It was an honour for me to represent the minister at the official opening of the two soccer grounds in February this year. In 2012 club membership has grown to some 150-plus members, many of whom are junior aged and will benefit from the new grounds for many years to come.

The no. 1 issue for the club at the moment is the provision of suitable changing rooms and canteen facilities. This is an important next stage in adding to the significant investment made by the Baw Baw Shire Council and the state government in this recreation reserve. Whilst the Trafalgar Football Netball Club has been extremely accommodating in sharing changing rooms and providing storage, this is not a sustainable nor permanent arrangement. The Baw Baw Shire Council has, on behalf of Trafalgar Victory FC, applied to the Victorian state government for approximately \$100 000 for the purchase and installation of portable amenities to service the two fields. This project will provide a canteen, a shelter, a medical room, changing rooms, referee amenities, storage and a multipurpose area. Clearly the club desperately needs some basic facilities such as changing rooms and a canteen.

It is essential for the long-term future of Trafalgar Victory FC that it gain funding via this program. This is the third time the shire has applied for this funding, and it would be bitterly disappointing for all involved if the application were not successful this time. The hard work, commitment and determination of the office-bearers of the club — president Mark Judd, vice-president Greg Wyatt, secretary Jenny Moss and treasurer Peta Mathews — has underpinned the great success of this club. They have had tremendous support from the Trafalgar community and the Baw Baw shire. I urge the minister to reward their dedication by providing funding for the infrastructure as a necessary next step in the redevelopment of this fantastic facility.

Consumer affairs: babies sleeping bags

Mr HERBERT (Eltham) — I wish to raise an issue for the Minister for Consumer Affairs. The action I seek is for the minister to provide immediate and

unambiguous advice to consumers on the safety of babies sleeping bags with hoods. Many young families live in Eltham, and I have recently noticed quite a number of babies sleeping bags with hoods available for purchase in the area. I was concerned that these products may not be safe and was surprised and horrified to find no clear answer from the authorities. Whilst the website of Product Safety Australia, a branch of the ACCC (Australian Competition and Consumer Commission), advises parents to use a safe infant sleeping bag, no information on what constitutes a safe infant sleeping bag is provided.

Further, the publication *Keeping Baby Safe — A Guide to Infant and Nursery Products*, which is a joint publication between the ACCC and Consumer Affairs Victoria, makes no mention of sleeping bags at all. This flies in the face of clear advice from SIDS and Kids to the effect that a safe sleeping bag is one that has a fitted neck and armholes and no hood. The organisation specifically advises that covering a baby's head or face increases the risk of sudden infant death.

Busy mums and dads cannot be expected to go trawling through every stakeholder's website to find reliable advice on product safety. But when it comes to young babies, product safety is absolutely crucial. It is quite outrageous that evidence of the dangers of hoods is clearly available on one site but not on the sites of governments at both levels. I have recently written to the Parliamentary Secretary assisting the Treasurer on competition and consumer policy at the federal level asking him to advise on the ACCC's position on babies sleeping bags with hoods as a matter of urgency and to take steps to educate parents and other caregivers accordingly. However, I do not believe that Consumer Affairs Victoria, as the state agency with responsibility for product safety issues, should be sitting on its hands on this issue either.

Friday, 29 June, is Red Nose Day in Victoria. This is a day of fundraising for SIDS and Kids, but it is also a day for raising awareness of the risks of sudden infant death syndrome. I call on the minister to take this opportunity to provide clear advice to parents on the safety of babies sleeping bags with hoods. It could be that we need to see better investigation of this issue, it could be that we need warnings on labels, it may be a case of providing advice to unsuspecting retailers who are unaware of what they are stocking. There is a whole range of actions which the minister is capable of taking, and I ask him to act as quickly as he can to rectify the situation so that parents of very young children have clear and unambiguous advice about the sorts of sleeping bags that are safe for their children.

Wangaratta Festival of Jazz and Blues: funding

Mr McCURDY (Murray Valley) — I wish to raise a matter for the Minister for Tourism and Major Events. The action I seek is that the minister support the Murray Valley electorate by providing funds to support the 2012 Wangaratta Festival of Jazz and Blues, which will be held this year from 2 to 5 November.

The Wangaratta Festival of Jazz and Blues features an extensive jazz program including performances by Australian and international artists. The venues are various locations in and around Wangaratta. The festival is held annually over the Melbourne Cup weekend and incorporates the National Jazz Awards and youth workshops. Australia's most prestigious jazz instrumental competition, the National Jazz Awards, will put the spotlight on Australia's leading young jazz singers this year. Vocalists up to the age of 35 will be vying for a spot in the final 10, who will compete at this year's Wangaratta jazz festival. In addition to cash prizes, the winners will be invited to record in the ABC studios for ABC Classic FM's *Jazztrack with Mal Stanley* and to perform at the 2013 Stonnington Jazz festival.

The National Jazz Awards have been an integral part of Australia's premier jazz festival since the festival began in 1990. This year will be the first time that vocals have been featured since 2005, when the first prize was awarded to Elana Stone. The finals will be on the Sunday afternoon, 4 November, and will be broadcast live nationally. Organisers estimated that the 2011 festival attracted 20 000 people. This included those attending the free events on Reid Street. More than 4000 tickets were sold to the ticketed events, and of these 3150 were purchased online and hence were representative of the broad spectrum of people who attend from around the country.

The Wangaratta festival of jazz celebrated its 21st birthday in 2010. Just as the festival has grown in that time, the residents of Wangaratta have grown up with this event as well. The event brings out the best in the people of my electorate, with over 500 people working as volunteers on this weekend. It is a great weekend for Wangaratta. It is also a very worthwhile event in that it creates a wonderful sense of pride among these people and brings in people from all over the country who wine and dine, eat and sleep and certainly enjoy themselves in Wangaratta, then go home to share their positive experience with others.

The festival is in good hands, with Max White appointed chairperson earlier this year and long-time artistic director Adrian Jackson at the helm. I seek the

minister's support so that the 2012 Wangaratta Festival of Jazz and Blues can be a major success.

Ambulance services: response times

Ms DUNCAN (Macedon) — The matter I wish to raise is for the attention of the Minister for Health, and the action I am seeking from the minister is for him to ensure that response times for ambulance services, particularly in regional areas, are improved so that at the very least they are able to meet their targets.

A recent case in Macedon highlights the increasing problems for ambulance services across the state. We had a situation where a heart transplant recipient waited almost 2 hours for emergency help. As it involved a heart transplant recipient this call should have been treated as a code 1 emergency with the ambulance arriving within 15 minutes. When a second call was made it was revealed, as the operator at the time said, that they had no staff available. This is completely unacceptable. Not only does it put lives at risk — as it did in this case — but it also puts the paramedics under enormous stress in what is already a very stressful job.

Our paramedics are incredibly skilled and deserve to be supported by the government. We know they do procedures on the sides of roads that doctors, nurses and other health-care professionals do in operating theatres with lights and all sorts of other things. Ambulance personnel are doing this work in often very difficult physical circumstances.

The Baillieu government came to office promising to fix the problems. What we are seeing instead is the government lowering the benchmark for ambulance response times in regional Victoria. The government has failed its 90 per cent target for responding within 15 minutes to code 1 incidents in areas with a population of more than 7500 people. Recent figures show that ambulances achieved this benchmark in just 79.8 per cent of cases, down on the 82.8 per cent mark that was achieved in 2010–11. We have seen average response times continue to grow in rural areas. We know that cardiac arrest patients in rural and regional areas, for example, have a lower survival rate than those in metropolitan regions.

Far from this government fixing the problems, things seem to be getting worse. Of course recent cuts to ambulance services do not help, nor do measures that include reducing access to overtime, not replacing staff who are on leave and cutting expenditure to Ambulance Victoria. Reducing the number of mobile intensive care ambulance paramedics operating in rural Victoria is also not helping and is reducing the level of

professionalism that the service can provide. While many welcome the cut in the cost of a subscription to Ambulance Victoria, this measure will increase membership, which will in turn increase demand, as will our ageing and increasing population, more people living at home — —

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

Libraries: Ashburton project

Mr WATT (Burwood) — My adjournment matter is for the Minister for Local Government as the minister responsible for the Living Libraries Infrastructure program. The Victorian government is investing \$17.2 million in the Living Libraries Infrastructure program, which will deliver new or upgraded library facilities throughout the state over the next four years.

The action I seek is that the minister consider providing funding towards a new initiative in my electorate of Burwood — the Ashburton library and learning centre project currently being undertaken by Boroondara City Council, which has applied for supplementary funding from the Living Libraries Infrastructure program. The Ashburton library is a key community facility in the Burwood electorate, and its benefits are experienced both within Boroondara as well as across municipal boundaries into the cities of Monash, Stonnington and Whitehorse and the areas of Alamein, Ashburton, Ashwood, Bennettswood, Box Hill South, Burwood, Camberwell, Chadstone, Glen Iris, Hartwell, Holmesglen, Jordanville, Solway, Surrey Hills and Wattle Park.

The Ashburton library and learning centre project addresses the local catchment's need for a larger, intergenerational library facility that tackles the spatial and program demands of an increasing number and wider range of library users in a catchment characterised by a large population of older adults as well as a significant range of young people; technologically advanced library facilities and services to provide the community with adequate access to ICT; appropriate infrastructure to manage the changing nature of library usage; and increased public spaces for informal networking and formal community engagement that supports social connection. This is particularly important in the Ashburton community, which is characterised by a large proportion of public housing accommodation as well as an ageing and increasingly isolated demographic.

While the Ashburton library is a valued community hub for Ashburton that is ideally located in the heart of the

shopping strip with a clearly defined street presence and good public transport access, the facility has insufficient space to effectively accommodate the growing and changing population. Space limitations have resulted in congested and crowded floor areas and shelving layout, lack of storage space and cramped staff workstations that do not meet WorkSafe Victoria requirements. The facility's disability access is not compliant with current commonwealth Disability Discrimination Act 1992 standards, including poor accessibility through doorways and substandard aisle space.

The current library holds a special place in the hearts of Ashburton community members, with both the main library space and the Copland Room used by many community groups. In recent times I have attended council meetings and a book launch about the life of a local resident. One of the more interesting events at the library was the Surtarang 2011 national singing talent hunt, organised by Sangam Kala Group Australia — an event best described to me as auditions for *Indian Idol*.

The council has identified approximately 96 potential groups that could make use of the improved library facilities. These groups range from the local Bangladesh cultural group to the Warbirds Aviation Modelling Group. A more eclectic group of organisations you could not find anywhere outside the Burwood electorate, and that is what makes it such an interesting place for people to live and grow as a community.

Students: education conveyance allowance

Ms GREEN (Yan Yean) — Tonight I wish to raise a matter for the attention of the Minister for Public Transport, and the action I seek is for him to reassure schools and families in the Yan Yean electorate, especially in the Doreen, Mernda and Whittlesea catchments, that they will not be impacted upon by the proposed conveyance allowance cuts indicated in this year's budget.

The principal of Acacia College wrote a letter to me. It states:

Figures in budget paper 3, service delivery, page 116, show that 36 635 students in non-government schools received the allowance in 2009–10 ...

He says the target number of students for this year has been reduced, with 5635 students fewer being funded than were funded in 2009–10. It seems that at this stage of the year both non-government and government schools in my electorate are completely at a loss to understand what this is going to mean for them. For

students attending government schools in Doreen — and I have spoken many times in this place about students in Mernda and Doreen — this government refuses to build a much-needed secondary college in that area, so students are attending their nearest government secondary college at Whittlesea.

A couple of weeks ago Whittlesea Secondary College students were horrified when they were told by the college that from the day after the Queen's Birthday weekend they would have to pay for a bus service they had been using free for many years. The biggest problem was that the conveyance allowance applications closed at the end of first term. At the very least if parents wanted to get a concession card for students, they would have to raise the money to buy a concession card and then get the Metcard fee reduction. That is the issue for Whittlesea Secondary College students.

Acacia College and Plenty Valley Christian College, being non-government schools in Mernda and Doreen, are also extremely concerned because 80 per cent of their students access the conveyance allowance. In the case of Acacia College, the permit for that school to be built was issued by the City of Whittlesea on the proviso that no students would walk to that school because it is so far from a bus route. At the same time, since the South Morang train station opened we have had recent cutbacks to bus routes in the area. The government is trialling a new public 4020 bus route during peak hour and has advised local schools that it has no obligation to get students to school. We have an appalling situation: no new school and cutbacks to the conveyance allowance. Students and schools need an answer. I ask that the minister act.

Kilsyth electorate: community safety grants

Mr HODGETT (Kilsyth) — I rise today to call on the Minister for Crime Prevention to visit my electorate of Kilsyth to see firsthand some of the locally based crime prevention initiatives funded through the coalition government's Community Safety Fund grants. Since they were established by the Baillieu government, the Community Safety Fund grants have been hugely successful in promoting local crime prevention strategies in communities. In round 1 of the grants announced last year 155 projects received funding. Projects included additional lighting, fencing and education and awareness programs. The Baillieu government recognises that local communities are best placed to identify and prioritise crime and safety issues and through the Community Safety Fund grants has committed to supporting them to do so.

In my electorate Montrose Scout Hall received \$9715 to install entrance lighting and a rear security door. These security upgrades will help prevent break-ins and promote participation in community activities. Also in Montrose, the Church of Christ received funding of \$4700 for the installation of four motion sensor lights and an upgrade to existing external entry lights to improve the safety and security of the church. Both these projects are excellent examples of local community groups identifying local issues.

The Community Safety Fund grants are part of the coalition government's four-year \$39 million community crime prevention program, which supports community action on crime prevention to help make communities across Victoria safer. I commend the Baillieu government on its commitment to improving community safety across the state. I have heard very positive feedback about the Community Safety Fund projects that have been funded so far.

Our local police do a fantastic job, and the beauty of these projects is they involve all of the community in crime prevention. Across Victoria, schools, sporting clubs and community groups have all received grants under the Community Safety Fund program. This shares the responsibility for crime prevention and helps to promote a safe, secure and community-minded environment.

The Minister for Crime Prevention will be impressed with the crime prevention projects and initiatives undertaken by local communities in my electorate. I again call on the minister to visit my electorate of Kilsyth, and I look forward to showing him the projects, particularly in Montrose, that have been successfully funded through the Community Safety Fund grants.

Melbourne Water: Essendon electorate constituents

Mr MADDEN (Essendon) — My request tonight is that the Minister for Water correct what would appear to be policy inconsistencies between water authorities for which he is responsible. I understand that a Mr Alexopoulos and his son George have made an application to build a garage over a sewer easement on their property at 34 Wallace Crescent, Strathmore. Initially their application was made to City West Water as it was not completely clear which water authority had jurisdiction over the property. The property sits on the boundary of two water authorities, Melbourne Water and City West Water. Mr Alexopoulos was given the okay by City West Water to locate a garage on the property, only to have the clearance revoked by

Melbourne Water when it was determined that the property sits within Melbourne Water's authority.

Whilst I understand that Melbourne Water does not mind the idea of a carport being built, it refuses to allow a garage to be built on the property because it has determined that its officers must have access to a manhole at the rear of the property, at the end of the easement. Mr Alexopoulos is prepared to offer to build a garage with through access and a demountable-style roof, but that that is not acceptable to Melbourne Water. This leaves Mr Alexopoulos and his son George in a position where they are unable to build a much-needed garage, although City West Water would have allowed such a garage to be built unencumbered.

This seems to be a stubborn, pigheaded approach by Melbourne Water which is directly contradictory to the approach of City West Water. This is an issue on which the minister needs to direct the relevant water authorities under his control that they should implement a consistent policy in such a situation. I ask the Minister for Water to investigate this matter and the policy consistencies and to direct the authorities for which he is responsible accordingly and appropriately.

Astor Theatre: future

Mr NEWTON-BROWN (Prahran) — My adjournment matter is directed to the attention of the Premier as the Minister for the Arts. The action I seek is that he provide support for the negotiations occurring between the owner of the Astor Theatre building and the cinema operator tenant of the building. The Astor Theatre holds a special place in Melbourne's heart. It is a magnificent building. Its Art Deco facade is a local icon and the interior features are quite simply magnificent. The resident cat, Marzipan, is known for snuggling up on the lap of one lucky patron each session. It really is a much-loved institution. The theatre is quintessentially inner Melbourne. Which Melburnian has not at some stage in their life lived in a share house with an Astor program taped to the back of the toilet door? The Astor is the last fully operational link to another era. We have lost the Valhalla Cinema, we have lost the Carlton Moviehouse and now the future of the Astor is uncertain. Its current lease runs out in 2014.

I have met with the owner of the building, St Michael's Grammar School. I have spoken with the principal, who has engaged a consultant to assist with finding a solution to the future of the theatre in consultation with the current cinema operator. There is also a passionate Friends of the Astor group with whom I have also met. They have harnessed the incredible goodwill in the community for the Astor, which is such that last

Saturday 1000 people turned up to show their support. There is a possibility, if the friends group can sort out an appropriate legal and financial operating structure, that St Michael's may be interested in an arrangement to sell the building. It is early days yet, but the parties are exploring all the options, including the constraints of the building.

I have been working on this issue with the member for Ferntree Gully, who is a passionate supporter of the Astor and passionate about trying to find a solution for the ongoing survival of the Astor. I call on the Premier as the Minister for the Arts to offer the expertise in Arts Victoria to assist the parties to explore all options.

Rail: Hurstbridge line

Mr CARBINES (Ivanhoe) — The matter I raise is for the attention of the Minister for Public Transport. The action I seek is that he direct Metro Trains Melbourne that it is forbidden to ignore the published timetable on the Hurstbridge line and have trains travel express through stations where they are scheduled to stop to collect passengers. I say that particularly about the Hurstbridge line.

In relation to constituents in my electorate, on 1 June at Darebin station the 11.23 a.m. train was 11 minutes late. An empty train whistled through the station some 7 minutes later. The scheduled express then raced through the station at 11.38 a.m. I noticed it was very full. Then I noticed some time after that that there was a further train, and my local residents were able to get on that train.

Metro has contracted to provide a service to the taxpayers of Victoria. That means that its trains need to stop at the required stations and provide a service to local residents in my community. If Metro is not able to do that, it should renegotiate its contract with the government or pay the fines that are appropriate. It certainly should not be leaving people stranded at stations or inconveniencing those who are on trains and who want to get off at Darebin station in the middle of the night but then have to advise their parents or their carers that they have ended up in Wattle Glen or Hurstbridge because they have not been able to get off at Darebin due to the train not stopping there but running express through Darebin station because it was running late.

These are the issues people in my electorate have raised: waiting at the Darebin station early in the morning for trains which run express and do not adhere to the timetable, thereby causing Metro to not adhere to the contract it signed with the government to provide a

service to the people who live in my electorate. The response from Metro to what has occurred is:

In an attempt to minimise the impact of delays and 'knock-on' effects across our integrated train network, our train controllers may alter the stopping pattern of some services due to operational requirements. A delay or service disruption on one line can impact other lines, as tracks cross over at certain points on all lines.

That may well be, but people who are waiting for a train service that is scheduled and contracted to be provided by Metro for taxpayers should be provided with that service. If Metro cannot provide those services, it should not be dishonest; it should be held accountable for the contract it has signed with the government to provide Victorian taxpayers with a service. The minister should make sure that Metro is directed to provide those services and that it is held accountable if it cannot. The minister is responsible for making sure that Metro is accountable for the contract that has been signed on behalf of Victorian taxpayers.

When he was the Minister for Public Transport, Mr Pakula, a member for Western Metropolitan Region in the Council, made sure that Metro was not able to ignore the timetable, and so should the current Minister for Public Transport.

Responses

Ms ASHER (Minister for Tourism and Major Events) — The member for Murray Valley, who has been a very strong advocate for events, tourism and indeed business in his electorate, talked about the Wangaratta Festival of Jazz and Blues, which is going to be held from 2 to 5 November, on the eve of the Melbourne Cup. The member has been a longstanding advocate in seeking support for the festival, as I have already indicated, and those who have been paying attention in this chamber would know he raised this issue on 31 August 2011. As a consequence of his raising that matter — indeed the minister here remembers that — the event received funding.

The member for Murray Valley knows that this event is an economic driver in the region and provides an excellent opportunity for local tourism, given the public holiday on the Tuesday. I am delighted to announce in response to the member's query that the event will receive \$30 000 from the government's Tourism Victoria events program to assist with intrastate and interstate marketing and promotion of the 2012 festival. For the member's advice, this will include website development, print media advertising in the *Age* and dedicated jazz music magazines, radio advertising on 3AW and online advertising, including on the Royal

Automobile Club of Victoria website. This will help to increase visitation to the event and raise awareness at a national level of the vibrant cultural scene in Wangaratta. Again I thank the member for his ongoing support for this event. He has certainly called my office and me on a number of occasions in relation to it.

As all members know, funding for such events is part of the coalition government's commitment to growing tourism opportunities in regional Victoria, which in turn provides an economic boost to local communities. The shadow Minister for Tourism and Major Events, the member for Essendon, seems to think this is a bit of a joke, but the member for Murray Valley and I are dedicated to achieving funding and support for tourism events in country Victoria.

The latest national visitor survey results released on 13 June show that domestic overnight visitor numbers to Victoria's high country, which is a region that includes Wangaratta, increased by 13.6 per cent to 1.2 million visitors for the year ended March 2012. Domestic visitor nights spent in Victoria's high country increased by 12 per cent to 3.9 million nights. On top of that — and I am sure that all members in this place will be interested in this statistic — overall domestic overnight visitor numbers to regional Victoria increased by 9.2 per cent to 11.5 million visitors, and domestic visitors' overnight expenditure grew by 2.5 per cent to \$4.5 billion for the year ended March 2012.

We have seen a very strong pattern of growth in regional Victoria. The shadow Minister for Tourism and Major Events, the member for Essendon, wants to be pessimistic about all of this and has made a number of negative comments, but I am delighted to inform the member for Murray Valley that funding has been granted.

Mrs POWELL (Minister for Local Government) — I respond to the member for Burwood, who raised a matter for my attention regarding funding for redevelopment of the Ashburton Library in his electorate. He has told us that while the library is really good and is valued by all the community, it now has insufficient space to accommodate the growing and changing population. As well as being overcrowded, the library is unable to properly cater for people who have a disability. There is a request for the library facilities to be upgraded to meet the required design factors.

The member for Burwood also said the council has explained that if the library had better facilities, usage of the library facilities would increase. The member rightly said the government provided \$17.2 million

from the Living Libraries infrastructure fund over four years. There have been applications for projects from 28 libraries and councils for this year's round of funding, and these requests have been assessed by an independent panel. Announcements about some of the successful applicants are now being made.

I made the first announcement on Friday, 15 June. The government provided \$500 000 from the Living Libraries infrastructure program for the North Fitzroy Library. The government also provided \$500 000 from the community grants program. In effect the library was awarded \$1 million. The library is in the electorate of the member for Richmond, and I am sure he welcomed the announcement, as did the Minister for Planning, the Honourable Matthew Guy, and Craig Ondarchie, both members for Northern Metropolitan Region in the Council. Mr Ondarchie is an enthusiastic promoter of the library and on 6 June told me how much the library means to the community and how much it needed the funding.

The fact that almost 50 per cent of Victorians belong to their local libraries is a measure of their significance to our communities. The state coalition government promotes lifelong learning, and our libraries have a central role in achieving that aim. I thank the member for Burwood for raising this matter with me, for having discussions over recent weeks and supporting his library and for the work he has done with the local council and the library in bringing the matter to my attention. I advise the member for Burwood that I will be announcing further funding for libraries in the near future.

Mr MULDER (Minister for Public Transport) — The member for Yan Yean raised an issue with me in relation to cuts to the conveyance allowance for students. I inform the member for Yan Yean that that particular issue does not fall under the responsibilities of my portfolio. The matter should be brought to the attention of the Minister for Education, who handles conveyance allowances. Therefore I will forward the matter raised by the member for Yan Yean on to the Minister for Education to address.

The member for Ivanhoe raised an issue for my attention in relation to Metro Trains Melbourne skipping stations on his line. He suggested I demand or force Metro to cease this particular practice. This issue has been given a fair airing over recent weeks. From what I understand, there is something of the order of 2500 services and on average about 4 services are affected daily because of this type of situation. It usually occurs when there is a major disturbance such as a trespasser on the network, a police operation on the

network or, as occurred recently, when a tree falls over the lines.

What happens in these circumstances is that there might be three, four, five or six trains banked up behind one another waiting for the issue to be dealt with or the tree to be removed from the rail line. If the trains were not split and moved as quickly as possible to harmonise the timetable, there would be a situation where five or six trains were following directly behind one another, stopping at all stations. This would have the potential to disrupt the entire network. We are advised, as I said, that this practice takes place only when there is a major disruption on the network.

I also advise the member for Ivanhoe that Metro is fined when trains suddenly divert from the city or Altona loops. The previous Labor government signed a contract with Metro but did not include any penalty provisions when it operates trains that skip stations in the suburbs. That was in the previous Labor government's contract, so members of the opposition should not come in here whingeing, moaning, carping and harping about their own work. They failed to pick up this issue when in government. Labor signed sloppy contracts that allowed for sloppy operations and works that are typical of everything the former Labor government did.

As I said, the new organisation, Public Transport Victoria, is working very closely with Metro to make sure that that practice only happens when there are extraordinary circumstances. It means that in order for the broader network to harmonise the timetable as quickly as possible, that practice can take place. We will continue to work with Metro to make sure that this particular practice is minimised.

Honourable members interjecting.

Mr MULDER — I know it is hard to be on the other side. Recently I was in Ballarat with the Premier, and we travelled on our brand-new rolling stock for the metropolitan network. The lowest cost trains are the new X'trapolis trains. We did a better deal. We are getting them delivered on time, and it was a far better deal than the one done by the former Labor government. Not only that, members should have a look at the performance of Metro in the last two months.

Mr Carbines — On a point of order, Deputy Speaker, the action I sought from the minister was for him to ask Metro to adhere to its contractual obligations under the timetable arrangements on the Hurstbridge

line. Matters that relate to Ballarat and V/Line services do not relate to the Hurstbridge line.

The DEPUTY SPEAKER — Order! That is not a point of order, and the member has been here long enough to know that.

Mr MULDER — Obviously the member for Ivanhoe does not understand when he says we should adhere to the contract, because what is happening is that Metro is adhering to the former Labor government's contract. The contract does not say that Metro cannot carry out this practice in those circumstances that I outlined earlier. The contract says that Metro must endeavour to maintain the timetable, but if there are extraordinary circumstances, it can divert from that. The contract does not lock in Metro to stick to the timetable under those circumstances.

If it was intended for this practice not to take place, perhaps that should have been thought of when the former Labor government signed the contract with Metro, but it was not. The opposition should not come in here whingeing, moaning, carping and harping about this type of practice when in actual fact it was the former government that put the contracts in place in the first instance. I say to the ambitious young members on the other side sitting two or three rows back that they should make a move and get rid of the tired old sleepers down in the front. Get rid of them!

Mr Carbines interjected.

Mr MULDER — The members for Williamstown and Niddrie should make a move and not be gutless. Get into it and have a go!

Honourable members interjecting.

The DEPUTY SPEAKER — Order! If the members for Ivanhoe and Kilsyth keep interrupting in that manner, they will be leaving the chamber.

Mr DELAHUNTY (Minister for Sport and Recreation) — I rise to respond to a matter raised with me tonight by the member for Narracan, who is to be commended for his full understanding of how important sport is to his electorate, particularly to maintaining healthy and active communities. The member referred to Trafalgar Victory Football Club. By improving local soccer facilities we are enabling local clubs such as Trafalgar Victory Football Club to boost membership and community participation and help to get more people more active in soccer. The sport is on the rise in Victoria, with more and more people of all ages — and I have to say particularly younger females — getting involved in local clubs.

One of our key objectives is to have active and healthy communities, and to support that objective we need to have facilities for active communities. I am therefore pleased to announce tonight that Baw Baw Shire Council is one of 10 councils throughout Victoria to have scored a share in over \$830 000 worth of Victorian government funding through the Strengthening the World Game program. Through this program, Trafalgar Victory Football Club will receive \$98 567 to purchase and install portable amenities to service two fields. I heard the member for Narracan say tonight that he was down there earlier this year to open those two fields. He also spoke about the fact that the club has 150-plus members now. The club is looking to its long-term future, and I understand from the member that this is the third time it has made this application. Again, the member is very active and has spoken to me and many others about this application.

This project will provide a canteen, shelter, medical room, referee amenities, storage space and a multipurpose area. Like the member for Narracan, I would like to congratulate Mark Judd, the president, Greg Wyatt, the vice-president, Jenny Moss, the secretary, and Peter Matthews, the treasurer. Those four people have worked very hard in putting together this submission. I congratulate them on doing that work and, importantly, on the work they do in providing opportunities for young people to participate in soccer.

The Victorian government is committed to building a vibrant soccer community in Victoria for the long term, focusing on increasing participation, membership, volunteers and club capacity. I look forward to visiting Trafalgar Victory Football Club in the electorate of Narracan in the very near future to see the benefits these facilities are providing to the community in enabling more people to be more active more often.

Mr R. SMITH (Minister for Environment and Climate Change) — The member for Eltham raised a matter for the Minister for Consumer Affairs regarding advice around the safety of sleeping bags with hoods for babies. I will ensure that is passed on to the minister.

The member for Macedon raised an issue for the Minister for Health regarding response times for ambulance services. I will pass that matter on.

The member for Essendon raised an issue for the Minister for Water regarding some possible policy inconsistencies among water authorities. I will pass that on to the Minister for Water.

The member for Prahran raised an issue for the Premier in his capacity as Minister for the Arts regarding the Astor Theatre. I will pass that on to the Premier.

The member for Kilsyth, who is a great advocate for his community and has worked hard to get various projects up around his electorate to ensure that crime is kept under control, has made a request of the Minister for Crime Prevention to visit his electorate to see those crime prevention initiatives that he has worked so hard to get for his community. I congratulate him on that.

The DEPUTY SPEAKER — Order! The house stands adjourned until tomorrow.

House adjourned 10.43 p.m.

