

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Thursday, 27 March 2014

(Extract from book 4)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

Premier, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
Treasurer	The Hon. M. A. O'Brien, MP
Minister for Innovation, Minister for Tourism and Major Events, and Minister for Employment and Trade.	The Hon. Louise Asher, MP
Minister for Local Government and Minister for Aboriginal Affairs.	The Hon. T. O. Bull, MP
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Minister for Health and Minister for Ageing	The Hon. D. M. Davis, MLC
Minister for Education	The Hon. M. F. Dixon, MP
Minister for Sport and Recreation, and Minister for Veterans' Affairs	The Hon. D. K. Drum, MLC
Minister for Planning, and Minister for Multicultural Affairs and Citizenship	The Hon. M. J. Guy, MLC
Minister for Ports, Minister for Major Projects and Minister for Manufacturing	The Hon. D. J. Hodgett, MP
Minister for Housing, and Minister for Children and Early Childhood Development	The Hon. W. A. Lovell, MLC
Minister for Public Transport and Minister for Roads	The Hon. T. W. Mulder, MP
Minister for Energy and Resources, and Minister for Small Business.	The Hon. R. J. Northe, MP
Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry	The Hon. G. K. Rich-Phillips, MLC
Minister for Environment and Climate Change, and Minister for Youth Affairs.	The Hon. R. Smith, MP
Minister for the Arts, Minister for Women's Affairs and Minister for Consumer Affairs	The Hon. H. Victoria, MP
Minister for Higher Education and Skills	The Hon. N. Wakeling, MP
Minister for Agriculture and Food Security, and Minister for Water.	The Hon. P. L. Walsh, MP
Minister for Police and Emergency Services, and Minister for Bushfire Response	The Hon. K. A. Wells, MP
Minister for Mental Health, Minister for Community Services, and Minister for Disability Services and Reform	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary	Mrs I. Peulich. MLC

Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr Hodgett, Mr Morris, Mr Nardella, Mr O'Brien, Mr Pandazopoulos and Mr Walsh.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Ms Barker, Mr Hodgett, Ms Kairouz, Mr O'Brien and Mrs Powell.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.
(*Council*): Mr D. R. J. O'Brien and Mr Ronalds.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh. (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik.

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — (*Assembly*): Mr Burgess and Mr McGuire. (*Council*): Mrs Millar and Mr Ronalds.

Education and Training Committee — (*Assembly*): Mr Brooks and Mr Crisp. (*Council*): Mr Elasmarr and Mrs Kronberg.

Electoral Matters Committee — (*Assembly*): Mr Delahunty. (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis.

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

Family and Community Development Committee — (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall. (*Council*): Mrs Coote.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Ms Thomson and Mr Weller. (*Council*): The President (*ex officio*), Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Ms Kanis, Mr Kotsiras, Mr McIntosh and Mr Weller. (*Council*): Mr Viney.

Law Reform, Drugs and Crime Prevention Committee — (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick. (*Council*): Mr Ramsay and Mr Scheffer.

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

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

Rural and Regional Committee — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr D. R. J. O'Brien.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt. (*Council*): Mr Dalla-Riva.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Speaker:

The Hon. CHRISTINE. FYFFE (from 4 February 2014)

The Hon. K. M. SMITH (to 4 February 2014)

Deputy Speaker:

Mr P. WELLER (from 4 February 2014)

Mrs C. A. FYFFE (to 4 February 2014)

Acting Speakers: Mr Angus, Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Languiller, Mr McCurdy, Mr McGuire, Mr McIntosh, Ms McLeish, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Ms Ryall, Dr Sykes and Mr Thompson.

Leader of the Parliamentary Liberal Party and Premier:

The Hon. D. V. NAPHTHINE (from 6 March 2013)

The Hon. E. N. BAILLIEU (to 6 March 2013)

Deputy Leader of the Parliamentary Liberal Party:

The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lim, Mr Muy Hong	Clayton	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Asher, Ms Louise	Brighton	LP	McGuire, Mr Frank ⁶	Broadmeadows	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	McLeish, Ms Lucinda Gaye	Seymour	LP
Battin, Mr Bradley William	Gembrook	LP	Madden, Mr Justin Mark	Essendon	ALP
Bauer, Mrs Donna Jane	Carrum	LP	Merlino, Mr James Anthony	Monbulk	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Blackwood, Mr Gary John	Narracan	LP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Naphtine, Dr Denis Vincent	South-West Coast	LP
Bull, Mr Timothy Owen	Gippsland East	Nats	Nardella, Mr Donato Antonio	Melton	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Newton-Brown, Mr Clement Arundel	Prahan	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carroll, Mr Benjamin Alan ²	Niddrie	ALP	Northe, Mr Russell John	Morwell	Nats
Clark, Mr Robert William	Box Hill	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Crisp, Mr Peter Laurence	Mildura	Nats	Pakula, Mr Martin Philip ⁷	Lyndhurst	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane ⁸	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Eren, Mr John Hamdi	Lara	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Foley, Mr Martin Peter	Albert Park	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Fyffe, Mrs Christine Ann	Evelyn	LP	Scott, Mr Robin David	Preston	ALP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Shaw, Mr Geoffrey Page ⁹	Frankston	Ind
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Kenneth Maurice	Bass	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Smith, Mr Ryan	Warrandyte	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Southwick, Mr David James	Caulfield	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Sykes, Dr William Everett	Benalla	Nats
Helper, Mr Jochen	Ripon	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Hennessy, Ms Jill	Altona	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Tilley, Mr William John	Benambra	LP
Hodgett, Mr David John	Kilsyth	LP	Trezise, Mr Ian Douglas	Geelong	ALP
Holding, Mr Timothy James ³	Lyndhurst	ALP	Victoria, Ms Heidi	Bayswater	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Hulls, Mr Rob Justin ⁴	Niddrie	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Watt, Mr Graham Travis	Burwood	LP
Kairouz, Ms Marlene	Kororoit	ALP	Weller, Mr Paul	Rodney	Nats
Kanis, Ms Jennifer ⁵	Melbourne	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Katos, Mr Andrew	South Barwon	LP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 18 February 2013

⁴ Resigned 27 January 2012

⁵ Elected 21 July 2012

⁶ Elected 19 February 2011

⁷ Elected 27 April 2013

⁸ Resigned 7 May 2012

⁹ LP until 6 March 2013

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Thursday, 27 March 2014

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

NOTICES OF MOTION

Notices of motion given.

Mr SOUTHWICK having given notice of motion:

Ms Barker — I would like to raise a point of order, Speaker. In the notice given by the member for Caulfield he inferred that all members of the opposition were at the pub having a drink last night at 8 o'clock. I would like it noted that I was not at the pub, and in fact I do not drink alcohol in the pub because this is my workplace.

The SPEAKER — Order! The member for Oakleigh knows that is not a point of order.

Further notice of motion given.

BUSINESS OF THE HOUSE**Notices of motion**

The SPEAKER — Order! Notices of motion 10 to 19 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Epping roads

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the Liberal state government's refusal to fund upgrades to Epping Road or on-ramps from O'Herns Road to the Hume Freeway in previous state budgets.

In particular we note:

1. Epping Road services some of the most rapidly growing areas in Australia;
2. the intersection of Epping, O'Herns and Findon roads is recognised by the RACV as one of the worst in Victoria;
3. the upgrade of both roads continues to be a top priority for local residents and the City of Whittlesea;
4. failure to upgrade Epping's roads is now not simply an issue of resolving congestion, but is critical to saving lives during an emergency such as a fire.

The petitioners therefore request that the Legislative Assembly urge the Liberal state government to fund and commence work on one, upgrading Epping Road; and two, building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency.

By Ms GREEN (Yan Yean) (10 signatures).

City of Whittlesea police resources

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the need for a new and upgraded 24-hour police station in the north of the city of Whittlesea, to serve existing localities such as Whittlesea township as well as the fast-growing suburbs of Mernda and Doreen, and for increased numbers of police in the area.

In particular, we note:

1. the city of Whittlesea is the second fastest growing municipality in Australia;
2. at present the 1950s rural Whittlesea township police station is only open during business hours with police responding from Epping and Mill Park after hours;
3. the ongoing population growth in Epping, South Morang, Wollert, Donnybrook, Mernda and Doreen is putting increased pressure on the two nearest 24-hour police stations in Epping and Mill Park, meaning that the north of the municipality is getting a worse service.

The petitioners therefore request that the Legislative Assembly urges the Naphthine state government to work with the local community to upgrade police resources serving the north of the city of Whittlesea.

By Ms GREEN (Yan Yean) (112 signatures).

Hazel Glen College

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the house the rapid increase of families in Doreen and Mernda and the acute shortage of schools.

In particular, we note:

1. there are now over 2000 students enrolled at government primary schools in Mernda and Doreen;
2. there is currently no state secondary school in Doreen or Mernda, forcing students to travel as far away as Whittlesea, Mill Park, Epping, Greensborough, Eltham, Montmorency and Diamond Creek;
3. the state government has funded phase 1 of a secondary school at Hazel Glen College for year 7 only but phase 2 funding is desperately needed to expand to years 8–12.

The petitioners therefore request that the Legislative Assembly urges the Liberal government to fund phase 2 of Hazel Glen College in the 2014 budget as well as funding new bus services, cycle routes and footpaths to serve the school.

By Ms GREEN (Yan Yean) (213 signatures).

School buses

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the house the decision by the state government to cancel school buses servicing schools in Nillumbik.

In particular, we note:

1. students living in Nillumbik, Whittlesea, Mitchell and Murrindindi have to travel great distances to attend public high schools with school buses ensuring that kids can get to school safely and in a timely manner;
2. a recent PTV review has cancelled services and imposed charges on preserved services to Diamond Valley College meaning that some students will either be dependent on their parents getting to school or will have to travel long distances to get to other public transport options;
3. that much of Nillumbik and Murrindindi is rural in nature, with few safe foot or cycle paths for students to use;
4. the state government has also not provided funding for either the Hurstbridge rail trail project nor funded community transport services across the area that could assist with getting students to school.

The petitioners therefore request that the Legislative Assembly urges the Liberal government to reinstate existing school bus services and to improve local transport options, with more bus services and upgrades to cycle and footpaths such as the Hurstbridge rail trail.

By Ms GREEN (Yan Yean) (81 signatures).

Yan Yean Road upgrade

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house, the state government's refusal to fix Yan Yean Road including VicRoads' decision not to 'declare' the central section between Kurrak Road and Bridge Inn Road as a state government funded road.

In particular we note:

1. Yan Yean Road services some of the most rapidly growing areas in Australia;
2. the road is recognised by the RACV as one of the worst in Victoria, with over 30 000 users daily;
3. despite a plan to upgrade the southern section, this has not been given funding nor a timetable of when funding may be expected;
4. VicRoads' decision not to 'declare' the central section cost-shifts ongoing maintenance to hard-pressed local ratepayers;

5. the upgrade of the road continues to be a top priority for local residents and both Whittlesea and Nillumbik councils;
6. failure to upgrade Yan Yean Road is not simply an issue of resolving congestion, but is critical to ensuring the community can seek safety on code red days.

The petitioners therefore request that the Legislative Assembly urges the Liberal state government to fund the upgrade of Yan Yean Road.

By Ms GREEN (Yan Yean) (2214 signatures).

Tabled.

Ordered that petitions be considered next day on motion of Ms GREEN (Yan Yean).

ELECTORAL MATTERS COMMITTEE

Future of Victoria's electoral administration

Mr DELAHUNTY (Lowan) presented report, together with appendices, extract from the proceedings, minority reports and transcripts of evidence.

Tabled.

Ordered that report, appendices, extract from the proceedings and minority reports be printed.

PRIVILEGES COMMITTEE

Investigation into improper disclosure of committee deliberations

Mr WALSH (Minister for Agriculture and Food Security) presented special report, together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Financial Management Regulations 2004 — Order under regulation 8 authorising the Board of Inquiry into the Hazelwood Mine Fire to incur expenses and obligations

Ombudsman:

Investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island — Ordered to be printed

Investigation into allegations of improper procurement of services by the Department of Education and Early Childhood Development — Ordered to be printed

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2012–13

Statutory Rules under the following Acts:

Major Crime (Investigative Powers) Act 2004 — SR 7

Tobacco Act 1987 — SR 8

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 7, 8.

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

The SPEAKER — Order! I have to report that the house met last night with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Peter Hall and that Daniel David O'Brien has been duly chosen to hold the vacant place.

MEMBERS STATEMENTS

Public transport fares

Mr RYAN (Minister for State Development) — The Labor Party is in an absolute shambles over the revolutionary public transport initiatives announced by the coalition government yesterday — free travel within the Melbourne CBD and Docklands. The Labor Party is bagging the initiative in Bendigo while it is barracking for it in Burwood. In today's *Herald Sun* in a story under the headline 'Cheaper travel for outer burbs' in an article headed 'Naphthine plan wins over ALP', the Leader of the Opposition backs the coalition plan and is reported as saying:

no matter who wins the election, public transport fares will be cheaper.

In other words, 'me too' politics. Meanwhile, in the *Bendigo Advertiser* today under the headline 'Allan slams transport pledge', the member for Bendigo East attacks the coalition's plan for free tram transport within Docklands and the CBD. This is deceitful and deceptive conduct by any standards. What is happening is that the member for Bendigo East is trying to give the impression to the people of Bendigo that Labor is opposed to this plan, which Labor actually supports.

Labor supports this great new public transport initiative when it is speaking to city voters and Labor smashes it when it is speaking in the country. Labor barracks for this initiative in Burwood while bagging it in Bendigo.

Labor treats country people with contempt. The contempt shown by the member for Bendigo East and Labor to the voters of Bendigo and regional Victoria is not lost on those people. They will remember this —

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

Westbreen Primary School

Ms CAMPBELL (Pascoe Vale) — Westbreen Primary School has two significant crosses to bear. Firstly, the fanaticism of its principal, Tony Cerra, with Collingwood Football Club has ensured that nearly all students are Magpies. Secondly, and more significantly, the coalition has failed to fund the rebuild of Westbreen Primary School in the 2011, 2012 and 2013 budgets. The school's \$5 million rebuild was supported by the Department of Education and Early Childhood Development when it was approved for inclusion in the Building Futures stage 2 educational rationale in August 2010.

Students, families and staff have done all that is humanly possible. Team Westbreen's message to the Minister for Education was delivered inside a Carlton football. Every single student has written to the minister, put their message inside a football and they are relying on the Minister for Education to deliver for Team Westbreen. They might even give the minister a cheer when he comes out to announce the funding for Westbreen Primary School, and the school's fanatical principal might even allow them to sing the Carlton theme song. But what we need is for the Minister for Education to deliver for the students of Westbreen Primary School. I now handpass —

Honourable members interjecting.

The SPEAKER — Order! I acknowledge that the football may contain important messages from the children, but the member for Pascoe Vale knows that it is very disorderly to use props.

Honourable members interjecting.

The SPEAKER — I admire the member's football skills, and I think some clubs might require her in their training sessions.

Maroondah Art Gallery

Ms VICTORIA (Minister for the Arts) — Two amazing exhibitions have just opened at the Maroondah Art Gallery: The Girlie Werewolf Hall of Fame, by Melbourne-based printmaker Jazmina Cininas, presents an intimate and intriguing look at the female werewolf

throughout the centuries. Mildura artist Danielle Hobbs presents a completely different exhibition which explores the complexities of contemporary motherhood in a sensitive and thought-provoking way. Both artists, along with the wonderful curatorial staff, can be very proud of what is on show.

The Basin Music Festival

Ms VICTORIA — The local community came out in force to enjoy the talented performers and wonderful atmosphere that are all part of The Basin Music Festival. This is a non-profit, community-based festival that is run by volunteers, like John Mortimore, whose passion is for presenting quality music and family-friendly fun. May the festival continue to entertain us all for many years to come.

National Ride2School Day

Ms VICTORIA — Ride2School Day is a great way to encourage students to be active as a regular part of their daily routine. I was really impressed at the number of children at Bayswater West Primary School who came along by bike, scooter and skateboard. They are healthy and enthusiastic young people, and I congratulate them and principal Peter De Wacht for leading the way on getting more active more often.

Heide Museum of Modern Art

Ms VICTORIA — As the result of a major coalition government initiative, the Victorian Public Sculpture Fund, I was proud to unveil the substantial, fun and wonderfully crafted sculpture by Emily Floyd at Heide Museum of Modern Art called *Abstract Labour*. This major commission is the first new outdoor sculpture at Heide for more than seven years. It is a great addition to their collection.

Duck hunting

Ms NEVILLE (Bellarine) — In this Parliament last year I raised both formally and informally with the Minister for Agriculture and Food Security the concerns a number of local residents whose properties border Lake Connemara had in relation to the duck shooting season. They were concerned that duck shooters were shooting across their properties and no-one was assisting or enforcing the law.

Unfortunately all their predictions have come true. Shooters were targeting ducks from the border of a property and the lake, firing at the ducks flying on and off the property's dam. The dam is close to the house on the property. In fact the driveway up to the house is incorporated into the dam wall.

Since last year's season the boundary between the property and the state game reserve has been resurveyed and fenced. The boundary is well signed, warning shooters not to shoot across the property boundary. Signs have been put up by the owners, Parks Victoria and the local field and game association. Despite this the problem continues, and it was particularly frightening for the family last week.

A constituent reported to me that in the early evening of 18 March, at 7.35 p.m., the house was hit by a large number of shotgun pellets. This happened twice in quick succession. At the same time the nearby shed was also hit and the owner's son was actually struck by a pellet when coming out of the shed. Fortunately he was not seriously injured. The constituent immediately contacted the police and Parks Victoria. He has since also written to the minister and tried to speak with the Department of Environment and Primary Industries. Unfortunately, so far the responses have been unsatisfactory or non-existent.

This is a situation that must be resolved to protect the safety and wellbeing of this family and other families whose properties border Lake Connemara.

Freedom of speech

Mr KOTSIRAS (Bulleen) — We ask Victorians to respect our democratic institutions and our rule of law. In turn, we promise equality of opportunity and equal rights. These rights and responsibilities, combined with good political and community leadership, have delivered a society that is relatively harmonious and provides a beacon for the rest of the world. This brings me to the current debate on freedom of speech.

Freedom of speech is an important pillar of a free, liberal, democratic society, but it is not an absolute freedom. There are limitations that we as a society have put in place over time to ensure that its excesses do not harm members of our community, some of whom are our most disadvantaged or marginalised. I therefore reject the notion that bigotry is acceptable in today's society. That is why, for example, we have instituted various strategies within our schools. Our antibullying policy is one clear example.

We know the harm that offensive language can inflict. It can marginalise, it can cause mental health issues and it can undermine the sense of belonging that we all crave. Therefore a message that says you have a right to offend or humiliate is counter to this sense of a fair go, counter to our basic values and counter to what is right. Not only must we protect ourselves from extreme behaviour and actions but we must set a standard of

behaviour for the day-to-day commentary in the schoolyard, the workplace and public places.

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

Melton electorate

Mr NARDELLA (Melton) — 'Me too'? You have got to be kidding! The port of Melbourne sell-off — the government should find its own policy; the Coatesville Primary School: the Liberals followed our announcement; and four rail crossings means the government has only 46 to go. The government should get its own policies instead of talking about 'Me too'.

I have been informed by commuters that last week the 3.40 p.m. train from Southern Cross station to Melton was cancelled for the whole week. There is no value in reducing fares and providing free travel when residents in my electorate are denied the opportunity of catching a train home. I also seek for the government and the Minister for Public Transport to start the planning and design work for the Melton Highway bridge at Kororoit Creek. It is dangerous because it is still a two-carriageway bridge in a dangerous dip.

Exford Primary School needs additional facilities as a school that was built for 90 kids and today is up to 340 kids. Staff need an additional staff room and extra offices. It was a sad day recently when the Napthine Liberal government closed the Reg Geary House nursing home and forcibly transferred all the residents to other facilities. It is a disgraceful policy, distressing to families and residents. Is a cruel policy carried out by this uncaring Liberal-Nationals government.

Laura Younger

Mr McINTOSH (Kew) — I rise to note the passing of Laura Younger and to express my deepest regret and condolences. Laura passed away recently, aged 93. Born in 1921 in Coleraine, she joined the Bank of New South Wales where she worked for 40 years until she retired. Laura was a devotee of cricket and tennis and a passionate supporter of the Melbourne Football Club, for which I am very grateful. She once had the option of travelling to Rome or attending a test match in Brisbane. She chose Brisbane to support Australia.

Always community minded, she delivered Meals on Wheels for over 30 years, only giving it away two years ago. Affectionately known as the Liberal Party's secret weapon, she never went anywhere without a membership form. She helped build Balwyn branch into one of the largest branches in the Kooyong electorate. Laura loved nothing better at state and

federal elections than working all day in dead red electorates, taking it right up to the Labor Party as only she could.

My condolences to her brother, John, and her extended family. She was a great lady and a joy to be with, and she will be missed by many people.

Wally Curran

Mr HERBERT (Eltham) — I rise to pay tribute to the late Wally Curran, a great Australian, a great trade unionist, a great friend to working people across this nation and a great mate. Wally passed away at the weekend aged 82, following a battle with cancer. He will be sadly missed by all who knew and admired him.

Wally Curran is well known as one of Australia's most prominent union leaders. He joined the Meat Workers Union in 1954, served as assistant secretary for 16 years and as state secretary from 1973 to 1997, and what a union leader he was. He is widely acknowledged as a tremendous fighter and advocate for his members.

In one of Australia's toughest industries, Wally enjoyed great success in markedly improving the pay and conditions for meat workers across Victoria. His negotiating skills, picket line tactics, creative approach to disputes and stubborn doggedness on behalf of his members is the stuff of legend — a legend which was not lost on a generation of meatworkers who had unquestioning faith in Wally and who were prepared to back his judgement to the hilt every time.

Of course, this icon of the labour movement was more than a working-class warrior; he was known for his passion for the arts and in particular his patronage of up-and-coming Victorian potters. Perhaps most importantly he was admired for the advice, guidance and friendship he gave unselfishly to hundreds of activists and progressive young people, many of them now leaders in the labour movement today.

Finally I extend my personal condolences to his wife, Kay, his daughters and grandchildren. He will be missed by all.

V/Locity trains

Mr BLACKWOOD (Narracan) — The announcement earlier this week of a new three-carriage train set for the use of V/Line commuters is fantastic news for Gippsland V/Line passengers. Premier Napthine and the Minister for Public Transport made the announcement on the back of significant savings being made in the delivery of the original order for 40 new V/Locity carriages and infrastructure upgrades

for the V/Line network. The prudent network of the original \$260 million contract has led to significant savings, allowing for another \$70 million to be used for an additional three-carriage train set. The new three-carriage train will be capable of seating an additional 228 passengers each trip for commuters travelling from Traralgon, Geelong, Ballarat and Bendigo.

This is in stark contrast to the management of similar projects under the Labor government, which consistently came in over budget and over time. By the government increasing the original order with Bombardier additional jobs will be created not only with Bombardier itself but also in my electorate of Narracan, where a local fabrication company has become a preferred contractor to Bombardier for V/Locity trains. DJM Fabrication is a local family-owned company established by Denis and Jinnette Marshall, who employ 30 local tradesmen. The company has almost doubled the size of its business since gaining work from Bombardier. The locally made V/Locity trains have a track record of being reliable, comfortable and very popular with regional Victorians. The announcement means that we are now boosting our V/Locity train fleet by more than 32 per cent as part of the coalition government's commitment to provide more public transport services to move more people more often.

Ovarian cancer

Ms THOMSON (Footscray) — February was Ovarian Cancer Awareness Month. Ovarian cancer is very difficult to diagnose, with symptoms ranging from bloating to feeling very tired, and only 43.3 per cent of women who suffer from ovarian cancer survive. Ovarian Cancer Australia does an important job in making women aware of the symptoms of the disease, how to respond to them and how to support those who are suffering from ovarian cancer and their families.

During the last sitting week this Parliament decided to spend the week supporting Ovarian Cancer Australia, and I thank the Speaker for her support in making that possible. I also thank Georgie Crozier, a member for Southern Metropolitan Region in the Council, for her support in ensuring bipartisan support for the morning and afternoon teals that were run for Ovarian Cancer Australia. I especially thank the catering staff at Parliament House — Paul McConville and his team — for so enthusiastically embracing this fundraising event for Ovarian Cancer Australia. I also thank the Leader of the Opposition and the Minister for Health, the Honourable David Davis.

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

Edith Dizon-Fitzsimmons

Mrs POWELL (Shepparton) — I advise the house of the passing of a very special lady. On Monday, 24 March, I joined many community members and family at the funeral of Edith Dizon-Fitzsimmons, who passed away on Saturday, 15 March, at the wonderful age of 91 years. A number of emotional eulogies were given by members of Edith's family and her great friends Lance Woodhouse and Gavin Doherty. They paid tribute to the contribution of and full life lived by this amazing woman, describing her as warm, caring, inspirational, generous, passionate, talented, beautiful and intelligent.

I drove Edith from Melbourne to Shepparton a number of years ago and listened in awe as she spoke about her life. John Lewis of the *Shepparton News* has beautifully documented Edith's life. Born in the Philippines in 1922, Edith married D. Paulo Dizon and had six children. During that time she learnt music, taught it and became the first female pilot from the Philippines. Later in Australia she celebrated her 70th, 75th and 80th birthdays with parachute jumps. When Edith's husband died, she worked three jobs to keep her children at school.

Edith moved to Shepparton in 1973 after marrying Ray Fitzsimmons. Together they helped build Philippine House Museum and Library in Shepparton. In her 70s Edith travelled to the United States to complete a masters degree in music therapy. In 1998 she published a book entitled *The Sky's the Limit*, about her amazing journey, and I have an autographed copy of it. In 2000 Edith's face was featured in Australia Post's Face of Australia collection. In 2002 she became Victoria's Senior Australian of the Year. My deepest sympathy goes to Edith's loving family and many friends. She truly was an inspirational woman.

Junction Oval

Mr EREN (Lara) — The recently appointed Minister for Sport and Recreation, the Honourable Damian Drum, appears to be incredibly proud of himself and his government for contributing \$10 million towards the Junction Oval redevelopment, but it is nothing more than a false promise and empty words. The minister confirmed on Tuesday in question time what we had all suspected — that is, the \$10 million had conditions attached to it and was dependent upon the amount of money being matched by the federal government and others. The minister

further made the point that \$10 million put on the table is enough to secure a first-class venue at Junction Oval. However, the minister clearly has no understanding of what is needed out at Junction Oval. The minister seems to think that it is okay to pick up the phone and do media interviews, yet he is not even willing to speak to his federal government colleagues, people who are supposedly of the same Liberal-Nationals political colour.

This is a slap in the face for Cricket Victoria, which has very little optimism about the federal government matching its funding. We should not expect anything else from members of this government, who are willing to make commitments knowing that the federal government will not commit to it, and then they turn around and wipe their hands clean. Cricket and football deserve better. This project has been on the government's radar for over two years and all the people at Cricket Victoria have received is an empty commitment and government members patting their heads and telling them that they should be grateful for what they have. It is time the minister got real and supported the AFL and Cricket Victoria to sort out this problem once and for all. They should not pit one sport against another. They should stop playing politics in sport, stop the spin and stop playing political football with this very important issue.

Mr O'Brien interjected.

Mr EREN — The Treasurer knows very well that that \$10 million is not a genuine commitment.

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

Padua College

Mr BURGESS (Hastings) — I was pleased to attend the official opening and blessing of the Tyabb campus of Padua College, officiated by the Most Reverend Denis Hart, Catholic Archbishop of Melbourne, on 14 March. I congratulate the college on its magnificent new facilities, which will improve educational outcomes for local children.

Hastings U3A

Mr BURGESS — I was pleased to be invited to speak at and chair Hastings U3A's annual general meeting on Friday, 21 March. This year Hastings U3A Inc. has had a record number of new members joining and taking up the many courses and activities that the organisation has on offer. Hastings U3A has a wonderful future under its excellent management.

Mornington Peninsula Shire Council

Mr BURGESS — I would like to thank the Mornington Peninsula Shire Council for inviting me to attend a council meeting hosted at the Somerville Mechanics Institute Hall on Monday night. I also commend Cr David Garnock for successfully sponsoring a new local law that will provide police with the power to stop local youths breaking the law and putting their lives at risk on unregistered motorbikes.

Brad and Rose Lemon

Mr BURGESS — I take this opportunity to congratulate two of my Tyabb constituents, Brad and Rose Lemon, who have been invited to join the international VOST Leadership Coalition. VOST stands for Virtual Operations Support Teams. VOST is helping Victoria become a more disaster-resilient state by recognising the emerging influence of social media as a form of news and data gathering and through the use of this pervasive new medium to disseminate warnings and other information about emergencies. During the summer months in Australia, the VOST Victoria team was in permanent operational status, broadcasting information on Twitter about running wildfires and other emergencies and reporting to the state control centre, which is operated by the Victorian fire services commissioner. I wish Brad and Rose well in their important new roles.

Graffiti

Mr BURGESS — On 23 February the fight against graffiti in Hastings was given another boost with the Minister for Crime Prevention, Edward O'Donohue, handing over portable graffiti-removal systems to provide community groups — —

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

Albert Jones

Ms KNIGHT (Ballarat West) — Albert Charles 'Bert' Jones enlisted in the army on 12 April, 1915, and then joined the 7th battalion. He fought at those horrific battles in Gallipoli — at the Nek and Lone Pine. Following those battles he was withdrawn to Egypt and joined the 59th battalion. Like many men of his time he fought the battles, saw the horror, experienced the trauma and then returned home. Also like many men of his time he was known as a bit of a larrikin. During his time as a soldier he was charged a number of times with minor offences such as 'conduct to the prejudice of good order and military discipline being concerned in a

disturbance at no. 1 field bakeries compound'. After the war, Albert worked on the Ballarat railways until he died at work in a shunting accident. He was 36 and left behind a wife and four children. He was buried in an unmarked grave.

Albert's grandson and granddaughter-in-law, Gavin and Sylvia Jones, discovered his unmarked grave as they were researching their family history. After a lot of work, tenacity and generous assistance from Ballarat General Cemeteries Trust and the Rotary Club of Ballarat South, they finally saw a gravestone placed on Albert's gravesite. This is a wonderful story, and I was privileged to be present at the very moving ceremony on Saturday.

This is but one example — and a great example — of the many stories that will emerge in the lead-up to the 100th anniversary of Anzac Day on 15 April 2015. The Victorian Anzac Centenary Committee, chaired by the member for Hawthorn, is committed to sharing Victoria's stories because they are unique and important. This is but one of those stories. I urge every member in this chamber to encourage their constituents to talk about the stories of their families — —

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

National Emergency Medal presentations

Mr ANGUS (Forest Hill) — I recently had the great pleasure of representing the Minister for Police and Emergency Services, who is also the Minister for Bushfire Response, at a ceremony to present national emergency medals to Country Fire Authority (CFA) members at the CFA headquarters in my electorate of Forest Hill. The 52 recipients received the medals for extraordinary service during the 2009 Black Saturday bushfires. I congratulate the recipients on their awards and thank them for their service to Victoria during this very difficult time.

Forest Hill electorate cricket

Mr ANGUS — Last weekend, two of the cricket clubs in my electorate, Vermont and Forest Hill, competed in the Box Hill Reporter District Cricket Association grand final. I was pleased to be at the game to witness some very high-standard cricket. With Forest Hill having made 317 runs, Vermont could only manage 270 last Saturday. I congratulate both teams on a great season, with special congratulations to Forest Hill, which won the game — the first time it had won the McIntosh Shield since the 1977–78 season.

Public transport fares

Mr ANGUS — What a terrific public transport announcement it was yesterday from the Premier and the Minister for Public Transport. From 1 January 2015 tram travel in Melbourne's CBD and Docklands will be free and zone 1 fares will apply across the entire metropolitan network. These significant changes will result in substantial cost of living relief for families as commuters will be able to travel in zones 1 and 2 for the cost of a zone 1 fare. Savings for a commuter who buys a zone 1 and 2 ticket daily will be around \$1200 per annum; for those commuters using a myki annual pass, the savings will be more than \$750 per annum. What a welcome relief this will be for commuters, as well as for tourists and other visitors to Melbourne's CBD. I commend the Premier and the minister on this terrific new initiative and note that important initiatives like this can only be introduced when the state's budget is under control and its finances are managed responsibly.

Whitehorse Community Chest

Mr ANGUS — I was pleased to be at the launch of the 2014 Whitehorse Community Chest Annual Appeal earlier this week. I congratulate all those involved — —

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

Accident Compensation Conciliation Service

Mr SCOTT (Preston) — I rise to bring to the house's attention concerns that have been raised with me regarding the Accident Compensation Conciliation Service (ACCS) within the Victorian WorkCover Authority. If an injured worker goes to a conciliation conference through the ACCS, he or she presently has no right to representation. Traditionally conciliators have used their judgement to allow representation from union officials where appropriate. While the legislation only states that a worker cannot have a legal representative at a hearing — usually a solicitor — the normal practice has been to allow representation. In many cases injured workers are completely unfamiliar with the process. They are often traumatised by their injury and have significant difficulties conducting themselves dispassionately in any conference.

Concerns have been raised with me that there has been a change in the practice of conciliation officers. The tradition has been to allow representation, but this has not been the case with all conciliation officers of late. Concerns have been raised that this will create

circumstances where highly distressed individuals are required, in the only process within the WorkCover system where there is no right to representation, to conduct their own case in circumstances where they are psychologically unable to do so. The rates of mental illness amongst persons who have been injured has been highlighted by the WorkCover authority itself in its recent annual report, and this should be of concern to all members.

El Dorado Moving Feast

Mr McCURDY (Murray Valley) — The El Dorado community again covered itself in glory at its recent Moving Feast, part of the Melbourne Food and Wine Festival extravaganza. I attended this function and was overwhelmed with the passion, commitment and attention to detail. El Dorado was one of Victoria's best-kept secrets, but since El Dorado's Moving Feast the secret is out. Well done to Sue Phillips and her extraordinary team for the great food, excellent wine and brilliant people.

Myrtleford men's shed

Mr McCURDY — Last week I had the pleasure of joining the member for Benalla at Myrtleford for the official opening of the upgraded Myrtleford men's shed. An extension to the facility and the development of a woodworking bay was welcomed by the members. I have seen the many benefits of the men's shed program across my electorate, including helping with men's social connections and helping them to use and share their skills.

Walk a Mile in Her Shoes

Mr McCURDY — Well done to the men and women who participated in the Walk a Mile in Her Shoes event in Wangaratta on Sunday. The event was organised by Renee Kosch and Laura Murray, and saw participants, many putting on a pair of high heels, walking along the rail trail to raise awareness of domestic violence issues. I am currently working with service clubs in Wangaratta to facilitate programs relating to the White Ribbon campaign to address violence against women in the community.

Black Dog Ride

Mr McCURDY — More than 200 people took part in the inaugural motorcycle Black Dog Ride from Wangaratta to Lake Hume on the weekend. The event raises awareness of suicide and depression. Jim Redmond was the key organiser, and funds raised went towards Lifeline Australia. Events such as this bring

discussions about mental health issues out into the open, so I commend the organisers for their actions.

Great Southern Star charity event

Mr McCURDY — Last Saturday night I attended the Pryde's EasiFeed Great Southern Star charity event for ovarian cancer. The enormous crowd was kept entertained while at the same time focused on the disease, which can be so cruel. The Premier was in attendance and spoke passionately about how we can all make a difference and support each other.

John Cohen

Mr CARBINES (Ivanhoe) — I rise to give thanks for the life of John Cohen, OAM, whose passing on 18 March is deeply felt in the labour movement and the Eltham community. John was born in Cologne, Germany, in 1919. My colleague the Honourable Jenny Macklin, federal member for Jagajaga, said in the Australian Parliament this week:

After being thrown out of school at 14 by the Nazis, John came to Australia as a refugee in 1938. He joined the Labor Party in Perth in 1940 when he was nominated by the late Kim Beazley Snr. John later moved to Melbourne with his wife, Shirley, where he became well known as a tireless believer in, and worker for, the Labor cause.

... In 2011 local Labor branch members gathered to celebrate John's 70th year of ALP membership.

From the time that I was the Eltham ALP branch secretary some 20 years ago, I have been the recipient of John's personal encouragement, support and advice. His generous nature and community spirit was a measure of his character. I know the member for Eltham also extends his sympathies to the Cohen family and is thankful for John's great support. Our sincere thoughts are particularly with John's wife, Shirley, his children, Rhonda, Roslyn and Keith, and his grandchildren. There will be a fitting tribute in celebration of John's life on Sunday, 13 April, in the upper gallery at Montsalvat in Eltham between 11.00 a.m. and 2.00 p.m. I am sure that all people are most welcome to attend. It will be a fitting tribute to an inspiring life.

Swinburne Prahran Community Children's Centre Co-operative

Mr NEWTON-BROWN (Prahran) — Congratulations to Ramila Sadikien and the team at Swinburne Prahran Community Children's Co-operative, which has recently received a \$10 000 state government grant to make improvements to the outdoor play area. Since December 2010 the coalition

government has delivered \$106 million of state and national partnership funding towards building and upgrading hundreds of services. This grant to improve amenities will help to provide the kids at Swinburne with a modern and well-resourced learning centre.

South Yarra Soccer Club

Mr NEWTON-BROWN — It was a pleasure to recently attend a kids training session at the South Yarra Soccer Club, which utilises facilities at the Orrong Romanis Reserve in Prahran. Coach Abdel Deroune offers specialised soccer training for kids aged four to seven and provides a unique program focused on introducing kids, including those who are socially and financially disadvantaged, to soccer.

Protective services officers

Mr NEWTON-BROWN — I was delighted to recently join the Treasurer in welcoming protective services officers (PSOs) to Prahran and Armadale railway stations. PSOs are making a difference to public safety, and people who use Prahran station on the Sandringham line will benefit from their presence.

We have had PSOs working on the public transport network since February 2012, and a total of 657 have now been deployed across 92 stations, where they patrol from 6.00 p.m. until after the last train every night. I am pleased that commuters who use the busy Prahran station will now feel safer knowing they are protected by PSOs.

New Hope Foundation

Mr NEWTON-BROWN — Congratulations to the New Hope Foundation located in Grattan Street, Prahran, which is set to receive Victorian coalition government funding to help its members discover and enjoy Victoria's beautiful parks. The Discover Parks program grant will help the New Hope Foundation to conduct day trips with culturally and linguistically diverse seniors.

Racial discrimination legislation

Mr PAKULA (Lyndhurst) — Three days ago I heard the chief law officer of Australia, the federal Attorney-General, Senator George Brandis, say 'people have a right to be bigots, you know'. I have scarcely heard a more irresponsible comment from a senior federal minister. Surely the Attorney-General knows that his obligation is greater than simply stating the minimum obligations under the law, even as he sees them. The chief law officer of this country ought to

know that he and the government he represents play an important role in setting the national tone.

Senator Brandis should ask himself whether his comments make it more likely that this nation will be a welcoming, considered and pleasant place for people from all around the globe to live and visit, or whether he has made it more likely that it will be a harsher, nastier and more forbidding environment for people — surely the latter. He should consider whether it is the role of the national government to encourage and promote the best instincts of Australian citizens or to give full rein and comfort to those who seek to abuse or denigrate others. He has sadly used the considerable power of his office in support of those baser instincts.

Now the Australia/Israel & Jewish Affairs Council has indicated that the changes proposed by Senator Brandis to the Racial Discrimination Act 1975 will open the door to Holocaust denial. What a shocking and demeaning reform for Senator Brandis to propose and for the Liberal Party to put its name on. The only thing more odious than bigotry is the cultivation of bigotry for political advantage — the farming of bigotry for votes.

TRANSPORT LEGISLATION AMENDMENT (FURTHER TAXI REFORM AND OTHER MATTERS) BILL 2014

Second reading

Debate resumed from 13 March; motion of Mr MULDER (Minister for Public Transport).

Government amendment circulated by Mr MULDER (Minister for Public Transport) under standing orders.

Ms HENNESSY (Altona) — It is my great and interesting pleasure to rise this morning to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. It is interesting that this program of reform has become quite a compelling symbol for all that is wrong with this government.

Approximately 20 minutes ago an amendment was put to me by the Minister for Public Transport. The initial round of foundation reform for this bill was characterised by the chaotic and unstable nature of government that this coalition is forced to govern with because of its reliance on the swing vote of the member for Frankston. What the government did in the last round of taxi reform was make a special deal, or so it thought, to try to protect Frankston taxi operators from

outside metropolitan operators. As I said, that was to secure the swing vote of the member for Frankston in a desperate attempt by the government to get the last legislation through.

The position of the opposition at that time was that if you had a model around trying to deal with the implications for large regional and urban areas, why was it that just those areas were given special treatment and not other areas? We saw the government scrambling to secure the vote of the member for Frankston in an attempt to get the bill through, and it thought it had done that. However, it has become clear this morning that either through sloppy drafting or an attempt to politically avoid whatever consideration was paid in the course of the government's negotiations with the member for Frankston, the drafting of the bill has not been adequately discharged. Yet again this morning an amendment has been put forward that seeks to address the issues, because the government believes it had an arrangement with the member for Frankston.

Opposition members have not had the opportunity to take full and frank advice on the amendment, so we will reserve our position at this time. However, it is very clear that what is behind this amendment is sloppy drafting and an attempt to fulfil a deal with the member for Frankston, because this is not a government that governs in its own right; it is a government that attempts to do backroom deals in order to get its legislation through. The government is prepared to sacrifice the integrity of its own legislative agenda. Government members run around saying, 'We want to bring greater competition into the taxi industry — except if that competition is going to occur in Frankston, and except if we have to secure the vote of the member for Frankston'.

In the course of being briefed on this bill — and I thank the bureaucrats who provided that briefing — I specifically asked: 'Do you anticipate any house amendments to this bill?' The answer provided to me was that, no, they did not. Yesterday I wrote to the Minister for Public Transport to tell him that if he had any amendments to the bill, I would be more than happy to receive them as long as I had the opportunity to be briefed on them. No response was received, yet lo and behold this morning, what do we have? We have 30 pieces of silver in the form of this circulated amendment. It was only at the time the amendment was circulated that the government started to come clean about what its secret deals with the member for Frankston might be.

By contrast, I forwarded a reasoned amendment to the minister yesterday, and I ask that the reasoned

amendment be circulated. This is an issue that goes to the genuine concerns that have been put forward. Members will recall that in the course of the foundation bill the opposition moved a reasoned amendment, which went to a number of the opposition's concerns. Number one was the issue of hardship, and that issue continues to afflict certain elements of the taxi industry. It is an issue that these people have been very passionate about explaining — —

The ACTING SPEAKER (Ms Ryall) — Order! The member must read the text of the reasoned amendment.

Ms HENNESSY — I am more than happy to read the text of our 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 appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed price notification scheme on taxi operators in cooperatively run network service providers in regional Victoria;
- (2) possible fare increases; and
- (3) consumer protections for regional Victorians, particularly in relation to the proposed price notification scheme'.

I will speak to the amendment in the course of my contribution. As I said before I moved my reasoned amendment, the opposition's criticisms of the foundation bill went to the failure of the government to address the hardship of those who would have a significant reduction in the value of their taxi licences. This is an issue that has been well ventilated in the media and in the commentary around taxi reform. I am not opposed to the concept of taxi reform in any way, shape or means, except that the Victorian opposition supports taxi reform to build an industry that is strong, genuine in its reform, robust and, most importantly, fair for commuters, operators and drivers. In many respects the government's reform program has fallen short. There are consequences, unintended or otherwise, contained in the bill that could see taxi operators, especially those in regional areas, disadvantaged or compromised. There are implications for consumers, including lingering concerns about the availability of wheelchair-accessible taxis.

Again in this chamber we are having to deal with the consequences of the government compromising its own reform agenda because it has to buy off the member for Frankston. We will wait to see what the deal is in the next round of reforms. However, we will not let that

distract us from the task of considering some of the issues contained in the bill.

I would like to briefly go through the issues raised both by the industry and the wider community. These relate, firstly, to the price notification scheme in country and regional zones. There is a strong view being expressed by operators in country and regional Victoria, and I have been subject to representations from people from Wodonga, Swan Hill and Ballarat. In the current form of this legislation, the concern is that this reform has the potential to expose operators who operate in those areas through cooperative network service providers to allegations of collusion on prices and potential investigation by the Australian Competition and Consumer Commission (ACCC) if these operators nominate a single price. I raised that issue in the course of the briefing, but it was difficult to get clear and concise advice. I understand and accept that there is ongoing work on the issue, but until that work is done and until those operators have some certainty around what their potential federal ACCC exposure might be, we support our reasoned amendment to enable the issue to be resolved.

Another important point that has been raised goes to the issue of consumer protection and prices in regional and country Victoria. The issue is that when it comes to metropolitan taxis, maximum prices are set by the Essential Services Commission, whereas this bill moves regional taxis to a price notification system — that is, maximum prices will not be set by the Essential Services Commission. The bill enables the Essential Services Commission to monitor the notification of prices for five years, but it has absolutely no power to intervene if there is any form of price gouging in regional Victoria. That is to say nothing of what happens after five years, when the notification period expires.

One of the other significant concerns that has been raised with me in respect of regulation is that in metropolitan Melbourne there is one set of regulations that attempts to address the risks around price gouging, while the government has said that in regional and country Victoria it will not enable a system of regulation around protecting consumers from price gouging. People in regional and country Victoria have a unique set of circumstances they are attempting to grapple with, and they have great criticisms of the government and the processes it has used in this reform.

As I said earlier, Labor is not opposed to the concept of reform. We simply take issue with some of the curious positions the government has taken. The government has clearly reached into some part of the Fels inquiry

report and picked up the spirit of what Professor Fels has recommended and canvassed in the course of the narrative, but it has run away from other parts. The government has put country and regional Victoria at risk of having local and small operators compromised and potentially the subject of ACCC investigations. It has failed to give country and regional Victoria any certainty around consumer protections. It has failed to address the fundamental issues of fairness in respect of the price of licences.

Time and again we have heard compelling stories of the hardship that many people have been subjected to. I heard a taxi operator call in to talkback radio and speak to the Premier about this issue. In the course of that conversation the caller was given a range of undertakings, including that the Premier would go off and look at the caller's hardship issues. Subsequently that person wrote to me to canvass how she has been completely ignored and that none of the issues she raised has been addressed.

I do not say that any form of reform is easy, but this government has run around saying it has tackled the hard issues of taxi reform when it has not. It has picked and chosen. It has cherry-picked, done side deals with the member for Frankston and come up with one set of regulations around metropolitan taxi providers. It has left country and regional taxi providers hanging in the wind in respect of their potential ACCC exposure, and it has not provided any form of consumer protection in respect of pricing issues in country Victoria. Government members have then run around saying, 'Aren't we big guys because we're fixing up the taxi industry!'.

There are some measures contained in the bill that I do think are sensible.

Honourable members interjecting.

Ms HENNESSY — Lap up the love while it lasts, because a house amendment has been circulated that might be the subject of a dirty deal. I will caveat my contribution with that, but, as I say, lap up the love while it lasts.

There are some sensible responses contained in the bill. Addressing overlapping zones at Avalon Airport, for example, will benefit communities. That is a sensible proposition, as is ensuring that we have proper compliance and enforcement powers. I know concerns have been expressed about those compliance and enforcement powers, but the advice I was provided with is that they are interim at this point in time and that they will be subject to the jurisdiction of the

Ombudsman for checks and balances. Members of the Victorian Taxi Association have told me they are concerned about the breadth of some of those powers, but some of the powers are reasonably analogous with compliance and enforcement powers in other regimes. Whilst I understand the concern, it is important that we have proper compliance and enforcement powers that are subject to some form of checks and balances. In this case the government has chosen the Ombudsman to oversee the use of these powers, and I do not take any issue with that.

However, fundamental issues remain, and they are the issues we canvass in our reasoned amendment. These are issues people in important parts of Victoria still have significant concerns about. On one hand the government is prepared to respond to the concerns of the member for Frankston. But on the other hand, if the government opposes our reasoned amendment, that shows it is not prepared to respond to the concerns of regional and country Victoria and not prepared to do more work to ensure that it brings the industry along with it and that it both collaborates and leads when it comes to taxi reform, as opposed to pretending it is all about competitive, reformist, ideological zeal except in respect of the Frankston electorate, which apparently gets special treatment around regulation.

I have another concern with the house amendment the minister has circulated. As I said, we seek the opportunity to get further advice on this issue. Effectively the concern is — and again I would be grateful for any government commentary on this — that in the course of fulfilling its deal with the member for Frankston the government has drafted an amendment that would actually result in the Taxi Services Commission being leant upon to give those determinations through the processes set out in the *Government Gazette*. I would like that issue explained more fulsomely, and I would like to better understand the basis upon which the government says this is an effective regulatory tool.

The government thought its deal with the member for Frankston around protecting Frankston and Dandenong taxi operators was signed, sealed and delivered. Every other area is subject to competition, but apparently not the boroughs of Frankston and Dandenong. What has effectively happened is that upon reflection or further advice the government — or the member for Frankston — has discovered that what it initially put in the foundation bill would not be effective in enacting the terms of the government's arrangements with the member for Frankston. It then would have had a procedural dilemma in that it would be very difficult for it to amend the foundation bill through this particular

piece of reform. So the government has had to come up with a tricky procedural device, and that device is this house amendment — the house amendment that was provided to the opposition only this morning. Despite the fact that last week there were no house amendments and yesterday there were to be no house amendments, lo and behold, this morning we see a house amendment to give effect to the deal with the member for Frankston. This is the procedural device. The government is having a second crack at it.

This is a government that has said it wants to reform and bring competition into the taxi industry, but only if it can secure the swing vote of the member for Frankston. This is a reform process that is now tainted by deals; it has no integrity. Every time this government stands up and tries to take credit for reforming the taxi industry, we will know that that is a bodacious claim designed to hide the fact that this is a government that only makes reforms when it has to do dirty deals to prop itself up. In the meantime we have a whole range of people in the taxi industry with legitimate concerns who are ignored — those who are losing their houses because of the failure to mitigate the hardships that changes to the value of licences have brought forward, those in regional Victoria who are concerned they are going to be prosecuted by the ACCC and those in country Victoria who will no longer have any consumer protection around the price at which taxi fares can be set, in contrast with what occurs in metropolitan Melbourne.

This is not about competition and reform at all. The government may have started with noble intentions, but along the way the indelible stain of chaos and its reliance on doing deals to get its legislation through have once again undermined this government's legislative agenda. We have move our reasoned amendment to enable these very legitimate concerns to be addressed. We reserve our right to get further advice on the implications of the Frankston amendment, which the minister has circulated by way of house amendment today. We reiterate all the concerns around the foundation bill that we have already canvassed, and we once again say that there are legitimate issues with the process of reform that need to be addressed. All members of the community should be heard in that process, not just those in the electorate of the member for Frankston.

Mr BLACKWOOD (Narracan) — It is a pleasure to rise to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. Firstly I will take some time to comment on the house amendment circulated by the Minister for Public Transport and in doing that try to address some

of the concerns the member for Altona has raised, even though most of those were politically motivated. As most members of Parliament would recall, there has been strong representation from taxi industry participants on this issue. They have expressed a number of concerns about operating rules for the taxi zones that were given effect through the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013. The coalition government has listened to those concerns and given them very serious consideration. This bill gives the Taxi Services Commission discretion to allow taxis licensed to operate in specified zones to undertake prebooked work in other zones. This discretion permits the agency, for example, to allow country taxis to be prebooked to pick up from Melbourne Airport for return journeys to their home zone.

Since the bill was introduced we have received comment that it addresses most issues of concern to the industry. The effect of clause 48 is to entrench in legislation the current operation of zones currently set in licence conditions by the Taxi Services Commission. However, there is one exception. In accordance with advice received from officers of the taxi industry inquiry, the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act provided Melbourne metropolitan taxis with the right to undertake prebooked work anywhere in the state. The bill as currently drafted does not change this. However, industry participants have indicated that given the price for licences to operate in the metropolitan Melbourne, urban and large regional zones — and I would like to reiterate that the large regional zones incorporate areas like Bendigo, Ballarat, Geelong and the Mornington Peninsula; they take in not just the urban fringe but also larger regional zones that could also have been impacted had we not introduced this house amendment, and the price of all these licences is \$22 000 per annum — giving Melbourne metropolitan taxis the right to undertake prebooked work anywhere in the state could distort the market. It could, for example, encourage new entry in the Melbourne metropolitan market in circumstances where the new business being targeted is actually prebooked work in the urban and large regional zone. The risk of such outcomes is amplified by the rapid uptake of new technological platforms that have a tendency to blur the lines between what constitutes rank, hail and prebooked work.

The government's aim is to enable new entry where it is necessary to improve the provision of services to customers. The government particularly wants to see new entry in the zones where demand exceeds supply. There is a risk that this may not function as intended if Melbourne metropolitan taxis are permitted to

undertake prebooked work anywhere in the state. The argument has been made by industry participants that the risk of unintended consequences can be avoided by entrenching in legislation the current conditions set by the Taxi Services Commission.

Accordingly, I can say that after careful consideration and consultation with industry the prime objective of the amendment proposed to be moved by the government is to entrench in legislation the current taxi zones position set in conditions made by the Taxi Services Commission. The amendment does this by prohibiting taxis licensed to operate in the Melbourne metropolitan zone from accepting a booking to pick up and drop off passengers in the urban and large regional zone such as applies to Bendigo, Ballarat, Geelong and the Mornington Peninsula. In other words, Melbourne metropolitan taxis are not permitted to undertake prebooked work wholly within the urban and large regional zone in direct competition with taxis licensed to operate in that zone. As I have explained, this is a restriction that already exists under the licence conditions set by the Taxi Services Commission. Melbourne metropolitan taxis will continue to have the right to deliver passengers to destinations in the urban and large regional zone. Melbourne metropolitan taxis may also pick up passengers in the urban and large regional zone for the purpose of transport to, for example, the Melbourne CBD or Melbourne Airport. This amendment ensures that we have a sensible and balanced approach to taxi zoning and one which will enjoy the support of most of the taxi industry, the regulator and the community.

In summary, the effect of the amendment to clause 48 is to entrench in legislation the current taxi zones position set in conditions made by the Taxi Services Commission to ensure that there is no change to how taxi zones operate when the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 comes into operation on or before 30 June 2014. Given how hard the opposition has fought these reforms, we expect that the amendment entrenching the current position will be fully supported.

I turn now in the time I have left to the body of the bill. The member for Altona raised a number of issues about the price notification scheme, so I will now take a few minutes to explain the scheme and, in particular, how it will impact on country taxi services. The Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 made it clear that the Essential Services Commission will determine fares and hiring rates for taxicabs licensed for the Melbourne metropolitan zone and the urban and large regional zone. The bill provides that the operators of regional

zone and country zone taxicabs will be given the power to determine the fares and hiring rates that will apply to their taxi services. Taxi operators in these zones must notify the Taxi Services Commission of the fares and hiring rates they intend to apply. The Taxi Services Commission must publish notified fares and rates. Fares and rates come into effect on the date specified in the published notice. Operators may vary these fares and hiring rates at any time, subject to further notification and publication.

Providers of taxi network services in those zones may act as agents of affiliated operators and notify the Taxi Services Commission on behalf of the operators. That was something the member for Altona also raised in terms of what she believes is a potential contravention of the Australian Competition and Consumer Commission rules. We are working very closely with the taxi services commissioner, Graeme Samuel, and the Australian Competition and Consumer Commission on that at the moment, and we are quite confident that those concerns can be alleviated.

Taxi operators will be obliged to inform customers of the fares and hiring rates that apply to taxicab services in the regional and country zones in accordance with prescribed standards. The Taxi Services Commission will develop and publish guidance material to assist regional and country taxicab operators to develop new fares and hiring rates and in implementing and complying with the new requirements generally.

In order to provide appropriate protections for consumers of taxicab services, regulations made under the Transport (Compliance and Miscellaneous) Act 1983 will require taximeters to be calibrated, with the maximum fares and hiring rates notified to and published by the Taxi Services Commission, or in the case of taxis licensed to operate in the Melbourne metropolitan zone or the urban and large regional zone, the maximum fares and hiring rates that are determined by the Essential Services Commission. The price notification scheme is required now so that country and regional taxi operators can set fares which allow them to afford the requirement to pay at least 55 per cent of the gross fare box to taxidriver. The increase in driver remuneration provides a foundation for providing better taxi services. In those country areas where services are already of a high standard the increase in driver remuneration will greatly assist in maintaining that high standard of service.

Taxi operators have raised concerns about rising costs and the absence of any change to fare rates for the past five years. The price notification system will provide regional and country operators with the capacity to

recover their costs in a way that best reflects the differences between city and country. Competition between existing operators and the credible threat of new competition will ensure that there is no scope for consumers to be exploited. The bill provides the Essential Services Commission with price monitoring powers to identify and report on taxi operators who try to exploit their local communities. If taxi operators do not respond to unfavourable reports, then it is very likely their actions will invite competition from new taxis or new low-cost hire car operators. Customers will also have the option to find other alternatives.

It has been suggested in the media that it is not practicable for networks to provide services to operators that charge different prices. Clearly this will not be the case. Firstly, the likelihood that country and regional operators will set prices that differ significantly is overstated. Operators in each area face the same market conditions and have similar cost structures. Competitive forces will lead operators to set rates at similar levels. Any significant differences are likely to be quickly addressed.

In summary, the bill improves the powers of the Taxi Services Commission in key areas so that it has the tools it needs to implement the government's vision. Our vision is of a more flexible, responsive and innovative taxi industry that puts the customer first. I commend the bill to the house.

Mr DONNELLAN (Narre Warren North) — It is a pleasure to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. As opposition speakers have indicated, we have put forward a reasoned amendment because we still have serious concerns in relation to the way this government has gone about dealing with taxi reform, and we have serious concerns that small business operators have in effect had assets appropriated without their having received proper payment for the value they have put into those assets.

There are many licensed taxi operators in my area and they are bleeding. They are people who have bought licences for \$520 000, and they are suffering, with the banks literally putting a noose around their necks. There is a large Sikh community in my electorate with substantial investments in taxi operations, and they are screaming blue murder, to put it mildly. They are furious that this government will not pay proper compensation. It pretends on the one hand to be leaving the industry to self-regulate but on the other hand seems to be in the marketplace on an ongoing basis, whether it is setting licence fees or releasing new licences to drive down the price of taxi licences.

No, the government will not pay compensation but it is driving the price down by releasing further licences. That is a full frontal attack on taxi operators. That is what this government is doing. Every time there is another reform it is a kick in the head for taxi operators. It is very much about knocking them down, driving the value of their investment down until it is worth nothing and then somehow or other saying, 'We did not compulsorily acquire your licence because we did not have to do it under compulsory acquisition legislation or anything like that. We have just released more licences and ruined your life'. That is what has happened here.

I received a letter from one lady. It is simple and very effective. She says:

Ever since the Napthine government have passed the taxi industry reform legislation —

and now this legislation which is coming before us in the house —

the quality of my family's life has taken a sudden nosedive. Putting aside the psychological and health impact we are now in a position where we will be losing our home. Outlined below is how these reforms have directly put my family in this financial position.

It is incredibly upsetting to read that. These people believe that the members of the Liberal Party who once represented them, who supposedly had some interest in small business, have now gone about destroying the most valuable asset they have. By destroying this asset they are destroying the lives of many people. Worst of all, they continue to talk about self-regulation when their hands are all over the market. You cannot have self-regulation when the government sets the prices. You cannot have self-regulation when the Essential Services Commission sets the maximum price. You cannot have self-regulation when you have price notification.

There is no self-regulation. This is a government-regulated industry, and compensation should have been paid at the time. The government knows that in its heart of hearts, but it has decided it would rather rip off the assets of a group of migrant families than behave in an honourable way. This is very much a communist way of dealing with an issue where you let 1000 flowers bloom. You keep releasing licences and you drive down the price. It is a bit like what is happening to the Tatars in Crimea. They are being attacked.

Mr O'Brien interjected.

Mr DONNELLAN — The Treasurer is a little upset because supposedly he represents small business and the like, but he is party to the full frontal and brutal attack on the value of these people's assets. That is what we have here — a Liberal Party that supposedly believes in business. This is not the way to run reform. If the government wanted the industry to be reformed, it should have looked at proper compensation. The government should have worked with the operators instead of carrying on like a pack of pork chops and not being fair to people. That is what this is about: fairness and equity.

I have another letter, this time from the Minister for Public Transport. It is a response to one of these poor families that were going to lose their house, their main asset and everything else. Halfway through the letter, which is dated 29 October 2013, the minister says:

The east-west link tunnel project involves compulsory land acquisition by the Victorian government and is subject to the Land Acquisition and Compensation Act 1986, compensating landowners affected. The government is not acquiring taxi licences as a result of the taxi industry inquiry and as such no compensation is payable.

On the one hand the government is going to pay compensation, but on the other hand we know this government has gone well beyond compulsory acquisition and is now looking at voluntary acquisition of houses in the way of the east-west link project. We have seen documents and we know it has gone well beyond that, but for some reason the government has decided that in this instance, instead of doing the proper thing and offering some compensation to people whose properties will lose value, it will ignore them. What upsets me most of all is that at the end of the letter the minister says:

I am sorry to hear that you may lose your home as a result of the debt owing on your taxi licence ...

This is a government-regulated industry. I do not think this government understands that its hands are all over this industry and if your hands are all over the industry you are part of the marketplace and you are setting the terms and conditions. If you are doing that you have an obligation to pay compensation because you are involved in the market. This birdbrain idea — I might add birdbrain many times over — that somehow or other we are now moving to a self-regulated industry is just a load of codswallop. You have only got to look at how involved in it the government is, and if a government is involved in an industry, it has an obligation to pay compensation. It has an obligation to do the right thing.

Unfortunately, this government continues to talk about hardship provisions. I have yet to find somebody who has received any support or hardship payment from this government. There is no-one I know of, and I have not had any reports from the Dandenong taxi rank or anywhere else that members of my community have received compensation. That is because there is none. That is very concerning because a lot of families have lost a lot of money.

We now have an amendment circulated by the Minister for Public Transport. We have government by the member for Frankston. We have the government now varying an amendment put forward earlier to assist the member for Frankston to get his vote. The implication of that is that the government has to move another amendment to fix up the amendment it made in the first place to get a dodgy vote. That is what is happening here. This is not a government in control of where it is going; it is very much a government being driven by the member for Frankston, so the power of one is very much on display here today.

Good luck and good fortune to the member for Frankston, who has so much influence over a government, but it is a bit saddening that we have a government that does not recognise, firstly, that it is a market participant, and secondly, that it is being driven and run by the operations of one individual, the member for Frankston. That is very poor government. It is very much a government that needs to work out what it wants to do and where it wants to be. If the government wanted to be a market participant, if it wanted to actually lead, it would not bring in amendments the whole time that are very much put forward by the member for Frankston and then have to fix up the changes proposed by the member for Frankston.

The government should either get out of the market or into it. The problem with this government is that it cannot work out where it actually sits. Is it a supporter of small business or is it a destroyer of small business? In this instance it is very much a destroyer of small business.

Mr O'Brien — How many licences did you issue when you were in government?

Mr DONNELLAN — Obviously the Treasurer is a little sensitive on this issue because at the end of the day we know that the banks are moving in and making life incredibly difficult for taxi operators. The government issued 60; whacky-do! It does not matter how many licences you issue, you have affected the value of people's main asset. If the government wants

to go out there and proudly tell people that they get no support as small business owners, it should do so. The government should scream from the rooftops about what it has done.

Mr MORRIS (Mornington) — I am very pleased to rise this morning to support further reforms to Victoria's taxi industry through the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. For too long the Victorian taxi system failed to meet expectations and failed to meet the basic needs of those who use its service. We have had several decades of reform — I spoke about that when the initial legislation was debated — and it seemed to touch absolutely everything except the taxi services. The taxi industry remains stuck firmly in the middle years of the 20th century. Frankly, it is quite sad to listen to members of the opposition walking away from a legacy that I should have thought they would be proud of — the reforms that took place under former Premier John Cain and former prime ministers Bob Hawke and Paul Keating. It is simply walking away from those reforms and now saying that it wants to go back to the 1950s. This government certainly does not want to do that.

When we came to office satisfaction with the taxi industry sat at 56 per cent, and wherever you turned around the state problems were evident. Not every operator and not every driver were failing their clients, but the system was certainly failing. It was failing the entire community. If the trend were towards improvement, you might be forgiven for saying, 'Leave that and it will sort itself out', but that certainly was not the case. The trend was down and things were getting worse, not better. This government was prepared to grasp the nettle and take the necessary steps for reform because we wanted to build the best taxi industry in Australia and the best taxi services in Australia. This bill is very much the next step in that journey.

Of course I am not surprised to hear the whingeing from the opposition because it had 11 years to fix the problem but did nothing about it. It did not even have a crack at it, just sat back and let the industry collapse. That is why we finished up with a 56 per cent satisfaction rate. The opposition, when it was in government, knew that we, the state and the people of Victoria, had a problem but simply hoped it would go away. It has been interesting listening to the two contributions we have had so far because clearly those spokespeople for the opposition have been asleep and have not bothered to read the bills. They have not bothered to get across the detail because, unlike the former regime presided over by Labor, this bill and these reforms encourage competition; they do not stifle

it. This is now a deregulated industry, not a regulated industry.

The bill enables taxi operators in regional and country zones to set their own fares. It takes some steps in terms of reducing red tape. It abolishes the requirement for taxi licence holders to be accredited and further assists taxi operators and network service providers by minimising the entry requirements for accreditation. It tightens commercial passenger vehicle driver entry standards by introducing a fit-and-proper-person test. It gives the Taxi Services Commission additional compliance and enforcement powers. It improves the efficiency of the arrangements that are in place for dispute resolution between drivers and operators. It enables zone conditions for prebooked taxi work to be varied by the commission.

Indeed, the house amendments provide greater clarity to the words that are currently in the bill, and I note that the amendment was circulated by the Minister for Public Transport and not by any other member. It enables taxi zones to overlap at Avalon Airport, and that is sensible given that that airport serves both the greater Melbourne metropolitan area and the city of Greater Geelong. It enables the commission to establish a public register of taxi industry participants, and makes a range of minor changes as well.

An important aspect of the bill is the relief it provides for the 280 holders of wheelchair-accessible taxi licences that were released in 2010. Under the arrangements in place at the time they were required to pay a fee of \$26 400, which was indexed in accordance with the CPI. We know there have been difficulties for some of those operators and there has been some short-term cash flow relief, but that does not fix the long-term problem. Some changes were made through the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013, and this bill will bring forward some of those changes to allow statutory support for a reduction in annual licence fees to be paid by holders of taxicab licences. Those fees will be reduced by this bill to the level of fees prescribed under the foundation taxi reforms act.

I want to address a couple of matters specifically, because the effectiveness of these reforms is entirely dependent upon how effectively they are implemented. The regulator, the Taxi Services Commission, needs to have tools in its toolbox so that it can monitor compliance and enforce the law. Currently the commission has a range of powers to take action, but those powers largely reflect a historical focus which was about enforcing relatively low-level vehicle standards, road rule requirements and those sorts of

things, but to have these reforms succeed we need to take a new approach. We need compliance monitoring and enforcement which embraces more substantive economic regulation activities, and the provisions of this bill will put in place a framework to support that ambition.

The bill provides the commission with powers to enter and inspect commercial passenger vehicles and commercial passenger vehicle premises without consent and without a warrant in certain circumstances. Obviously we need to be cautious when putting these sorts of powers into a bill, and I believe the government has been reasonable by constraining — —

Ms D'Ambrosio — Acting Speaker, I draw your attention to the state of the house. There is no minister at the table. The minister is absent.

The ACTING SPEAKER (Ms Ryall) — Order! The minister is now at the table.

Mr MORRIS — I am not surprised that members of the opposition want to try to call a quorum, because they have made no cogent contribution to the debate so far. Perhaps the best way to tackle a debate you do not want to have is to try to avoid it completely, so I am not at all surprised by the tactic that has been taken.

I was talking about compliance, but I will not get to the final point I wanted to make. However, in terms of compliance, taxi compliance officers will be able to enter without consent commercial passenger vehicles when a driver or operator is present, the premises during normal operating hours and passenger vehicles at passenger vehicle premises during normal operating hours, but there are some particular caveats on those powers. Any inspection needs to be for the purpose of inspecting a commercial passenger vehicle and related equipment or securing information about fair payments or driver agreement payments in circumstances where there are reasonable grounds for believing that such action is necessary to prevent the concealment, loss or destruction of evidence. They are similar powers to those already provided to transport safety officers in the rail, marine and bus sectors.

There are also powers to require information and documentation to be produced. Those powers are proportionate to the risk, because, as the inquiry emphasised, we need policies in place that are proportionate to risk and that recognise the capacity for non-compliance, signal the seriousness of non-compliance, are transparent and can be implemented within available resources and at minimal

cost. As I noted earlier, this bill is the first step on a journey to modernise Victorian taxi services.

Mr CARROLL (Niddrie) — It is my pleasure to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. As other members have already said, reform of the taxi industry has been an ongoing process for decades, with inquiries and reports dating back to the 1980s and industry reforms occurring under successive governments of both political persuasions.

Taxis are an important part of our transportation network. They fill in gaps in the public transport network and generally help to keep members of our community mobile and connected, so we have to ensure that the industry is efficient, delivers good quality services at reasonable prices to consumers and allows for innovation and growth. All this is needed to ensure that our taxi industry remains competitive. It also means making sure our taxi operation is viable and that we have a thriving, decent and fair taxi industry for both licence-holders and drivers. Good customer outcomes will depend upon having a healthy and thriving industry in which individuals who work in the sector are respected, are consulted and are willing to be given a fair go.

As a whole, the reforms proposed by Professor Allan Fels are most likely a positive step forward for a competitive industry. Not everyone has agreed with the government's reforms to date, including former Premier Jeff Kennett. It has been interesting to see some of the sparring that has gone on in the media between the former Premier and the chairperson of the Taxi Services Commission, Graeme Samuel.

Many people will remember that former Premier Kennett's biggest reform was to paint taxis yellow. As Graeme Samuel recently pointed out, in 1995 the then Premier told the Parliament he had decided to exempt taxis from the competition policy being introduced nationwide at that time. According to Mr Samuel, the Liberal government's inaction at that time — apart from the liberal application of yellow paint — has been a major factor in worsening conditions within the taxi industry for consumers to this day.

While Labor was in office it also made reforms, including a 17-point plan rolled out to improve quality, competition and service levels for both drivers and customers. This included providing incentives to get drivers on the road at night when demand was higher and a new accreditation scheme. As Professor Fels noted in his report, the Australian Competition and Consumer Commission praised these actions as being

consistent with the broad principles of staged reform of the taxi and hire car industry.

One of the key issues has been consultation. As I said earlier, in many respects members of this government have shot themselves in the foot on the issue of taxi reform. Probably 95 per cent of the reforms are good and make a positive step, but when you see the protests that have been going on and are still enduring, it is a phenomenal example of how you need to take the industry with you. I have met with representatives from the Taxi Services Commission, the Victorian Taxi Association and with Sandy Spanos, head of Victorian Taxi Families. I must say that Sandy is a force of nature and has only the industry's best interests at heart.

In that regard I find it amazing that the government did not take up Professor Fels's suggestion. I will use his words from the summary of his report of the taxi industry inquiry, *Customers First — Service, Safety, Choice*, of December 2012. Professor Fels said in the report:

The total financial return on taxi licences will be reduced ... The most substantial financial impact would be felt by licence owners who acquired their licences after 2006 ... it has suggested that the Victorian government consider providing tightly targeted assistance to licence-holders who suffer significant financial difficulties as a consequence of the reforms.

What was the government's response? 'Bad luck. You had your blinkers on. You should have known we were making reforms'.

This week I met with representatives of the Victorian Taxi Association to consult with them and hear what they had to say about the legislation. It saddened me to hear that this weekend a house owned by a licence-holder will be auctioned. They paid in the order of \$500 000 for a taxi licence that is now valued at about \$230 000. It is having an effect; it is hurting people. It is putting financial strain as well as emotional strain on them. The government is not being conscientious enough about this. It needs to be looked at and addressed. Professor Fels himself said there should be 'tightly targeted assistance'. People are losing their homes.

Despite all the good work the government has done in taxi reform, I urge the government to take up Professor Fels's suggestion and look at providing tightly targeted financial assistance, introducing measures to ensure that the regulator has the power in relation to the expansion of the number of licences and removing the sunset clause, which has put the fear of death into licence-holders that in three years time there will just be an open market. With a bit more tweaking and

consultation, the government would be sitting pretty on taxi reforms, but it has shot itself in the foot over tightly targeted assistance, the releasing of more licences and also the lack of consultation with the prebooked order cabs. They need to be consulted, and the government needs to be bringing the industry together with it.

The government should take up the recommendations of Professor Fels and then look at what Deloitte Access Economics has had to say. It said in a letter regarding its own report:

The proposed reforms outlined in the draft report will have a material impact on the value of perpetual taxi licences. It has been estimated —

by its analysis —

that this impact will be of the order of \$200 000 and \$250 000, or more than 50 per cent of the current resale value of licences.

In view of the structure of the Victorian taxi industry, the reduction in licence values could have a significant financial impact on taxi licence owners.

This is especially the case where the value of taxi licences has been used as security for other investments, where owner-drivers have used the family home as security for purchasing a licence or where the taxi licence-holders carry significant levels of debt and a taxi licence is a significant asset holding. These issues are having a significant financial impact on licence-holders.

The bill introduces taxi compliance officers. With all due respect, I can understand why the government has moved in this direction — when you put through a massive suite of reforms you have to have compliance. However, this goes back to the heart of consultation. These taxi compliance officers will have enormous power. I know the government is trying to bring them into line with other jurisdictions around the nation, and I can understand that, but this will make Victoria's taxi compliance officers by far the most powerful officers of any state or territory in Australia. This needs to be carefully examined. Legislation of this kind should be rigorously scrutinised. It should be based on extensive research and consultation to find out exactly what is needed and exactly what level of power is appropriate.

It is interesting that if you have a look at the size of the Fels draft report you will see it is absolutely enormous — you will not see anything of this size on the east–west link — but the final report does not mention taxi compliance officers. I had a read through it; they are not mentioned. It says it will leave it up to the commission to formulate and apply a compliance monitoring strategy. We have these compliance

measures being introduced, but there has been no consultation with the industry and Professor Fels has not talked about them in his report. You have to ask: where has this come from?

The report emphasises that the process of development of compliance policy should involve consultation with stakeholders and be conducted in a transparent manner. It cannot be said that that has occurred. Victorian Taxi Families, headed up by Sandy Spanos — a force of nature, as I have said — has not been consulted. David Samuel, CEO of the Victorian Taxi Association, has real concerns about this legislation and how it will work. The government cannot just bring this before the Parliament, particularly when there is so much unrest about the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013, which was recently passed.

There are issues with the release of more licences, prebooked order taxis and hardship measures. People are losing their homes, and the government is not turning its attention to where it is needed most. The government is pushing through these reforms with serious disregard for the effects they will have on individuals and their families who are dependent on the value of their licences for their long-term future. These reforms have been a major transformation of the taxi industry. Many families have put their life savings into licences worth more than \$500 000, an investment intended to provide for their future, their kids' future and their superannuation. We are seeing the value of licences on the open market plummet. The government seems to be deaf to the subsequent catastrophic consequences that these licence owners are facing. While the government goes through this reform agenda for the taxi industry and taxi licences, I reiterate that it should talk to the industry and take up the suggestion of Professor Fels that a hardship test be designed to assist those people who need it most — the people who paid over \$500 000 for their taxi licence.

This week the RACV's *RoyalAuto* magazine came out, and it quotes a spokesperson for the Victorian Taxi Association as saying, 'The history of the industry is it's attractive to migrant workers' and that, 'It is easily accessible, and we should be proud of the fact'. I agree, but migrant workers are feeling it the most at the moment.

Mr KATOS (South Barwon) — I am pleased to rise to make a contribution in support of the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. One of the key tenets of what we are doing with taxi reform is around satisfying the consumer. As the member for Mornington said, when

the coalition was elected to government there was only a 56 per cent satisfaction rating among consumers with regard to taxi services.

The government is providing a range of reforms to achieve a much better outcome for users. We are going to have higher quality, more reliable and safer services. For example, there will be savings on the surcharge for non-cash payments. The Cabcharge was 10 per cent and is now dropping to 5 per cent. That is an approximately \$15 million benefit to consumers per annum.

The objectives of the bill are to facilitate further reform of the taxi industry by:

enabling taxi operators in regional and country zones to set their own fares; and

reducing red tape on taxi licence holders by abolishing the requirement to be accredited; and

reducing red tape on taxi operators and taxi network service providers by minimising accreditation requirements; and

tightening commercial passenger vehicle driver entry standards by introducing a fit and proper person test; and

giving the Taxi Services Commission additional compliance and enforcement powers —

which is important, and by:

improving the efficiency of dispute resolution arrangements for agreements between taxi operators and drivers ...

It will also allow the situation of overlap at Avalon Airport to be resolved. I might touch on that in a more fulsome manner to begin with. I have been out and toured Avalon Airport on several occasions. About a year and a half ago or even a bit earlier, the CEO, Justin Giddings, who does a great job there at Avalon Airport, highlighted to me that the problem at Avalon was that while Geelong cabs could drop off and pick up passengers at Avalon, a Melbourne cab bringing a fare could only drop off. It was a silly situation where Melbourne cabs were dropping off a fare and passengers were leaving the airport wanting to go to Melbourne but these taxis were prohibited from taking them. This bill corrects that situation, which is very sensible. There was also the potential for a cab driver to tell people wishing to travel from Melbourne to Avalon to catch a plane, 'Well, I do not want to do that journey because I cannot get a return fare'. This will be more efficient; you will not have taxis travelling empty up the Princes Highway between Melbourne and Avalon. The government has a strong commitment to Avalon, with the rail link that is being planned and the strong support for Jetstar to continue operations there. I am pleased

that that situation is being fixed, and I know that Justin Giddings will be pleased.

One of the other reforms, which is perhaps more pertinent to my electorate and other rural and regional electorates, is allowing taxi services to set their own maximum fares. It has to be highlighted that it is a maximum fare; they have the ability at any time to not charge that maximum fare. That is sensible. The Essential Services Commission will be able to monitor pricing. The last thing you want to see is anyone price gouging, but because these country areas are a lot smaller it would become very evident if one particular taxi operator was charging very high fares and price gouging whereas others were not. While competition should prevent price gouging from occurring, if it does occur, the Essential Services Commission can step in and effectively name and shame operators that are doing the wrong thing.

Another important element of the bill is the fit and proper person test to ensure that taxidriviers are of the highest possible standard. There have been many reforms around taxis. If one remembers the taxis 20 years ago, they were all over the place — dirty and not well presented. The standard of taxis now is more professional, much cleaner and more uniform. The experience should be enhanced for the person who is using the taxi. If you go to other parts of the world you see that the condition of some taxis is completely disgraceful. Over many years and over many different governments of different persuasions, Victoria has done very well to put those reforms in place. The bill provides the Taxi Services Commission with tougher compliance and enforcement powers so if there are issues, it will have the ability to ensure that compliance is taking place.

In terms of dispute resolution, obviously there will be times when owners of taxis and drivers will have disputes — in any situation there is always the potential for a dispute. The bill requires that the Taxi Services Commission undertake a preliminary assessment of the nature of the dispute and provide preliminary assistance to the parties. While ultimately a dispute could end up at the Office of the Victorian Small Business Commissioner or at the Victorian Civil and Administrative Tribunal (VCAT), if the Taxi Services Commission can assist in resolving that dispute in a timely and sensible manner, it is a lot better than going to the small business commissioner or clogging up the lists at VCAT. If things can be resolved at the local level it is a much more sensible course of action to take.

As I said earlier, these reforms have been very good for consumers. We have also had problems with regard to

the satisfaction of the users of cabs. They have shown a 56 per cent satisfaction rating, so only just over half the population were satisfied with the cab service three and a half years ago. We need to continue to look at and improve the service, and it will always be a continuing process.

This is sensible legislation. I am very pleased with the aspects allowing country and regional cabs to set a maximum fare. That is something that I know the industry has been asking for for a while. Most of the participants wanted to be able to set their own maximum fares. As I said earlier, I am also very pleased with the reforms relating to Avalon Airport. It is quite a sensible outcome. It was a ridiculous situation to have people standing there and waiting for a cab when the cabs that were already there and were about to return to Melbourne could not take passengers back with them. That was obviously a ridiculous situation. I am glad that this bill remedies that. With those remarks, I am more than happy to commend the bill to the house.

Ms D'AMBROSIO (Mill Park) — I join with my parliamentary colleagues the members for Altona, Narre Warren North and Niddrie to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. The bill certainly comes back for us to have a second bite, if you like, at the government's dramatic changes to the taxi industry. We remember the drama, anxiety and anguish that were so vividly expressed by taxi licence holders, or licence owners, last year with respect to the government's foundation legislation and the impact on their ability effectively to survive and for many of them to pay their mortgages.

Members will remember that the foundation legislation essentially stripped from many taxi licence owners a significant level of value from their licences, without any attempt to consider providing compensation or implementing or making available a financial hardship test for those that were to suffer, the ones who were most vulnerable and those who were exposed to the devastating impact of the foundation legislation changes. This has not occurred, despite the fact that Professor Fels himself, the architect of those changes, put to the government that there needed to be some consideration of a financial hardship plan to deal with those who were most vulnerable and who would suffer the most from the impact. He understood some negative impacts would come out of that. The government failed to recognise that that would eventuate. The effect of that is still being borne today by many taxi licence holders, particularly those whose mortgages on their homes were underpinned by the value of their licences. Some banks have simply removed their recognition of

the value of the licence in its entirety for many families and have left them with mortgages on homes that are not able to be sustained or are not viable. In many cases families have chosen to make the very tough decision to sell up.

In light of that situation the opposition has moved a reasoned amendment to the second-reading motion. I observe that we have had a whole backbench of government MPs who for the past three and a half years have been trying to remind anyone who will listen to them and have been mouthing off about how dedicated they are to the small business community — how they understand how hard it is for small business owners to make a living and eke a livelihood from the businesses they run. Those business owners have invested their sweat and put aside their hard-earned pennies to make a small business a viable entity of a business proposition.

But now we have total silence from those same backbench MPs, that chorus of voices that had been mouthing support and sympathy for small business owners. They have fallen silent and have remained so for many months, knowing full well the devastating impact that the changes to the taxi industry have brought to many families, including many migrant families, who as small business owners have similarly sweated and given up much time with family, put away their pennies and scrimped and saved. Many such people live in my electorate. Their cries for help and their continuing anguish over this matter have fallen on deaf ears from those who for three and a half years have mouthed support for such small businesses.

The opposition's concerns are real because the impact of this government's changes to the taxi industry is real, and it is continuing to be felt. I have already indicated that there has been a significant drop in the value of taxi licences. In some cases it has dropped by more than \$200 000, and banks are refusing to recognise these licences at all as having any value. At the heart of the motivation for the reasoned amendment moved by the member for Altona is the key issue that again the government just cannot get things right. The government has failed to prove or demonstrate at all that it has heard the voices of the community about its foundation legislation, and it is repeating its failings in a more significant way by not even attempting to consult with the community, especially consumers, about the possible impact of the changes in this bill that are presented to this house for support.

I turn to just some of the changes that are being proposed in the bill and to what their possible impact may be. That impact goes to the heart of the motivation for the reasoned amendment moved by the member for

Altona on behalf of the opposition. In relation to the fare notification scheme that this bill attempts to deal with, we are concerned, as are some of the operators in the cooperative networks, that the changes may indeed fall foul of the federal competition and consumer laws regarding cartel behaviour. That is important when it comes to making decisions about maximum fare structures. We know discussions are under way between the industry and the Australian Competition and Consumer Commission about some of these issues. It is curious and concerning that this government feels confident about presenting the fare notification scheme to the Parliament for approval before it knows the outcome of those discussions. It has approached this issue in a way that makes no sense.

We also are concerned about the possible impact of the proposed price notification scheme on communities in regional Victoria. We have listened to concerns expressed by people in small communities in regional and rural areas about the impact fare hikes with no fare ceilings could have in a monopoly market. The government must know that price gouging could arise in a monopoly market, and that this is something to be feared from a consumer perspective. The government needs to take responsibility for this issue. Through our reasoned amendment we are saying to the government that it needs to halt this process, consider the ramifications and consult with communities to give some measure of protection and assurance that price gouging will not occur as a result of the mechanism this government is delivering to these monopoly markets. These are some of the opposition's concerns.

This issue goes to the heart of consumer protection and cost of living pressures, and it runs against the mantra that the government adopted to underpin the changes introduced by the foundation legislation, which was that this is all about competitive pricing and delivering a cheaper and better service for consumers. It is contrary to that mantra because economics 101 will tell you that monopoly markets present great dangers to price levels. If no protections are provided for consumers through government regulation, those price increases will affect affordability.

The government's foundation legislation and the subsequent legislation that is before the house contain a number of contradictions, which undermine the government's mantra that it is concerned about the cost of living, it is interested in better consumer affairs when it comes to the taxi industry, and that it has an understanding and appreciation of the nature and characteristics of the industry. It also causes us to doubt the ability of this government to produce any meaningful or proper changes to the taxi industry.

Mr SHAW (Frankston) — I want to discuss the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. I think back to the year before last when Professor Allan Fels was conducting his inquiry into the Victorian taxi industry. In the report of the inquiry, *Customers First — Service, Safety, Choice*, Mr Fels said that Frankston taxis were the no. 1 service in Victoria. We had a heated debate about the report in this chamber in May or June last year. From the over 130-odd recommendations in the report, about half a dozen were contentious, and we discussed those contentious issues. I discussed the no. 1 taxi service in Victoria with the Minister for Public Transport.

In the discussions about the report, people from both sides of the house were whingeing and whining about what was happening with the taxi industry and whether or not we should vote on the report. I took the CEO of the Frankston taxi service to see the Minister for Public Transport; no other members took the CEO of their local taxi company to see the minister, so I do not know what was going on. Everyone thought it was a contentious issue, but I was the only one who took the CEO of a taxi company — Kevin Dunn, the CEO of Frankston Radio Cabs, which is the no. 1 taxi service in Victoria — to see the minister and to talk out the issues. I would have thought that is what we are in government for — that is, to get results and good outcomes for our community, yet I was the only one to do that.

I will quote from the Frankston Radio Cabs website, which states:

We are all well aware that in March 2011 that the Victorian state government announced an inquiry into the taxi industry. The inquiry was chaired by Professor Allan Fels.

It will suffice to say that the following two years were the most difficult in the history of our industry.

The efforts of many, many people contributed to the outcome achieved by Frankston Taxis.

None more so than those of Geoff Shaw MP, state member for Frankston; Geoff's motto 'Delivering for Frankston' was really put to the test over the inquiry period.

While we appreciate that the time leading up to full implementation (1st July 2014) is still fraught with concern, there is no doubt that Geoff Shaw's war cry; 'Delivering for Frankston' was well and truly tested. Geoff delivered in a timely and professional manner and all us who rely on taxis in the Frankston area for our livelihood or transport should appreciate his efforts on our behalf.

I have not seen any other taxi companies' websites quoting an MP. Of all of the MPs in this place, I was the one who stuck up for his taxi service.

The amendment circulated by the Minister for Public Transport states:

Clause 48, line 31, after 'zone' (where secondly occurring) insert 'but cannot drop off a passenger picked up in the urban and large regional zone in the urban and large regional zone'.

This amendment was drafted after discussions with the Minister for Public Transport; that is what discussions are for. The minister and I discussed this issue last year, and he said that it would be looked at. He has kept his word, just as the Minister for Mental Health kept her word to me two weeks ago. She made the amendment to the Mental Health Bill 2014 and talked to the Leader of the Opposition to get the amendment through so that both sides of the house were happy.

Frankston Taxis says in its statement that if it were not for these changes that I made, in making representations on behalf of Frankston Taxis to the Minister for Public Transport, who did a terrific job, it would not be around. Frankston Taxis wants to put \$1 million into infrastructure — new hardware, new software and GPS systems for its 64 taxis — but if not for the changes it would not be around now. The no. 1 taxi service would have folded because of the reforms Professor Fels recommended in his report, so thank goodness that changed. Thank goodness there are ministers who do not just say they will do everything recommended by an independent inquiry but actually have a think and say, 'Just because an independent report recommends it does not mean we will do it'. Out in the field, in this example, the no. 1 taxi service in Victoria would have folded.

The reason for this amendment is that as a percentage of its fleet Frankston Taxis has the largest number of taxis with wheelchair access in the state. Its service is better than anyone else's, and what happens is that with prebookings Frankston Taxis will drop someone who is disabled in another area. These disabled people want Frankston Taxis to pick them back up, but under the legislation as it was it was not allowed to do that. This change makes it possible for Frankston Taxis to continue to do the business it was doing before. If it dropped off someone at Scope in the Edithvale or Mordialloc area, it was not allowed to pick them up with a prebooking. This amendment changes that. Frankston Taxis can pick up a passenger and drop them back in its zone.

The reason taxi zones exist is not to keep other taxis out; it is to service that area and keep the taxis that are from that area in. If Frankston Taxis has a prebooking to pick up a disabled person at Scope, it can bring them back to Frankston. This legislation says they cannot be dropped around the corner outside the taxi's zone. They

have to be brought back into the taxi's zone, and that makes sense. It protects the industry and has taxis servicing the areas they are designed to service.

I appreciate the minister's openness in these discussions. Members may just be looking at this bill today, but it was discussed some time ago over months, if not a year. It was promised to be brought into the house at a later date, and now it has been. I appreciate the minister's openness, honesty and trustworthiness, and I also appreciate that he spent time with me and Kevin Dunn, the CEO of Frankston Taxis, the no. 1 taxi service in Victoria, and went through those concerns. I would not have thought a conservative government would want to put small business out of business, and the minister has proved that to be the case.

As an aside to this legislation, taxi fares have not increased since 2008. If you are running a small business, it is not fair that you cannot increase prices. Who has not increased their prices in six years? Inflation in those six years would have to be near 20 per cent, so it is a little disappointing. Prices are far behind those in Sydney. The prices of petrol, liquefied petroleum gas and servicing have gone up during that time, but fares have not. That is not fair. They need to be going up, but that is an aside to this legislation. In summary, if Frankston Taxis is happy with this legislation, my job as the member for Frankston is done.

Ms KNIGHT (Ballarat West) — I am pleased to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. I have some concerns about the bill, but first I want to pick up a few points the member for Frankston raised. He referred to members on this side of the chamber whingeing and whining about the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013, and I want to assure members that we do not whinge and whine. We come in here and express the views of our constituents, whom we listen to carefully. The member for Frankston also said, 'That is what we are in government for', and I want to remind the member for Frankston that he is no longer a member of the government. He is an Independent member, albeit one with an inordinate amount of power to set the agenda for this government.

Moving on to the bill, I have some concerns about the bill because I have consulted with Ballarat Taxis Co-op. Just last week I met with a group of representatives from the co-op, and they expressed their concerns. They wanted to fill me in on how things have progressed since the foundation bill was passed, and I have to say they have not progressed well. I

acknowledge the contributions of the members for Narre Warren North and Mill Park, particularly when they spoke about the serious impacts on migrant communities, who have such a large and important role in their communities and in the taxi industry. I want to talk a bit about that from a regional perspective.

The feedback coming to me is from regional taxi owner-operators. I want to stress that they are owner-operators who not only own their cabs but drive them as well, so they have a broad perspective of what this legislation means and how it will impact upon them. By far the most concern I have heard is around the fact that there is no hardship compensation or acknowledgement that there will be hardship attached to the changes this government has legislated for. I have spoken to owner-operators who went into a lot of debt with the understanding that their cabs would be worth a certain amount of money, but now that the value has been reduced they are concerned about their retirement. They have bought taxi licences in order to prepare for retirement, but that has now been jeopardised, with no hardship acknowledgement or payment forthcoming.

The people I have spoken to are educated people and know that hardship measures have been looked at in other states. They know these measures can happen and whether they have been used elsewhere, so they ask, 'Why doesn't it happen here?'. This should have been considered by a government that purports to understand and support small business, but the taxi owner-operators in Ballarat do not believe it does. They used to. I am under no illusion that these are Labor people; they certainly are not, or they have not been up until this point. These are businesspeople who have clearly declared their Liberal allegiances, and some are members of the Liberal Party. They have reacted even more strongly because they feel there has been an added level of betrayal. Not only have they been betrayed in respect of the work they do and not being consulted about the changes, but to not be consulted by a government formed by a party they support has blown their minds. They are angry and upset, and they are clear about why. I thank all the owner-operators who have consulted and chatted with me when I have caught the odd taxi home. They have spoken to me about how difficult it is.

I will give some examples of how the situation has changed in terms of banks and securing loans. I have a couple of documents here. I will not read who they are from, but I will read excerpts. The first document says:

I wish to advise that under current guidelines, if we were to approve funding, whilst we would take a charge over the taxi licence we would not extend any value against this licence.

This bank will not extend any value against the licence. That is one example. Another example is:

In November 1997 my wife and I formed a company and purchased a taxi licence in Ballarat as a long-term plan for retirement.

We borrowed the whole amount, \$260 000, from the Commonwealth Bank. Anticipating the value to increase to \$400 000–\$500 000 by now, at age 53 it seemed like a good idea.

Fast forward 16 years. At age 69 I can't sell my licence and would really like to retire.

This person had some not very nice words to say about Mr Fels and Mr Mulder that I will not read out.

There have also been some concerns about the impact of the price notification system in regional and country areas. This is a direct statement from Stephen Armstrong, who is the chairman of the Ballarat Taxis Co-op Ltd:

... we are concerned that this system will leave country-style taxi networks of a cooperative nature extremely vulnerable should the ACCC intervene.

In Victoria there are generally three types of network service provider structure, one owner (e.g. Hamilton), corporate (e.g. Silver Top) and co-op (e.g. Morwell, Warrnambool, Shepparton et cetera). The third of these groups ... will have significant issues if the price notification system goes ahead as proposed because in order to set a common price for booked work they appear to potentially breach the cartel provisions ... of the Competition and Consumer Act 2010. These are the laws that cover the area of how fares/prices are set.

Mr Armstrong is not whingeing or whining, he is just saying very clearly how concerned, anxious, disappointed and terrified his members are about the changes that this government is proposing. I thank them for their advocacy, and I thank Stephen Armstrong in particular for his strong advocacy for all the members of his cooperative and also, can I say, for the community of Ballarat.

Getting back to my original point, I want to conclude by talking about why these reforms impact directly on regional areas and why regions such as Ballarat are different. We live in a regional community, and we kind of know each other. Taxidriviers do not just take people from A to B; they know their passengers, and they pick up regular passengers. When they pick up the same older woman who needs some help to do the groceries, they do not just dump her at the supermarket, wait and then dump her back home. They meet her at the door, they carry her groceries to the car, they take her home and they carry her groceries in. The other week an older woman locked herself out, and her

taxidriver actually helped her to get back in again. I think I mentioned in my last contribution that there are a couple of kids with disabilities who are runners — as was mine when he was young. Tom used to do a runner quite a bit — it terrified us — and it was the taxidrivers who looked out for him. They all knew him, and they knew the other kids who were regular runners, and as they were driving their taxis around they would keep an eye out for them. And do you know what? They still do that. They actually provide a service. They go the extra mile. They love their passengers, and they talk to them about a whole range of things — politics included, members may be terrified to hear.

I want to speak loudly and proudly — not whingeing and whining, as the member for Frankston intimated — about the great work that our owner-operators do and the great work that our taxidrivers do, not only in the professional way they undertake their duties and the professional and clean way they maintain their cabs but also in the service they provide to their communities. I will finish on this point: we must not forget that taxidrivers face quite a bit of danger in their work. It can be a dangerous job. Just last week on the front page of the *Courier* we saw that a taxidriver was attacked and robbed as he was cleaning his cab in the early hours of the morning. I asked after him, and he is actually okay, but he did have to have a couple of days off work. The taxidrivers, the owner-operators and Stephen Armstrong are all there to support him; that is what they do. I think the least we can do is support them.

Mr WELLER (Rodney) — It gives me great pleasure to rise this morning to speak on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. I will make a few comments on the previous speaker's remarks. I must say that I share the view of the member for Ballarat West on the important role that taxidrivers play in local communities. I come from an even smaller community than Ballarat, and the taxidrivers do indeed do all the wonderful things the member for Ballarat West mentioned. I fully agree with her comments about the wonderful job that taxidrivers do. However, I do not agree with the member for Ballarat West coming in here and saying that banks do not support the taxi industry. Indeed the banks do support the industry, and they made quite a clear statement last July or August, I think. They came out and said that indeed they will continue to support taxi licences.

Ms Knight — I will show you the letters.

Mr WELLER — I know it is wrong to respond to interjections, but I would have thought it would have been more credible if the member had referred to the

banks that were saying that rather than just saying, 'I hear that a bank isn't doing that'. It would have been better to come in here and actually say which bank it was — if it was 'Which bank?'.

An honourable member interjected.

Mr WELLER — Yes, 'Which bank?'. The member also said that country operators are all disgruntled. I have an article from the *Colac Herald* of July 2013 that quotes Active Taxis owner Michael Harrison. I will not read the whole article, but I think this part of it is very relevant:

'Business is always pretty good but the income generated is low with such old fares', Mr Harrison said.

'Consequently we find it difficult to get drivers so we don't get the full fleet on the road as much as we would like.

'It all comes back to a driver's earning capacity — 55 per cent of 2008 fares is still no good, we have to be on 2013-type prices.

'Once we're allowed to do that we will be okay — they've said we are going to set own fares and I can only trust the taxi commission will allow us to do that'.

I believe that is the commission's intention. The article continues:

Other reforms among Professor Allan Fels's 145 recommendations included a guaranteed 55 per cent of takings for drivers, taxis are no longer limited to being yellow and credit card surcharges will reduce from 10 per cent to 5 per cent.

Mr Harrison said his business turned over about two cars a year and not having to paint them yellow would save about \$6000.

He said the business had put its first white taxi on the road, which he said was the first in Victoria.

Mr Harrison, the taxi operator in Colac, is very positive about the benefits that flow from this government allowing him to set his own fares and not to have to paint his cars yellow, a saving of \$3000 per car. He is very pleased that the government has gone on to introduce these reforms.

I note that there has been an issue with taxis in Melbourne for many years, and for 11 years the opposition sat on the government benches and said it was too hard for it to do anything about it. This government, through consultation with the industry and the community, is being proactive in getting these issues resolved. Victorians want better taxi services, and it is clear that the Victorian taxi industry is not delivering the levels of service quality, availability, accessibility and value expected by the community. There is a wide range of well-documented problems

such as short-fare refusals, not enough taxis being made available at peak times and large numbers of wheelchair-accessible taxis queuing at the airport instead of making themselves available to transport people with disabilities. However, these service level problems can be considered to be symptoms of more systemic issues.

The taxi industry inquiry found that most of the industry's problems stem from the complex and prescriptive regulatory framework within which it operates, a framework that constrains competition, stifles innovation and directs much of the revenue generated by the industry away from those providing on-the-ground services. The enactment of the foundation taxi and hire car reforms commenced the process of cutting through this prescription and doing away with unnecessary levels of red tape. The bill we are debating today further progresses this reform agenda. Noting that other members have already spoken about the range of measures included in the bill, I will focus my contribution to this debate on the changes the bill makes to industry accreditation and the provisions included in the bill that establish the public register of industry participants.

The Transport (Compliance and Miscellaneous) Act 1983 currently requires taxi licence holders, taxi operators and taxi network service providers to be accredited. Accreditation requirements were introduced and implemented by the former government in 2006–07. These requirements created heavy red-tape and cost burdens on the taxi industry. Red tape is what officials wrap people in when they think that government knows best. The former government thought it knew best. The evidence presented to the inquiry, however, indicates that all Labor did was increase costs and erect barriers to competition. The inquiry recommended that the coalition government abolish accreditation for taxi licence holders, replace accreditation for taxi operators with a lower impact permit scheme and replace accreditation for network service providers with an authorisation process. Complementary recommendations also made it clear that licence-holders should only be required to maintain up-to-date name and contact details; entry requirements for taxi operators should be reduced so only a probity check need be undertaken before a permit is granted; taxi network service providers should no longer be required to demonstrate financial capability; and the requirement for taxi operators to affiliate with network service providers should be removed.

The bill implements most of these recommendations by repealing taxi licence holder accreditation requirements and related conditions while retaining the requirement

for licence-holders to maintain up-to-date name and contact details, repealing unnecessary and onerous taxi operator accreditation entry requirements, enabling accreditation requirements for taxi network service providers to be reduced by adjusting subordinate instruments and enabling taxi network affiliation requirements to be removed when details of changes to subordinate instruments are resolved.

The bill further reduces red tape by removing the requirement for accreditation to be renewed every five years. This will avoid approximately 1000 regulatory transactions per year, saving time, administrative costs and, importantly, keeping taxis on the road to service the needs of customers. The coalition government made a commitment to reduce red tape by 25 per cent, and we are on track to meet that target. This is in stark contrast to what was achieved under Labor. The taxi industry inquiry found that the complexity of the taxi and hire car industry makes it confusing for consumers to identify who is responsible for delivering services, where to direct a complaint about poor service or how to compare the performance of different service providers. The report also noted that the absence of easily accessible, up-to-date and centrally available information hampers effective monitoring and enforcement activity and results in unnecessary administrative burdens for government agencies as well as for private firms that deal with taxi and hire car matters.

The inquiry recommended a public register be established as part of a range of measures aimed at addressing these problems. The bill requires the Taxi Services Commission to establish and keep a register of taxi industry participants in line with the taxi industry inquiry's calls for the industry to be made more transparent. The register will include information relating to accredited taxicab operators, accredited network service providers, accredited commercial passenger vehicle drivers — which includes taxis, hire cars and buses — and the holders of hire car and special-purpose vehicle licences.

The bill ensures that information will not be released until the person to whom the information relates is given notice. Persons who have information on the register and have received notice that this information will be published have the right to apply to restrict public access to information on the register — for example, because of concerns about privacy. The public will be able to view the register, which will be available at the offices of the Taxi Services Commission during office hours and on the commission's website.

As I identified earlier, the former government had 11 years to introduce taxi industry reforms and did nothing. This government is reducing red tape and improving the taxi industry.

Mr NARDELLA (Melton) — The opposition has put before the house a reasoned amendment to the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. It has done this on the basis that again this government is not listening and again this government has taken a position that it is the only one that can ever be right and has not discussed these matters with people in the industry. This government will only listen to the most powerful man in this Parliament and will only take delegations from the most powerful man in this Parliament. This government will only talk to the taxi operators of Frankston and the honourable member for Frankston before it then puts in place what is a very good amendment. But it will only talk to the honourable member for Frankston because he determines whether this government lives or dies.

That is the position we are in. That is the position that taxi owners, taxi licence holders and companies are in. That is a position where this government only talks to, only listens to and only puts in amendments for the honourable member for Frankston, who is the most powerful man in this house. That is wrong. The voices of taxi owners and drivers, and the voices of people affected by these changes, are not being heard by this government. They are not the ones who are sitting down with the minister, sitting down with the Premier or being called in by a special person and listened to, as the member for Ballarat West said, about how these changes are affecting their businesses, their families, their licences and their investments because these changes have not been worked through by this government.

Honourable members have heard from the honourable member for Ballarat West and the honourable members for Niddrie and Mill Park, whose contributions I was here for, and they were excellent contributions — just as the honourable member for Frankston's contribution was a very good contribution. However, the problem with this legislation is that it only represents ideas, thoughts and decisions by the government and has not been subject to the consultative process that really needs to be undertaken.

It is not just about the 447 submissions to the review. That is not how you consult with people; that gives you a basis for the consultation. It gives you a basis for how you then progress those consultations and discussions with the people involved as to how the legislation is

going to affect them. But the government then needs to physically sit down and work through those issues in a systematic way. It needs to do that so that the effect on those families, on those companies and on the very people on whom the Right Honourable Robert Menzies based the foundation of the Liberal Party when it was established in 1946 — small businesses and the operators of these companies — is clear.

However, we only have rhetoric by members of the Liberal Party in this house, and I have been hearing it all this morning. The rhetoric is along the lines of saying, 'Small business is our constituency. Small companies and families are our constituency'. Yet when the hard decisions need to be made and when reforms need to be worked through, those constituents are discarded. They are thrown away; they are burnt at the altar of free enterprise and open-slaughter competition. However, that is not the case if your voice is the voice of the most powerful member in this house, the member for Frankston.

Honourable members on the other side of the house keep on rewriting history that they have no understanding of. These reforms continue the work of the Crime Prevention Committee investigation into the taxi industry that was chaired by my friend the Honourable Ken Smith, member for Bass, back in 1993. We reported, I think, in 1994. Changes and reforms to the taxi industry are not a new thing. The licensing system is not a new thing. Members opposite say that nothing occurred in our term of office, despite the fact that there were changes, including to licences. There was the introduction of green top taxis and changes to standards as well as to the Victorian Taxi Directorate and the way it operated. Cleaning up the industry and making changes to legislation to get criminals out of the system is not doing nothing.

I am happy to embellish when I speak about things in this house. Honourable members would be surprised at me saying said that because that is not really me, is it? But it is. But the embellishing has to be based on fact, and the fact is that all governments, whether it be the Kennett government, the Bracks government or the Brumby government, put changes in place after discussions and hopefully after consensus and agreement had been reached. That does not always happen, but change should only happen after that occurs. It also occurs on the basis that the value of licences and the effects on the livelihoods, the superannuation and the retirement planning of people and families is not destroyed. No government or honourable member intends to purposely destroy those things.

I agree with the honourable member for Rodney that Melton is sort of in between Ballarat West and his small communities and that the Ballarat Taxi Service and Melton Taxis are the two taxi companies in Melton. They do a fantastic job. I also agree with the honourable member for Rodney that they pick up passengers who are their friends. They go to sporting events together; they are neighbours. These people picked up my mum and my dad when they were alive, and they helped them get around Melton and do the things they needed to do. They also talk to me about them and still remind me of the times when they picked up my mum or my dad. I have talked to the representatives of the taxi industry in Melton, and unfortunately this foundation legislation does not assist them in the way that they want to continue to support the industry, to help their neighbours and other residents in their community — the people they get to know. These operators and drivers are really critical to that community.

Again I must commend the member for Frankston and agree with him that it was not fair to have a situation in which from 2008 to 2010 there were no changes to the fare structure for taxis. But to then have three and a half more years with no fare increases was also not fair. That is something the honourable member for Frankston and I absolutely agree on. The changes in this bill do not put in place the things that support the industry. Certainly the driver fare take goes from 50 per cent to 55 per cent, but it is 55 per cent of the 2008 fare. We in here have all had increases in our remuneration over the last couple of weeks, and some more than others, but those in the taxi industry have not. I support the reasoned amendment. There needs to be more consultation, and I urge the government undertake that consultation.

Dr SYKES (Benalla) — It is with pleasure that I rise to follow from on the modulated mellow tones of the member for Melton, who is ageing gracefully, like others in this place. At the outset of my contribution to debate on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014, I say that this is an example of the Minister for Public Transport and the government taking action in the light of having to take on board the difficult financial circumstances that we find ourselves in overall, with some very responsible management by the cabinet and the Treasurer that results in us still running a AAA credit rating, but in that context tough decisions have to be made and we are making them. It was interesting that the member for Mill Park managed to make a comment with reference to economics 101. It is interesting that a member of the Labor Party is preaching to a member in this financially responsible

government on economic management of the state, but I will not get sidetracked along the lines of the desalination plant, myki and various other cost blowouts that occurred under the previous government.

The issues we are seeking to address in this bill and in other changes being made by our coalition government are difficult issues that our government has had the courage to tackle. It would be fair to say that Professor Fels was probably the man for the job in the sense that he has no fear and he has made some very tough recommendations, some of which our government has accepted in toto, some of which we have modified. Just on the effectiveness of recommendations by Professor Fels, I take the opportunity to congratulate him on the work he is doing in relation to the fire services levy and holding the major insurance companies to account, resulting in the repayment of millions of dollars to insurees who were overcharged in relation to the levy.

We have a system in place, and there was a review where a number of significant issues were identified. The matter that has been raised with me by taxi operators in my area is that many of the issues are very much city based but the impact of the reform has an effect on country operators. In my electorate there are a number of country operators who do an outstanding job. At Benalla there is David O'Donoghue, who runs a number of cabs including wheelchair-accessible cabs. At Euroa and Nagambie there are Alan and Damian Murphy, who provide a fantastic service. As other members have said, our country taxi operators are not just taxi operators, they are part of our community. They go beyond the call of duty to look after people, particularly the frail and elderly, people with disabilities and the needy, so they are an integral part of the fabric of our community, and I commend them for that. There are also operators at Mansfield and Mount Beauty. In the Bright and Myrtleford area there are Margaret and Jerry Wilson at Bright and Rebecca and Linton Wilson at Myrtleford.

As the fortunes of our country towns have gone up and down, if I may use the Myrtleford area as an example, the abrupt cessation of the tobacco industry, which took \$30 million out of the local economy in one hit, had a significant impact on the viability of the Wilsons' taxi business, so they are always sensitive to ongoing pressures. That is why as a government, in addition to these reforms, we are looking for opportunities to further incorporate taxis into our public transport system.

We have expanded the multipurpose taxi program to enable greater use by those who need to use taxis to get

from A to B, and there are other options to look at incorporating taxis into our community services. That is a watch-this-space exercise. I also have a mate over at Shepparton, Allan Bemrose. Bemie is a big guy who runs a large taxi operation in Shepparton, and he has done very well. He was a footballer at Shepparton when I was coaching in the 1970s. He used to give everything on the footy field, and he continues to give everything in business.

The other thing, as mentioned by other speakers, is the point that I raised earlier on the issue of the changes that are being made and the fact that a lot of the problems are particular to the cities, but the concern is that they will flow on to country areas. Some of the key issues are in relation to the 45-55 split on income, and also issues relating to the setting of prices.

The member for Frankston made reference to the process of lobbying, and he has done a good job on behalf of his constituents, but I take issue with him in relation to what is being done by members of the coalition backbench in lobbying on behalf of our constituents. I see the Minister for Local Government, who is also the Minister for Aboriginal Affairs, is at the table. When he and the Minister for Energy and Resources were members on the backbench they were both very active in lobbying on behalf of their taxi operators, as the member for Murray Valley and a number of other Liberal MPs have done.

We have sought to highlight the role played by country taxi operators and make sure that they continue to fulfil their roles and have a viable business. The minister has been receptive. The minister and his parliamentary secretary have met with our operators, and they have continued to look at the propositions that have been raised. Interestingly, a couple of weeks ago the member for Murray Valley and I met with taxi operators in north-east Victoria. We sat down in my office with Barry Sullivan from Wangaratta, Damian Murphy from Euroa and Nagambie, and David O'Donoghue from Benalla. Probably the issue that concerns them, which we continue to air, is the issue of the 45-55 split. We know a proposition has been put up recognising that in country Victoria fuel prices are often substantially higher than in Melbourne and therefore the operating costs for taxi operators in country Victoria are higher, in particular given that on top of the higher fuel prices there is often a lot of non-paying travelling time between paying jobs. A suggestion has been made to have operating costs deducted from the amount which is split 45-55 between operator and driver. I know that is under consideration, and I thank the minister for being prepared to look at that and other matters.

The other matter that is an issue in country Victoria is the issue of price setting. In freeing up the ability for operators to set their prices, we run into some situations where operators who are working together in a community — I think Wangaratta or Wodonga were among those — basically have a working arrangement now, but if they proceed down those lines there may be issues with the Australian Competition and Consumer Commission (ACCC) if they are responsible for setting prices as distinct from the government setting prices. If operators choose to come up with a set price in a particular area, they may face some issues with the ACCC. That issue needs to be worked through, which takes us to the process of implementation.

Members of the coalition government are looking at, firstly, ensuring that any changes to licence availability in country Victoria need to pass the public benefit test, and secondly, having in place a risks approach — that is, a regulatory impact statement which is put out for comment. The critical message to get through to everyone who has any concerns, including those MPs who have raised concerns in the house and taxi operators who have raised their concerns with coalition and opposition MPs, is that they should participate in the process. The process is about putting out ideas, getting feedback, considering the feedback and attempting to come up with a proposition which delivers the outcomes that are sought. One of the key outcomes is ensuring the ongoing viability of all of our taxi services, and country MPs have a particular interest in country taxi services.

I conclude by congratulating the Minister for Public Transport and the government for taking on this difficult task. We are already seeing benefits of reform, such as the reduction — the halving — of the taxi credit card surcharge from 10 per cent to 5 per cent. That in itself is a very significant move.

As other speakers have mentioned, the removal of the requirement to paint taxis yellow also represents a significant saving. This bill is a significant step down a long road, but we are all committed to ensuring a viable and professional taxi service throughout Victoria.

Ms GREEN (Yan Yean) — I take pleasure in joining the debate on Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. On the opposition side it is a pleasure for me to follow the member for Melton. We both represent outer suburban electorates, and we both served as committee members of the former Outer Suburban/Interface Services and Development Committee. During that time we heard about many issues of transport disadvantage for people who live in

outer suburban and interface communities. It is a great shame that the government chose to wind back the responsibilities of that committee, effectively getting rid of it. In relation to the proposals that are before the house, I am deeply concerned that the bill does not address the very real problems of transport disadvantage in outer suburban and interface areas.

I have said in this place that I am a resident of Doreen. Doreen and Mernda share the same postcode — 3754 — and it is not only the fastest growing postcode area in the state but the fastest growing in the country, so it seems anomalous to anybody who lives there that the metropolitan taxi zone boundary runs along Bridge Inn Road, which is south of where the greatest number of residents in this postcode live. Not only do those residents suffer from having no access to heavy rail, they suffer from the failure of this government to expand the bus services put in place by the previous government — the route 520 and route 571 services that connect to Greensborough railway station and to South Morang railway station respectively.

Since taking office not only has this government not grown these services but it has wound them back. More than \$60 million of cutbacks have been made in my electorate — ripped out of my community — since this government took office. My electorate is currently the most populous electorate in the state and the fastest growing. It is appalling that residents of Doreen and Mernda have not had their services expanded.

Bridge Inn Road, which runs along the boundary of the metropolitan taxi zone, is a road with minimal footpaths and no bus services. I regularly pick up young people and teenagers walking along it. Recently I picked up a 30-year-old woman who works as a bartender in South Yarra. She has to walk 3 kilometres to Plenty Road in poor visibility, sometimes in the rain, along what is effectively a potholed country road with no footpaths in order to catch a bus to South Morang railway station, travel by train into the city and then on to South Yarra. After finishing work she has to do the reverse — that is, catch a train to the city, catch another train to South Morang and then hope against hope that she can get a taxi home from South Morang railway station to Doreen after the last train. For this area to still be considered a country area is an absurdity.

I have a particular concern in relation to a change proposed in this bill. Other members of the opposition have commented on the impact of the proposed price notification scheme upon people who live outside the metropolitan area. This scheme will affect not only people who live in the areas represented by the member for Benalla, who spoke immediately before me, but also

people who live in the greater Melbourne area, inside the urban growth boundary, who already suffer a lack of heavy rail and underinvestment in roads. There has been no investment — zero investment — in roads within the city of Whittlesea and the electorate of Yan Yean in the three and a half years of this government, which has also ripped out bus services. More than 1000 bus services per week have been ripped out by this government, so now residents of my electorate will be beset with possible taxi fare increases.

We may think that this situation could not get any worse, but potentially it can. It is difficult enough to get a taxi, but if anyone can get a taxi in those postcodes outside the metropolitan taxi zone, the proposed scheme may well mean that residents of my electorate will pay even more. These people are members of the same families who are also being impacted by the cruel imposition of increased school bus service charges. It is an untenable situation, and it is making life incredibly difficult. These people already face cost of living pressures, and it can take them up to 2 hours in a car to drive into the city, and now if they use the alternative of taking a taxicab, potentially it will cost them even more.

I make no criticism at all of the great operators of Crown Cabs Taxi Service, which is based in Kilmore and services my electorate and areas around it, including Wallan and Whittlesea. That company purchased the Whittlesea taxi licence, and I know that it does a great job, particularly with transport disadvantaged consumers.

Earlier I spoke about the young people — young workers and students — who I pick up regularly, particularly young people who have not begun driving themselves. They do not understand that they cannot be seen when walking along country roads by someone driving a car. People in my community face issues of cost pressures, lack of access and real road safety problems.

I went to a sportsmen's night at the Bridge Inn Hotel last Saturday night, a fundraiser for the Mernda Football and Netball Club. It was a great night, but afterwards my staffer and I tried for more than half an hour to get an answer when we rang for a taxi to pick us up in what is a metropolitan area; it was impossible. Fortunately for me, after we had been waiting for half an hour a good friend, John Farella, walked out of the hotel and offered us a lift home. It is really a matter of walking home or hitchhiking, which is what many young people are doing. That is the only alternative for people who want to go out in the evening or even to get transport within the 3754 postcode.

It is concerning that the government has failed to consult about these changes. Even through its inquiry process there was little focus on and opportunity for consultation, or even for raising the awareness of people living in the outer suburbs and the interface areas about what taxi reform might mean for them. It is a great shame not only that the inquiry missed out on the opportunity to consult with my constituents, who are so terribly transport disadvantaged, but also that the government has paid almost no regard to the hundreds of thousands of people who live in Melbourne's outer suburbs and suburban interface areas with the foundation reforms it introduced last year and the further amendments before the house.

I have mentioned those outside the metropolitan taxi boundary in my electorate, but others inside the boundary — those living in Hurstbridge, Diamond Creek and Wattle Glen — have great difficulty getting access to taxi services. The rail service beyond Greensborough is absolutely pitiful. The Labor government put a lot of money — \$50 million — into upgrading that line to allow for additional services, but this government has chosen not to put more services on the Hurstbridge line. In the peak period between 6.59 a.m. and 8.30 a.m. there are only four services to get people to work. It really is a pitiful situation for people in my electorate. These supposed taxi reforms, which are going to allow the jacking up of fares even more, are bad news for my community.

Mr SCOTT (Preston) — I am more than happy to join the debate on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. I am doing so slightly earlier than I was expecting, but I am quite happy to speak on the legislation in the context of the reasoned amendment moved by the member for Altona. I compliment the member for Altona on her work in relation to the bill and for the diligence she displays in dealing with any piece of legislation. In the hurly-burly of parliamentary debate, it is sometimes overlooked that our role in this place is to make the law, but I know the member for Altona takes that role very seriously. This is reflected in her work relating to this bill and all the bills for which she has responsibility.

The reasoned amendment she has moved is:

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 appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed price notification scheme on taxi operators in cooperatively run network service providers in regional Victoria;

- (2) possible fare increases; and
- (3) consumer protections for regional Victorians, particularly in relation to the proposed price notification scheme'.

At the heart of the reasoned amendment, which obviously I support, is the opposition's concern about the lack of consultation. Consultation is not too much to ask for in such a contentious area of public policy, where significant investments have been made by individuals. As has been noted in previous debates, and I am sure in this debate, sums of up to \$500 000 have been paid for taxi plates. Taxis provide a vital service to members of the community, not only returning them home but also taking them to places of business and recreation in circumstances where other transport is not available.

To deal with the issues that arise from the reasoned amendment in terms of possible fare increases, we need to look at the role of not only the consumer but also the producer — the owners of the plates and the taxidivers. It is important to understand that we need to be careful when proceeding with legislation. The criticism the opposition had of the previous foundation reforms related to its feeling that there was a lack of empathy in some of the responses from the government. It is important to understand, to consult and to deal with key stakeholders to ensure that their concerns are heard. The concern that the opposition has is in part because the bill builds on previous foundation reforms, and the concerns that were raised with the Labor Party about those reforms have not been allayed.

There are concerns about the impact of reforms on taxi licence-holders. As I mentioned earlier, some of the licences were purchased for up to \$500 000, and I understand that the market value of these licences was somewhere shy of \$300 000 as of February. The figure I have in my notes is just over \$280 000. There is an important risk attached to that because homes are often used as collateral in loans — it could be for a loan that is made directly against the plate or simply an equity loan that is made to invest, where the asset itself is put at risk. People can literally risk their homes, and the changes in asset price have a direct impact on individuals who have invested in an asset class in good faith.

Governments and parliaments have the right to regulate areas like the taxi industry, but we should always be wary of sovereign risk. The Labor Party has made it clear that it will honour contracts in relation to other issues of government public policy where sovereign risk arises. In that context we should think about the role that sovereign risk plays in investment choices. We

should be careful when dealing with government reforms that are passed through this Parliament that negatively impact on asset prices and therefore on persons who have purchased assets in good faith.

We should tread carefully around the issue of sovereign risk because of the nature of the impact it can have on economic activity and on the lives of individuals who have invested in assets in good faith, as I said. As an opposition, we have an inability to understand the government's disregard for this group. It is an admittedly small number of people, but I would hope that every individual in the state of Victoria would be treated with the same dignity and respect by the Parliament of Victoria.

There are concerns that relate to the original reforms. As was noted on the reasoned amendment moved by the member for Altona, there is particular concern about possible fare increases and their impact on taxi operators in regional Victoria and about the consumer protections for persons in regional Victoria. I will not take up too much more of the house's time, but I do note the house amendment circulated by the minister states:

Clause 48, line 31, after "Zone" ... insert "but cannot drop off a passenger picked up in the urban and large regional zone in the urban and large regional zone".

I understand that that relates to the issue of taxis moving between zones, and I think there was reference made in the debate to issues relating to Frankston. I note that amendment and the contributions made in the debate, but the heart of the opposition's position and of our support for the reasoned amendment is a desire to see proper consultation in such a vexed area which deals directly with the interests of consumers who need taxi services. Taxis provide a vital service in our community. Taxi operators, particularly in cooperatively run network service providers in regional Victoria, are impacted by this bill.

This is an important area of debate, and I hope — I am sure in vain — that the government will heed the opposition's call for further consideration. It is a very reasonable reasoned amendment. I hope that the government will ensure that those interests are duly considered and protected through a genuine process of consultation. I have no indication that would be the case; perhaps it would be optimistic in the extreme to believe that would be heeded. But this is, as I have said, a very reasonable position.

Before concluding, I compliment the member for Altona on her diligent work and concern for the role that we play, not just as political actors in a game of

who controls executive government but also in ensuring that the legislation that passes through this Parliament is given due regard and consideration by the opposition. Whenever she is involved she brings a commendable attention to detail and an eye to the importance of our role as the legislature. With those brief comments, I will allow others to speak in the debate. I would urge all government members to join the opposition in supporting the reasoned amendment.

Mr PERERA (Cranbourne) — I wish to make a short contribution on the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014. According to the government, one of the major issues that triggered these reforms was the 56 per cent dissatisfaction rate of users. I have not seen these dissatisfactions itemised anywhere, but I wonder whether these reforms really address all those issues or concerns. The government has not consulted the taxi industry widely before making these reforms, and similar recommendations have been knocked back by other states. Why does the government not focus on illegal behaviour in the industry — for example, illegal, unregistered hire cars — as part of these reforms? How is increasing the number of cars going to improve anything, even at 55 per cent of the farebox, when the owners and depots are struggling to make a profit, coupled with an occupancy rate of 28 per cent? It does not add up.

It is the role of an elected government to consult industry stakeholders. The Taxi Services Commission holding a roadshow in regional Victoria and running up a bill of thousands of taxpayer dollars, when only a handful of people turned up each time, is not really a consultation process. This government's decision to introduce ad hoc taxi reforms is an absolute shambles. Taxi operators are bleeding because of the government's reforms. Labor remains concerned about the impact of the reforms on a particular group of taxi licence holders who purchased their licences for around \$500 000 but whose asset as at February 2014 had a market value of \$284 500 and whose homes may be at risk because banks will not recognise their assets.

We fail to understand the government's complete disregard for this small but important group of people. The government's refusal to take the advice of Professor Fels in his report to the government about the need to consider hardship provisions for this small group of individual licence-holders is mean-spirited and cruel. Many are losing their retirement funds. Many are praying to God that they will not lose their homes because of the actions of the government.

That is why, at the foundation level, when the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013 went through the Parliament, the opposition introduced amendments. They were measures to address the impact of the changes, including any hardship for taxi licence holders as a result of the devaluation of licences and the failure to adopt Professor Fels's hardship test; further examination of the impact on the market of an unrestricted release of taxi licences, specifically in relation to customer demand and driver pay; the structure of the new taxi zones, including the unique challenges facing urban and regional, regional and country zones; the impact on numbers and availability of wheelchair-accessible taxis; and possible fare increases.

Most people in Victorian taxi families started out working on factory floors, carefully saving their money over the years and eventually managing to buy a taxi or two. They are very small business operators. What happened to the Liberal Party's credentials of looking after small businesses? The big majority of taxi operators are small business operators, not just taxi operators from Frankston and Dandenong. Following threats by the member for Frankston to vote against the package, amendments were made in the Legislative Council centred around the inclusion of Frankston and Dandenong into the urban zone rather than the metropolitan zone, as had been proposed, thereby protecting operators in Frankston and Dandenong from competition from other operators across metropolitan Melbourne.

Further amendments increased the licence fees for standard taxis in the urban and large regional zones and wheelchair-accessible taxis to be in line with those in the metropolitan zone. Labor opposed all those amendments and proposed alternative amendments seeking to protect other towns and cities in the prescription of zones. It is not only the Frankston and Dandenong taxi operators that need to be looked after but all taxi operators in the regional areas, and that includes Cranbourne taxis.

Today's amendment introduced at the last minute smells of a rat as well. The intent of the amendment seems to be to try to fulfil the deal made with the member for Frankston during the passage of the foundation reform bill last year, which upon reflection failed to deliver the levels of protection sought by the Frankston taxi industry from wider competition from operators in wider metropolitan Melbourne. What is clear is that this is a further example of the member for Frankston calling the shots on government legislation. Good on him! This shows a dysfunctional government,

which is not governing for all Victorians with a common-sense approach but taking decisions based on the guidance provided by the member for Frankston.

Indeed many questions need to be answered by the Napthine government. Why was the Victorian Taxi Directorate rebranded as the Taxi Services Commission? It was unnecessary. There was no clear reason for that. Why are the goalposts moved constantly? Why are the stakeholder recommendations not sanctioned in any shape or form? Why did Victoria accept the reforms when these or similar recommendations were knocked back by all the other states? How does decimating families that own small businesses benefit the state? Where is the communication to non-tech-savvy industry stakeholders? Why does the Taxi Services Commission not focus on illegal behaviour of the industry — for example, hire cars?

The opposition is aware and mindful of concerns of some operators in cooperative networks about the possibility that this reform may put them in contravention of the federal competition and consumer laws regarding cartel behaviour when it comes to making decisions about maximum fare structures. We understand that through the Taxi Services Commission a process is currently under way to work through these concerns between the industry and the Australian Competition and Consumer Commission, and we are supportive of that. However, we believe it would be wise to find a resolution to this issue before the legislation is rammed through the Parliament.

The opposition has brought in a sensible reasoned amendment, which is:

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 appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed price notification scheme on taxi operators in cooperatively run network service providers in regional Victoria;
- (2) possible fare increases; and
- (3) consumer protections for regional Victorians, particularly in relation to the proposed price notification scheme'.

I conclude by saying I support the reasoned amendment.

Debate adjourned on motion of Mr FOLEY (Albert Park).

Debate adjourned until later this day.

WATER AMENDMENT (WATER TRADING) BILL 2014

Second reading

Debate resumed from 6 February; motion of Mr WALSH (Minister for Water).

Mr FOLEY (Albert Park) — I rise to respond on behalf of the Labor opposition in the debate on the Water Amendment (Water Trading) Bill 2014. The opposition will not be opposing this bill. Having said that, we wish to make clear a few points along the way which will alert the house, and through this place the people of Victoria, to the direction of water policy in the state and our obligations on delivering the Murray-Darling Basin Commission plan, which is far from certain under this government's watch.

I begin by first thanking the officers of the Department of Environment and Primary Industries and the staff of the Minister for Water for the briefings with which they provided the opposition on this bill. Sadly the same cannot be said for the less-than-helpful Minister for Environment and Climate Change in his capacity as the minister responsible for the Victorian Environmental Water Holder. As usual, his inconsequential performance had little bearing on this matter. I wanted to make sure that the good work the officers of the department had provided us with was marked.

This bill is really the end of the beginning of the Murray-Darling Basin agreement's implications for Victoria. Perhaps more importantly it reflects the legislative commencement of the hard work that lies ahead in giving form and effect to the seven-year rollout of the basin plan across Victoria, or at least the northern parts of Victoria.

This bill deals with one aspect of the obligations that the state needs to deliver on as part of that agreement between the states and the commonwealth on the management of water across the basin states. Sections 12.06 and 12.07 of the basin plan are the relevant parts that this legislation on water trading seeks to give effect to. Section 12.06(1) of the basin plan states:

A person may trade a water access right free of any condition as to the holding, buying, selling, obtaining, accepting or terminating of a separate location-related right.

Section 12.07 of the basin plan stipulates that this must also provide that the classes of persons may not be used as the basis of restricting trade in water. This is all designed so that water is allowed freely to move on an efficient and highest use basis, and in so doing include

environmental uses. Efficient water use should be encouraged by the implementation of uniform market design and operation rules. As per that basin plan these rules are due to take effect from 1 July 2014.

I will quote from the most recent Murray-Darling Basin Authority annual report, for 2012–13. Appendix B, at page 192, states on the trading issue:

The basin plan water trading rules will come into effect on 1 July 2014. Guidelines are being developed to assist basin states, irrigation infrastructure operators and individuals participating in the water market in complying with the rules.

The water trading rules will provide greater clarity and consistency around the operations of the water market in the Murray-Darling Basin. A well-functioning water market enables water to move to its highest value use by giving irrigators and environmental water holders the flexibility to decide how and when to use water.

The same annual report goes on to say later in the same appendix:

The water trading rules will not replace state level rules, which will continue to apply. However, in the event of an inconsistency between state water trading rules — —

The ACTING SPEAKER (Mr Morris) — Order! Now is an appropriate time to break for lunch.

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

Business interrupted under standing orders.

RULINGS BY THE CHAIR

Notices of motion

The SPEAKER — Order! Before calling questions, I wish to advise the house that the notice given by the member for Benalla this morning is being ruled out of order as frivolous.

QUESTIONS WITHOUT NOTICE

Office of Living Victoria

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Water. I refer the minister to former Nationals adviser Mr Simon Want, who was employed on split contracts to ensure that no single payment would exceed \$100 000. I ask: can the minister confirm that as part of these arrangements payments were made from the minister's own private office to Mr Want?

Mr WALSH (Minister for Water) — I thank the Leader of the Opposition for his question. We talked about these issues yesterday. The Office of Living

Victoria (OLV) and the staff there are doing a very good job of implementing the government's policy around urban water reform and the better use of stormwater and recycled water. If those things had been done by the Labor government, we would not have needed a desalination plant. We most certainly would not have needed the north-south pipeline, which is sitting there rusting because it is not having water brought down it.

If those sorts of policies and that sort of advice had been taken from the previous government, we would not have had the issues we have now with huge costs on Melbourne water bills and a north-south pipeline. When it comes to — —

Honourable members interjecting.

Mr Andrews — On a point of order, Speaker, my point of order is on relevance. The question related to the minister's office and payments, and that is what his answer should be confined to.

Ms Asher — On the point of order, Speaker, the Leader of the Opposition has again restated the question. I refer to *Rulings from the Chair 1920–2013*, dated December 2013, which is the most recent copy. For the benefit of the member for Bendigo East, it is page 147. Under the heading 'Points of order during question time' — since this has been raised on multiple occasions this week — and the subheading 'Correct method of raising during question time' there is a ruling from Speaker Andrianopoulos, who was a very good Speaker. He said:

To avoid repeating the question when raising a point of order in question time, the member must simply direct the Chair's attention to the issue in the complaint. The Chair is well aware of the original question and answer being given and neither should be repeated. A submission, for example, that the answer is not relevant or that a minister is debating the question is sufficient. There may be some occasions, when seeking a ruling on admissibility, where it is necessary to refer to the question but this should not automatically happen and is contrary to the practices of the house.

I put it to you, Speaker, that what the Leader of the Opposition has just done, as he did three times on Tuesday and twice on Wednesday, is to simply repeat the question. I ask you to rule his point of order out of order.

Ms Allan — On the point of order, Speaker, we appreciate the lesson in *Rulings from the Chair* from the Leader of the House. We have taken note of your previous rulings to our points of order where you have instructed us very clearly to not repeat the question. We have listened very carefully to your rulings, and indeed

we respect that ruling in regard to the point of order put by the Leader of the Opposition today, which did not refer in any way to the question. It simply requested that you reflect on the question that was asked and referred back to the standing order regarding relevance. There was no repetition of the question. The Leader of the House may have come preprepared with her statistics sheet on what has happened previously, but we ask you to rule in favour of the Leader of the Opposition in recognition of your previous rulings on this matter.

The SPEAKER — Order! The minister was 1 minute and 45 seconds into answering the question. I believe he was giving background and being relevant to the question. I ask him to continue with his answer, and I will listen carefully.

Mr WALSH — The Leader of the Opposition asked about the employment of staff at OLV, particularly Simon Want. Water policy is a very specialised field, and we make no apology for employing the brightest and best in the world. If you look at Simon Want's CV, you see that he was business development manager for — —

Mr Merlino interjected.

The SPEAKER — Order! The member for Monbulk!

Mr WALSH — He was business development manager for Veolia Water Australia, one of the largest private water service providers in the world. As I said yesterday, he was an adviser to Malcolm Turnbull, former federal Minister for the Environment and Water Resources, in helping to prepare the \$10 billion National Plan for Water Security and the Australian Government Water Fund. As I also said yesterday, he was also an adviser to former Deputy Prime Minister John Anderson and worked as an economist focused on water policy at the Australian Bureau of Agricultural and Resource Economics.

Simon Want is very well qualified to do the work that needs to be done to implement the coalition government's policy on water reform, particularly the use of more stormwater and more recycled water to take pressure off our storages and to make sure that we do not need another desalination plant in the future, which would add more to water costs for Melbourne water customers. If those on the other side of the house had their way, Melbourne water customers' bills would continue to go up into the future. Simon Want is there to do a very important job on behalf of the government, and he will continue to do that.

Population growth

Ms McLEISH (Seymour) — My question is to the Premier. Can the Premier provide information on any recent data released regarding population trends?

Dr NAPTHINE (Premier) — I thank the member for Seymour for her interest in population and economic growth in Victoria.

Ms Allan interjected.

The SPEAKER — Order! The member for Bendigo East is warned.

Dr NAPTHINE — Today the Australian Bureau of Statistics released the most up-to-date Australian demographic statistics — that is, as at 30 September 2013. This data shows that the Victorian population was 5 768 600 people, which is an increase of 110 500, or 2 per cent, over the past year. It is interesting to note that population growth in Victoria at 2 per cent was well above the national average of 1.8 per cent and certainly above the New South Wales population growth of 1.5 per cent and Queensland of 1.8 per cent. This means that Victoria's population is growing, which has significant benefits for our economy but also challenges for our infrastructure.

Of particular note is interstate migration — that is, the number of people who moved into Victoria from other states and territories. This is a figure that former Premier and Treasurer John Brumby regularly used as a measure of the performance of the government. A media release accompanying the Australian Bureau of Statistics Australian demographic statistics for September 2013 entitled 'Record interstate migration gains for Victoria' says:

Victoria gained more people from interstate migration than any other state or territory, according to the Australian Bureau of Statistics ...

Denise Carlton, director of demography at the ABS, said that annual net interstate migration added almost 7000 people to the Victorian population in the year ending 30 September 2013. This is the highest net interstate migration gain for the state in over 30 years.

'This means that Victoria has now overtaken long-term leader Queensland and recent leader Western Australia in net interstate migration.

What we are seeing is people voting with their feet to move from other states and territories to Victoria. Why are they doing that? It is because we have a AAA-rated economy, we have good economic management, we have a budget surplus this year and into the forward estimates and we have 64 000 new jobs. Is it any

wonder that Coles has put on 3500 new jobs, Woolworths has announced 1800 new jobs and Eastland has announced 1700 new jobs? That is why people have had confidence to invest in Myer Emporium Melbourne, with another 1000 new jobs.

In Victoria they are seeing a government that is delivering a \$14.3 billion record investment in health.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition!

Dr NAPTHINE — They are seeing a record investment in education funding, they are seeing 1300 additional police and they are seeing major infrastructure investments, like the \$4.8 billion regional rail project to improve both V/Line services and metropolitan services. They are seeing the \$2 billion to \$2.5 billion upgrade to the Pakenham, Cranbourne and Dandenong rail corridor. They are voting with their feet to come here to experience stage 1 of east-west link, another major infrastructure project in Victoria, and major projects such as the Dingley bypass, the Koo Wee Rup bypass, the Princes Highway duplication to Winchelsea and on to Colac and the duplication of the Western Highway. They are coming here because we are investing over \$4.5 billion in new health projects, like Bendigo Hospital, Box Hill Hospital and Monash Children's. We have population growth because we are delivering good government for the people of Victoria.

Honourable members interjecting.

The SPEAKER — Order! The behaviour in the house is appalling today. The member for Bendigo East has been warned and will cease interjecting.

Office of Living Victoria

Mr FOLEY (Albert Park) — My question is to the Minister for Water. I refer the minister to the Office of Living Victoria's (OLV) \$1 million Ballarat water fund. Can the minister confirm that a grant has been issued from this fund to a private company owned by the Office of Living Victoria's chief scientist, Peter Coombes?

Honourable members interjecting.

Mr WALSH (Minister for Water) — I thank the member for Albert Park for his question and for his interest in water policy. He was quoted in the *Age* as supporting the direction the coalition government is taking around urban water reform and the further need for more use of recycled water and stormwater.

Mr Merlino interjected.

The SPEAKER — Order! The member for Monbulk!

Mr WALSH — The question was asked around Peter Coombes. Peter Coombes, as has been said, is the chief scientist at the Office of Living Victoria (OLV). He is a very well-respected individual, not only nationally but internationally. For 30 years he has worked on urban and rural natural water cycle management, including as an adviser to the United Nations on water security —

Mr Pakula interjected.

The SPEAKER — Order! The member for Lyndhurst!

Mr WALSH — and for international governments in Canada; Saudi Arabia, as I said yesterday; India — —

Questions interrupted.

SUSPENSION OF MEMBER

Member for Lyndhurst

The SPEAKER — Order! I have just called the member for Lyndhurst to order. He will leave the chamber for half an hour.

Honourable member for Lyndhurst withdrew from chamber.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is now warned.

QUESTIONS WITHOUT NOTICE

Office of Living Victoria

Questions resumed.

Mr WALSH (Minister for Water) — As I was saying, Dr Peter Coombes has worked for international governments including India, Korea, and New Zealand. He has also been an adviser to the New South Wales government; to the Victorian government when Labor was in office — so the Labor government actually used Peter Coombes as an adviser as well; and to the West Australian and Queensland governments. As I said in my previous answer, we are getting the best and the brightest to do the work that we want done on urban reform.

Mr Andrews — On a point of order, Speaker, this answer is not relevant to the question that was asked. I ask you to draw the minister back to the subject matter of the question, which was a grant.

The SPEAKER — Order! I believe the minister is being relevant. I rule the point of order out of order.

Mr WALSH — The Leader of the Opposition asked about people who are employed at OLV and about grants. If you look at the people who are employed by OLV, as I said, you will see that we are aiming to get the brightest and the best in the world. That is why we have John Thwaites, a previous water minister, on the expert advisory panel to OLV.

Ms Allan — On a point of order, Speaker, understanding order 58 on the question of relevance, bringing in other people who were not the subject matter of the question asked by the member for Albert Park surely offends against the standing orders around relevance. We ask you to bring the minister back to the question that was asked.

The SPEAKER — Order! The question was about the employment of Dr Peter Coombes. I believe that the minister — —

Honourable members interjecting.

The SPEAKER — Order! I do not uphold the point of order and neither do I like being challenged when I am ruling on a point of order.

Mr WALSH — As I was saying, the question was about those people who are employed at OLV. We are aiming to have the best and the brightest there. That is why John Thwaites is on the expert advisory panel and chairs one of the panel's subgroups. If you look at the other staff members who work there, you will see that there is actually a ministerial adviser — —

Mr Andrews — On a further point of order, Speaker, I will not repeat the question, pursuant to your ruling earlier; however, the question was narrow. It related to a grant and a person. It was not a request for a 4-minute speech about the Office of Living Victoria; it was about a grant given to a person. We do not need to ask whether that person is employed at the Office of Living Victoria; that is a matter of fact. On relevance, this answer offends against the standing orders. The question was narrow and specific, and the answer should at least attempt to relate to it.

Ms Asher — On the point of order, Speaker, whilst the Leader of the Opposition initially raised the issue of relevance, he then went on to make a short speech. A

point of order is not an opportunity to make a speech or a comment. I ask that you rule his point of order out of order.

The SPEAKER — Order! I believe the minister was being relevant. I cannot direct the minister in exactly how he answers members' questions. On the point raised by the Leader of the House about the Leader of the Opposition making a speech, I do believe he was substantiating his point of order.

Mr WALSH — The Leader of the Opposition asked a question about the Living Ballarat project. This is a project we committed to in opposition. We committed \$1 million to do an integrated water cycle management plan for Ballarat. If you go back to the genesis of this policy, you will see that Professor Tim Fletcher made a presentation at a water forum in Ballarat in the middle of the drought about how our urban cities could become catchments in their own right to make sure that they have enough water into the future. That is why the people of Ballarat were so keen to be part of this project, and \$1 million was put on the table to do that project there and develop an integrated water cycle management plan for Ballarat. Peter Coombes is doing the modelling around that particular project.

If you are going to make the changes we are talking about, you need to do the base modelling so you have an economic argument for what is in the best interests of the community as to how to implement integrated water cycle management. Part of that project involves looking at aquifer storage and recharge in the Ballarat West employment precinct, a great project that has been announced by this government to help drive the economy of Ballarat. As part of the Living Ballarat project we want to make sure that Ballarat has a sustainable water future. Peter Coombes is doing the modelling for that particular project.

Public transport

Mr WATT (Burwood) — My question is to the Minister for Public Transport. How is the coalition government delivering on its strong plan to deliver more public transport services more often for more people?

Mr MULDER (Minister for Public Transport) — I thank the member for Burwood for his question and for his interest in public transport. The accolades continue in relation to the government's announcement of free tram travel in the CBD and the capping of zone 1 and 2 travel at zone 1 fares.

I have some clippings with me from the *Age* today. One is of a vox pop of five different people aged 24 through to 64 — Dalia Doria; Greg Walsh; Rose Bishop from Preston; John Kiernan, 64, from Reservoir; and Matty Kapadia, 33, from Epping. John Kiernan says:

I think it is great because it helps people who can't easily afford to travel.

In the *Herald Sun* today under the headline 'Cheaper travel for outer burbs' is an article with the subheading 'Naphthine plan wins over ALP'. The coalition government is leading the ALP. Not everybody is in favour of this particular project. We know that early yesterday morning the shadow minister came out and bagged the project. The Leader of the Opposition then supported the project, but unfortunately in the *Bendigo Advertiser* today is an article headed 'Allan slams transport pledge'. It states:

Member for Bendigo East Jacinta Allan has hit out at the ... government's promise of free and discounted public transport in Melbourne.

This raises some very serious issues for the people of regional Victoria because currently they travel free in Melbourne. When they buy a V/Line ticket or travel in from the regions on a myki, they travel free in Melbourne. What the member for Bendigo East is saying is that there should be no discounted or free travel in Melbourne. It must be for Bendigo, it must be for Ballarat, it must be for Geelong and it must be for the rest of regional Victoria.

Ms Allan — On a point of order, Speaker, understanding order 58 it is fairly clear that the minister is both debating the question that was asked and not being relevant. As delighted as I am that the minister is following the *Bendigo Advertiser*, and as much as I would love to be relevant to government administration and hope to be in the future, unfortunately that does not comply with the standing orders. We ask you to bring the minister back to being relevant to answering the question within the confines of the standing orders, not debating issues around members of the opposition.

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

Mr MULDER — We will stick with people from regional Victoria. The current arrangements will stay in place. People who are coming in from regional Victoria, from country Victoria, will still get free public transport under a coalition government, but I would have to say that there is a dark cloud over that promise from the opposition.

We can only deliver these great initiatives for Victoria if we do the hard work first. I said when we came to government as the minister responsible that we would start with the drainage, the sleepers, the rails, the points, the crossings, the signalling, the electrical system and substations. I said we would do all the hard work first to make sure that we brought the system up to a state where we could actually get trains to turn up on time, trains to be reliable and we would also address the issue of overcrowding.

If we look at the last customer satisfaction surveys, we see it is quite clear that people who use public transport in Victoria are far happier today than they were under a Labor government, and they feel safer today than they felt under a Labor government. Why not? There are 1078 additional train services a week. That enables you to encourage more people to use public transport because we have brought overcrowding down and we continue to bring overcrowding down because we are putting more rolling stock out there.

We will be able to cater for growth, with 3870 extra bus services. But of course some of those are going into the Point Cook and Altona areas, which were ignored by the former government. There is almost a tripling of bus services, including to Warrnambool and Monash University. There are 1200 extra tram services for Docklands, and people will travel free on those Docklands trams. What a great outcome for Victoria!

Office of Living Victoria

Mr FOLEY (Albert Park) — My question is to the Minister for Water. I refer the minister to the private company MGW Homes in which the Office of Living Victoria's CEO, Mike Waller, had a direct financial interest, and I ask: has MGW Homes been the beneficiary of any grants from the Office of Living Victoria (OLV)?

Mr WALSH (Minister for Water) — I thank the member for Albert Park for his further question and for his interest in water issues. As the new shadow minister he is actually taking some interest in his particular portfolio.

An honourable member interjected.

Mr WALSH — No, I do not want to use his CV. The question was about Mike Waller. For the benefit of the house we need to inform members of who Mike Waller is and what he has done. Mike Waller was the chief economist — —

Mr Merlino — On a point of order, Speaker, on the question of relevance, going through each question with

people's CVs in no way answers the question. The minister is going down a path where he is clearly not being relevant to the question. We do not need to hear another CV today. We want answers.

The SPEAKER — Order! The member for Monbulk knows very well that the minister was being relevant to the question that was asked.

Mr WALSH — The question from the member for Albert Park was about Mike Waller. Mike Waller is the CEO of OLV, and OLV is playing a very important role in implementing the government's water reform agenda here in Melbourne and making sure that there is greater use of stormwater and recycled water. If you look at Mike Waller's history, you can see that he has had a very good career in the public sector and the private sector. He was the chief economist at BHP between 1996 and 2001, and before that he held senior positions in the Hawke and Keating governments. Prior to coming to Australia he held deputy secretary positions in the UK public sector. He is a person who has had significant experience in the public sector and the private sector, and he has a very good understanding of what is required of a senior public servant.

I believe Mike Waller would make sure that there is no conflict of interest in what he does because he is there with a very important focus on implementing the government's water reform agenda. He has been involved in this process since he was appointed to head the ministerial advisory council when we first came to government. He has — —

Mr Andrews — On a point of order, Speaker, on relevance, the question was narrow. It did not relate to the broad role that Mr Waller might or might not be playing or his CV. It was about a business and whether that business received any grants. I will not repeat the question, but it was very narrow. I ask you to bring the minister back to answering it.

Ms Asher — On the point of order, Speaker, the question related to an individual and even related to a company and previous pecuniary interests. The past tense was used, if I heard correctly. In actual fact the minister was addressing the question that was asked, which was about an individual. He was giving comprehensive information about an individual whose reputation the opposition was trying to besmirch in the course of the question.

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

Honourable members interjecting.

Mr WALSH — Go outside and say that!

The SPEAKER — Order! I have asked the member for Monbulk to cease interjecting, and the minister knows not to respond to interjections.

Mr WALSH — The question was about Mike Waller and whether he had any conflicts of interest or pecuniary interests around his role at the Office of Living Victoria. As I said, Mike Waller is the CEO of OLV and he is there to do the job of implementing the government's water reform agenda, and OLV is doing a great job of driving down water bills for Melbourne water customers. The previous Labor government put water bills up. We are actually putting water bills down.

Mr Andrews — On a point of order, Speaker, on relevance, the minister has not mentioned MGW Homes once, therefore how can the answer be relevant to a simple and narrow question which was asked of him? That company has not been mentioned once in his answer. How, therefore, can the answer be relevant?

The SPEAKER — Order! The Leader of the Opposition knows that the Chair cannot direct a minister on how to answer a question. I do not uphold his point of order.

Mr WALSH — As I was saying — —

Mr Trezise interjected.

The SPEAKER — Order! The member for Geelong will cease interjecting, and he is warned.

Mr WALSH — As I was saying, Mike Waller is the CEO of OLV. He is there to do a job on behalf of the coalition government to drive our urban water reform agenda and particularly to work to lower water bills for Melbourne water customers. OLV has a very important role in lowering water bills for Melbourne water customers. If you look at Mike's history — and we have talked about that — as a senior public servant in the Treasury of the UK government, during the Hawke and Keating era here in Australia and during his role with BHP Billiton, you can see that he fully understands the issues around any conflicts of interest. I have every confidence that he will handle them appropriately.

Water charges

Mr NEWTON-BROWN (Pahran) — My question is to the Minister for Water. What action is the coalition government taking to lower water bills for Melbourne families and businesses?

Mr WALSH (Minister for Water) — I thank the member for Prahran for his question and particularly for his interest in the cost of living pressures on his constituents. The coalition government cares about cost of living pressures and is very focused on reducing those cost of living issues for people in Melbourne and wider Victoria. Under the previous Labor government, water bills in Melbourne more than doubled. They more than doubled after 2008 because of the policies of the previous government. Water bills effectively went from about \$550 to \$1200 over that period of time.

Today I had the pleasure of announcing that we have now reduced the total payments for the desalination contract by \$1.2 billion. That is \$1.2 billion that will be taken off the total amount that Melbourne water customers have to pay because of the Labor Party's desalination project. There are 24 years remaining on that contract, and \$1.2 billion in savings will come off that contract. On average that is about \$53 million per year saved by the hard work of the coalition government in driving down cost of living pressures in Melbourne.

This is good news for Melbourne water customers, and it is made up of a number of things. It is made up of the successful refinancing of the desalination contract. It is made up of a very tough and hard negotiation that the coalition government carried out in renegotiating the power supply contract, a contract that the Labor government signed up to. We were able to reduce the payments on that power contract by \$665 million across the life of the desalination plant. We were able to challenge the tax rulings on that project and bring that amount down as well. There will be a major reduction in the costs that Melbourne water customers will have to pay in the future.

The other thing I had the pleasure of announcing down at the Melbourne and International Flower and Garden Show this morning, standing in the rain, was that the coalition government is going to put in a zero order for water from the desalination plant for the 2014–15 year. This is the third year in a row that we have put in a zero water order.

Honourable members interjecting.

The SPEAKER — Order! The level of interjections is far too high.

Ms Duncan interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Macedon

The SPEAKER — Order! Under standing order 124 the member for Macedon will leave the chamber for 1 hour.

Honourable member for Macedon withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Water charges

Questions resumed.

Mr WALSH (Minister for Water) — Taking into account the advice from Melbourne Water, Melbourne water storages are at 74.2 per cent, marginally higher than they were this time last year. The Thomson Dam storage is at nearly 80 per cent, and as I have said in the house in the past, the Thomson storage is our drought reserve. Our forefathers built the Thomson Dam so that we could have a drought reserve into the future.

The coalition government cares about cost of living pressures, particularly on Melbourne water customers. What we have achieved today by putting in a zero water order for 2014–15 is to save Melbourne water customers \$114 million that they would have had to pay if a full order had been put in for desalinated water. As I said, we understand the issues around cost of living pressures and on coming to government we gave a commitment that we would do everything we possibly could to reduce the cost of the desalination plant to Melbourne water customers.

If we had built the desalination plant, we would not have signed up to an exclusive deal with the Construction, Forestry, Mining and Energy Union and we would not have signed up to an exclusive deal with the Electrical Trades Union that drove up the cost of that particular project. The Leader of the Opposition's mates had sweetheart deals down there — —

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

Office of Living Victoria

Mr FOLEY (Albert Park) — My question is to the Minister for Water. I refer the minister to the Office of Living Victoria's \$50 million water grants fund. Can the minister confirm that this fund was used to pay for office refurbishments, artworks, consultants fees and entertainment expenses?

Mr WALSH (Minister for Water) — I thank the member for Albert Park for his question and for his interest in the Living Victoria Fund. It is a \$50 million fund that is there to assist local government, to assist industry and to assist community organisations to implement integrated water cycle management. That fund is overseen by an independent panel that assesses projects and makes recommendations on whether they fit the criteria and whether they should receive money or not. That process is overseen by a probity auditor to make sure that the process is appropriate.

There have been some great projects funded out of that fund. As I started to say yesterday, there is a project in the electorate of the member for Albert Park for which \$1 million was allocated to fund a stormwater project for Albert Park Lake. It reduces the flooding in Southbank, and it channels that water to make sure that Albert Park Lake has more water in it. That water is also used to water the lawns around Albert Park. The member for Albert Park's electorate has been a significant beneficiary of the Living Victoria Fund.

If you look at La Trobe University, you see that \$1.4 million has been allocated for a project at Bundoora campus to capture stormwater, put it into the moat around the buildings and use it for cooling and improving the aesthetics and livability of the university at Bundoora. A smaller project funded out of the Living Victoria Fund, and another one that qualified by going through the independent panel that is overseen by a probity auditor, was \$110 000 allocated to the Footscray Primary School to get smarter use of rainwater and stormwater throughout its school campus.

Ms Allan — On a point of order, Speaker, I refer to *Rulings from the Chair* dated, December 2013 at page 162, which refers to the content of answers and says that the standing orders provide that a minister will have discretion to determine the content of any answer. But it goes on to state:

The Chair ruled that this does not give ministers the opportunity to answer questions in any way they like; ministers must comply with all requirements of standing orders.

The question asked by the member for Albert Park went to a specific allocation of funds for things other than Office of Living Victoria water grants. We ask you to recognise the precedent established by this ruling from the Chair and bring the minister back to answering the question that was asked by the member for Albert Park, which was not about other grants provided to other projects through the Office of Living Victoria, which is what the minister wants to answer.

Ms Asher — On the point of order, Speaker, the Minister for Water was asked a question by the member for Albert Park in relation to the Office of Living Victoria's \$50 million water grants fund and the minister is answering that question comprehensively and specifically.

Mr Merlino — On the point of order, Speaker, you cannot ask a question about identifying specific areas without referring to the fund from which those things were paid. The minister is not being relevant to the question. There have been questions that go to the heart of corruption within the Office of Living Victoria —

The SPEAKER — Order! The member for Monbulk will sit down. I will cease to hear points of order from the member for Monbulk if he keeps going down that track. I do not uphold the point of order. The minister was being relevant to the question that was asked.

Mr WALSH — The question was about the Living Victoria Fund, and I have been talking about the Living Victoria Fund. As I was saying, the allocation of money out of the Living Victoria Fund is overseen by an external expert panel that then has a probity auditor to make sure that the projects are appropriate to the set criteria. If we look at the projects that have been funded so far, and I have mentioned a number of them, you see that round 2 is currently open, and I believe the —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is trying the patience of the Chair today. I ask him to cease interjecting.

Mr WALSH — Round 2 of the grant program of the Living Victoria Fund is open and will be closing sometime soon. Those applications will be overseen by an expert panel to make sure they fit the criteria and they are going to deliver the outcome that the government is looking for with increased stormwater use and recycled water, and there will be a probity auditor to oversee the expert panel to make sure it is all done appropriately.

Victorian Indigenous Honour Roll

Mr McCURDY (Murray Valley) — My question is to the Minister for Aboriginal Affairs. How is the coalition government recognising the achievements of those Aboriginal people who have made an outstanding contribution to the Victorian community?

Mr BULL (Minister for Aboriginal Affairs) — I thank the member for Murray Valley for his question

and for his great interest in recognising the important contribution that Aboriginal Victorians make to our great state and our great community. I am pleased to stand here today as the Minister for Aboriginal Affairs, and in doing so I acknowledge the great work and outstanding efforts of my predecessor, the member for Shepparton.

The Victorian coalition government values the very positive and great contribution that Aboriginal people and indeed Aboriginal culture make to our fantastic state. Victoria is a very warm and inclusive society, and we are made very much stronger as a community by the contributions of our first peoples and indeed their descendants.

Victoria has a diverse, vibrant and proud Aboriginal community. The government is committed to delivering Victoria's bipartisan commitment to closing the gap between Aboriginal and non-Aboriginal people. This was signed in March 2011 by the then Premier, by the Deputy Premier, by my predecessor as minister, the member for Shepparton, by the Leader of the Opposition and indeed by the shadow minister.

The government has four guiding principles when it comes to Aboriginal affairs. They are aspirations, accountability, engagement and inclusiveness, and a whole-of-community approach. Every Victorian should have the right to fulfil their aspirations. The government is very proud to have established the Victorian Indigenous Honour Roll, which recognises outstanding Aboriginal people past and present who are very strong role models for all of us but in particular for the Aboriginal community. The honour roll has recognised to date the great achievements of 49 exceptional Aboriginal Victorians over three inductions from 2011 through to 2013. Their life stories are recorded in the honour roll book, which is on permanent display here in the Parliament of Victoria and which records their legacy for future generations.

I was honoured to be in Ballarat just last week — last Wednesday in fact — to call for nominations for inductees to the 2014 honour roll and to officially launch the Victorian Indigenous Honour Roll statewide roadshow. That was undertaken at the Ballarat Library, and I thank the City of Ballarat for hosting that function at its library and for the warm welcome we were provided by the mayor, Cr Joshua Morris.

I was joined at the launch by Karen Heap. Karen is the daughter of Valmai Heap, who received a posthumous induction to the 2013 honour roll. Valmai was the first Aboriginal person employed by Museum Victoria, and she later went on to become an administrator of the

Ballarat and District Aboriginal Co-operative in the 1980s. That was among a whole raft of achievements and contributions that she had made to her local community.

On a personal note, I was very pleased to see Uncle Albert Mullet, a very prominent East Gippslander and a friend of mine, who was also inducted into the honour roll. He made a great contribution to the East Gippsland community. Unfortunately Uncle Albert has not been enjoying the best of health in recent times, and I take this opportunity to wish him all the best and a speedy recovery. He has been a great role model in my electorate of Gippsland East and the wider region.

The Victorian Indigenous Honour Roll now hits the road. It will travel to Morwell, Bendigo, Dandenong and Echuca over an eight-week period, taking its stories to rural and regional areas before returning to its permanent home in Parliament House. Nominations for the 2014 honour roll close on Friday, 23 May, and I encourage all members of this house to promote widely in their communities the opportunity for people to nominate outstanding Aboriginal Victorians for induction into the honour roll.

Office of Living Victoria

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Water. Can the minister confirm that instead of investigating the misuse of taxpayers funds, the Office of Living Victoria (OLV) has commissioned Deloitte, at taxpayers expense, to hunt down the whistleblowers who made these damning revelations public?

Mr WALSH (Minister for Water) — I thank the Leader of the Opposition for his question. Again I say to the house, and to those in the wider public in Victoria, that OLV is there to implement the government's urban water reform agenda. It is about getting generational change in how we manage water in the urban environment.

Honourable members interjecting.

The SPEAKER — Order! The member for Monbulk and the Leader of the Opposition.

Mr WALSH — It is about driving the generational change in urban water reform where there is more stormwater and more recycled water used so we take the pressure off our catchment dams so that they can be used for potable water, for drinking water. I have talked about this numerous times, and it is now starting to be enshrined in the thinking of a lot of people in

Melbourne to consider how they actually use stormwater and rainwater.

Mr Merlino interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Monbulk

The SPEAKER — Order! The member for Monbulk will leave the house for half an hour.

Honourable member for Monbulk withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Office of Living Victoria

Questions resumed.

Mr WALSH (Minister for Water) — It is about making that generational change that I spoke about to make sure that we use stormwater and recycled water to improve the livability of our city, to reduce the heat-island effect in the city and to help the environment. This helps the environment by using that water — —

Ms Allan — On a point of order, Speaker, I refer you to *Rulings from the Chair* dated December 2013, at page 163, where a previous Speaker has ruled that when responding to a question a minister 'must address the question rather than responding generally'. I put it to you, Speaker, that the minister is responding in a general way about the functions of the Office of Living Water. Might I say that it is an answer we have heard many times over the last two days, but what we have asked is a very specific question about the misuse of taxpayers funds by that office, and we ask you — —

Honourable members interjecting.

Ms Allan — I am not repeating the question; I am allowed to set some context.

The SPEAKER — Order! The member for Bendigo East knows not to respond to interjections.

Ms Allan — We ask you, Speaker, to request that the minister come back to answering a very specific question that was asked and answer it in respect of how the standing orders and the sessional orders demand he answer the question.

Ms Asher — On the point of order, Speaker, I refer to *Rulings from the Chair* of December 2013, also at page 163, on the issue of relevance. Speakers Delzoppo, Plowman and Maddigan made the following point:

A minister may answer questions as he or she sees fit provided the answers are relevant.

I put it that the minister's answers are relevant. The fact that the opposition does not like the minister's answer is not relevant.

The SPEAKER — Order! The Leader of the House knows not to debate on a point of order.

Ms Asher — I ask you to rule the point of order out of order.

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

Mr WALSH — The question from the Leader of the Opposition was about OLV, and I am explaining the role that OLV is carrying out in implementing — —

Mr Nardella — On a point of order, Speaker, on relevance, the question was regarding OLV, but it does not mean that the minister can talk about OLV in a general sense, as the member for Bendigo East has pointed out. The question was quite specific, and I ask you to bring the minister back to answering the question that was asked.

Ms Asher — On the point of order, Speaker, you have just given a ruling on a point of order that was very similar, and the minister has been speaking for all of another 20 seconds. You have ruled on the point of order, and I ask that you rule this point of order out of order as well.

The SPEAKER — Order! I do rule the point of order out of order, and I refer the member for Melton to the previous discussion on the last point of order.

Mr WALSH — As I was saying, OLV is implementing the government's urban water reform agenda and particularly the work it is going to do to drive down the cost of water to Melbourne water customers, to have their bills reduced.

Mr Nardella — On a point of order, Speaker, on a point of relevance, driving down the cost of water was not in the question and has nothing to do with the question that was asked. I am not repeating the question, but I ask you to bring the minister back to answering the question that was asked.

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

Mr WALSH — The Labor Party would not know how to drive down the cost of water bills.

The SPEAKER — Order! The minister knows very well not to attack the opposition when answering a question.

Mr WALSH — As I was saying, OLV is there to drive the coalition government's urban water reform agenda and reduce the cost of living pressures on Melbourne water customers. It is something we are very focused on in making sure that water bills can actually come down instead of going up, as they did under the previous Labor government.

Honourable members interjecting.

The SPEAKER — Order! We are having a lot of discussion about water. I do not know what is in the water at Parliament House, but the behaviour of members is appalling.

Mr Andrews interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Mulgrave

The SPEAKER — Order! The Leader of the Opposition will leave the chamber for half an hour. He knows better than that.

Honourable member for Mulgrave withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Office of Living Victoria

Questions resumed.

Mr WALSH (Minister for Water) — As I said, OLV is there to drive the government's urban water reform agenda. As it is implementing that it deals with a lot of people and signs a lot of contracts. People who deal with the Department of Environment and Primary Industries, with OLV and with the government in general have a right to have their confidential and commercial-in-confidence information kept private, and that is what they expect to happen.

Government financial management

Mr MORRIS (Mornington) — My question is to the Treasurer, and I ask: how is the coalition government's strong financial management helping to build a better Victoria?

Honourable members interjecting.

Mr O'BRIEN (Treasurer) — There is a vacancy there, Richard. I thank the member for Mornington for his question and for his interest in Victoria's economy and the state of our finances. As the Premier indicated in his answer to an earlier question, there is great news from the Australian Bureau of Statistics — Victoria is leading the way in terms of population growth. This is not just interstate migration, where people from other states know the benefits of coming to Victoria to live, work and raise a family; it is also a result of higher growth rates in terms of birth rates in Victorian families. Victorian families are feeling more confident in their own circumstances, more confident in the future of the state and more confident in the infrastructure that this coalition government is building. This is a great vote of confidence and a great driver of economic activity for us here in Victoria.

The budget is coming up in I think about 40 days time — not that I am counting — and I will make a prediction now: Victoria will continue to have the strongest state finances in the country. It is the only state in surplus this year and across the forward estimates, the only state with a stable AAA credit rating from both Standard & Poor's and Moody's Investors Service. Delivering all this is hard work: if surpluses were easy, everybody would have one. The fact that we are the only state forecast to be in surplus in 2014–15 tells you it is hard. But it is harder when Victoria does not get a fair deal out of the GST.

There is no question at all that Victoria is being duded with the GST. There is \$1.2 billion a year that Victorians pay in GST that we do not get back, and that is sent to other states. We have got our own needs here. We have a large state with a growing population. We need to build infrastructure; we need to deliver better services. Victorians are entitled to get back what they pay in GST.

It is more even more unfair when some of the states we are subsidising have been delinquent in abolishing the taxes that they had pledged to abolish when the GST came in. I am happy to say it is bipartisan — there are delinquents on all sides of the political spectrum across Australia. The South Australian government is raising \$45 million this year in taxes it pledged to abolish, but

we are subsidising South Australia. The Queensland government is raising \$240 million this year in taxes it had pledged to abolish, but we are subsidising Queensland. The Northern Territory government is raising \$9 million in taxes it had pledged to abolish, but Victorians are still subsidising it. We have a GST system which rewards bad behaviour by states that do not keep their promises and penalises good economic managers like Victoria, which abolishes taxes when it says it is going to abolish them.

I apologise in advance: I am going to be a little bit bipartisan in this next comment. A report was produced for the Council of Australian Governments by John Brumby, a former Victorian Labor Premier and Treasurer, and Nick Greiner, a former Liberal Premier of New South Wales. They recommended that one of the things that needed to change was the unfair treatment of rail payments under the GST formula. The fact that of the \$3 billion the commonwealth has provided Victoria towards the regional rail link we have to hand \$2 billion back through unfair GST distribution is an absolute scandal. The former federal government was told by Brumby and Greiner to fix that rort; it did not do it. I will be taking up the case on Victoria's behalf to make sure that Victoria gets a fair go.

WATER AMENDMENT (WATER TRADING) BILL 2014

Second reading

Debate resumed.

Mr FOLEY (Albert Park) — Before the break I was setting out the opposition's position on the Water Amendment (Water Trading) Bill 2014. I have indicated that the opposition will not be opposing this bill. I was at the point of citing the most recent Murray-Darling Basin Authority annual report, dealing with the item of the deregulation of the water trading arrangements that are the subject of this bill. Just to finish off the quote from the annual report at page 192, appendix B:

The water trading rules will not replace state-level rules, which will continue to apply. However, in the event of an inconsistency between state water trading rules and the basin plan water trading rules, the basin plan water trading rules will generally prevail, except where interim and transitional water resource plans have been recognised under the water act.

The bill takes that step to ensure that Victoria is undertaking the necessary reforms to be compliant with that particular aspect of the Murray-Darling Basin agreement, even if it is cutting it fine to meet the operative date for the changes of 1 July.

As a result, we will see the trading of different groupings of water shares in such a manner so as to make them tradable free of restrictions, subject to particular conditions and obligations around the practicalities of delivering, reporting and tracking and the management of how water shares make their way across the system. One of the aspects of the water shares trading system that is governed by this bill is the water shares held by the Victorian Environmental Water Holder (VEWH), which is a statutory office under the laws of this Parliament. The opposition sought undertakings that the arrangements under which the Victorian Environmental Water Holder would continue in such a new trading system.

The Victorian Environmental Water Holder is obligated to do a range of things. To quote two in particular from the Water Amendment (Victorian Environmental Water Holder) Act 2010 they include:

... to manage the Water Holdings for the purposes of —

- (a) maintaining the environmental water reserve in accordance with the environmental water reserve objective; and
- (b) improving the environmental values and health of water ecosystems, including their biodiversity, ecological functioning and water quality, and other uses that depend on environmental condition.

And to only trade water where there is a clear benefit in doing so. It is the opposition's view that the Victorian Environmental Water Holder should not enable trade for any other than these statutory reasons.

In not opposing the bill, the opposition sought clarification from the government on the terms under which the Victorian Environmental Water Holder may trade its water shares. The Victorian Environmental Water Holder is a key part of ensuring — together with the Commonwealth Environmental Water Holder — that an efficient market-based system of trade not only ensures the effective operation of the water market but also ensures that the environmental water holder acts on behalf of the people of Victoria and the needs of the health of the river system in a stewardship role to look after the health of our rivers and wetlands.

Victorian Labor sought confirmation that any trade in water by the office of the environmental water holder needed to be in accordance with these statutory obligations. We were pleased to learn that the minister

had given an undertaking, if a not entirely unequivocal one, in recent correspondence. For the sake of the record, I will read the Minister for Water's undertakings in this regard. He states:

... the water act will continue to provide that the Victorian Environmental Water Holder ... must not assign a water allocation unless it has first obtained the approval of the Minister for Water and the authority whose works will be used to deliver the water. The Water Act will continue to require the minister, when considering whether to approve an assignment, to have regard to any adverse effect the assignment is likely to have on other persons that take water from the same water system and the maintenance of the environmental water reserve ...

I emphasise 'the maintenance of the environmental water reserve'. That correspondence is dated 11 March. In future possible circumstances where the Victorian Environmental Water Holder's trading in water shares is approved by the minister, it would be Labor's intention to monitor such trade so as to ensure that this was done in accordance with the obligations that the environmental water holder operates under.

For the sake of completeness, yesterday we received correspondence from the Victorian Environmental Water Holder undertaking the same thing in more detail. I quote from a letter from Denis Flett, chairperson of the environmental water holder. He states:

In regard to your further questions, I can advise that the VEWH understands that the bill will amend the Water Act 1989 to promote Victoria's compliance with chapter 12 of the Murray-Darling Basin plan. In particular, the bill will remove existing restrictions on the classes of persons to whom allocation of water under water shares, bulk entitlements and environmental entitlements can be assigned.

The VEWH does not expect this change to have any significant impact on VEWH operations. In particular, the bill will not make any change to the VEWH's statutory objectives or functions, which bounds its operations, including its water trading activity.

We thank the environmental water holder for clarifying the matter for us.

We do not oppose the bill, because successive Labor governments at a state and federal level have led the debates around this issue. The policy framework and the \$2 billion worth of investment in the north of the state that have given rise to aspects of the basin plan in many respects have been led by successive state and federal Labor governments — even if in the last three years we have seen the failure, in a way, of the promised increase in transparency in water management and the steady decline in the meeting by this government of its connections, commitments and timetable, with water savings targets likely to be missed and budgets not spent.

The bill is part of a framework of reforms that seek to ensure that the needs of communities throughout the basin — urban, rural and Indigenous — are addressed. Labor supports the key aims of the basin plan around the rebuilding of the health of rivers and the dependent environments that the plan seeks to protect and enhance. Through this we will see the interests of agribusinesses and the production and investment needs of the industry all being addressed.

Without a healthy and sustainable river system we have no basis to sustain the industries and communities which depend on them. This is a point well made by the now outgoing commissioner for environmental sustainability in her most recent report on the state of Victoria's environment. Interestingly enough she notes that the most stressed and at-risk rivers in the state are also those most aligned to the production values of the communities they flow through. She noted not only the implications of those issues for the resilient communities and environments that are under stress but also the need to take action now to secure their futures. It was disappointing to learn that in the preparation of her landmark report the members of this government refused to allow the commissioner to use the term 'climate change', preferring the coalition-approved 'climate variability' as an alternative. This is further proof, if we need it, that those opposite are fundamentally anti-science, anti-enlightenment flat-earth, climate change deniers.

Looking at the basin plan and all that goes with it, including all of its various compromises and arrangements along the way, it continues to be the best opportunity that we have to build more resilient and stronger basin communities that are able to cope with the inevitability of climate change. The mounting evidence that will see the basin become progressively drier, even in the face of mounting extreme weather events, means that Australian communities and the states and jurisdictions covered by the basin have to act. For the sake of completeness, the general framework of the basin plan — this bill forms one part of Victoria's commitment to it — covers a range of matters that come under 11 different headings.

These are, firstly, the overall management objectives and outcomes of the basin plan. The next is the key issue of the sustainable diversion limits — that is, how much water can be taken from across the basin system. Then there is the sustainable diversion limit adjustment mechanisms, which allow limits on the diversions to be adjusted under prescribed circumstances, so between the two the gap between the baseline figures of what is currently extracted and what is considered to be sustainable diversion will in time, as the basin plan goes

on, have to be bridged. Next is the constraint management strategies, which will look to obstacles of all types in the basin — that is, physical, political and policy — in delivering the environmental flow need to be overcome by these constraint mechanisms.

Then we have the environmental watering plan, the strategy, which will protect and restore the basin's rivers and wetlands, many of which are Victorian iconic sites under this state's responsibility. Next is the water quality and salinity management plan and its targets about reducing out of the entire basin system a minimum of 2 million tonnes of salt from the Murray mouth annually. Finally there is the commitment about the major issue of state watering plans for rivers, waterways and wetlands having to be compliant with the terms of the agreement by the 2019 cut-off date. Next there is rightly the mechanism to ensure that the management of critical human water needs is assured through ensuring that access to the minimum amount of water needed by communities who are dependent on the basin's water resources continues. The issue of consistent rules for the trading of water is the next key undertaking, hence the need for this bill. The tenth major aspect of the agreement relates to the identification of the risks to the continued water available and all of the agreed strategies needed to be managed throughout the basin. Finally and necessarily, there are the monitoring and evaluation mechanisms and programs that will ensure the identification and reporting of the implementation of the basin plan.

This bill is but one element of a comprehensive strategy which all states and territories in the basin jurisdiction, together with the commonwealth, have signed up to. These are all reflected and delivered in a series of detailed agreements across the basin governments, with the overarching framework of the Council of Australian Governments (COAG) intergovernmental agreement, together with environmental and financial measures, to ensure that it is delivered. This reflects a long journey of many arguments and debates, mostly throughout one of the worst droughts in white settlement history. That we have got this far, even if it has taken too long, is in fact an achievement, but in many ways the real work to achieve the objectives of the basin plan only really begins now, for now is the time for governments across the basin to deliver.

As the most recent annual report of the Murray-Darling Basin Authority puts it, and I quote from page 24 of the 2012–13 report:

At the heart of the Basin Plan is the need to reduce the amount of water which was being taken from the Murray-Darling Basin to ensure sufficient water for all users, including the environment.

Working from the 2009 baseline of the agreement, we saw that some 13 623 gigalitres was annually diverted across the basin. The original goal was to reduce this figure so that 10 873 gigalitres of surface water could be taken, together with a reduction of 3324 gigalitres of groundwater annually. When we see reports that this government is allegedly falling behind in the water savings commitments it has made under these agreements, we know the issues are serious and profound for the Victorian communities in the Murray-Darling Basin area. The issues are equally profound for the health of our rivers, the communities and the financial payments that go with the obligations the Victorian government has signed up to.

Part of the framework to achieve these goals is to bring in consistent trading of water shares across the basin. These trading rules are designed to require basin states, irrigation infrastructure operators and individuals participating in the water market to operate largely under consistent rules. This has required agreement around what is known as the 'transferring water entitlements and allocations of the Murray-Darling Basin agreement' to give form to this consistent trading system. There continues to be a range of important issues that need to be finalised to give form to this agreement. They go to the consistent application around trading across the basin. We look forward to monitoring the finalisation of the government's compliance with these undertakings.

This multitude of areas of operation of the basin plan mean that it is now up to the states to develop their water resource plans and to have these reviewed, considered by the authority and operational and delivered by 2019. By that time the major signposts that Victoria has to pass include that the water trading rules are to be in place and operating by July 2014, hence the need for this bill, and that the basin watering strategy is to be published, followed by the long-term watering plans. Then in 2016 we will need to see the adjusted diversion limits determined. In 2017 we will need to see the environmental watering plan, water quality and salinity targets reviewed. In the crunch year of 2019 we will need to have all state water resources plans signed off as compliant with the objectives of the basin plan and the undertakings in that plan. At that time the sustainable diversion limits come into effect.

Despite the deliberate and ill-advised initial fearmongering about the basin plan, largely from those on the other side of the house, this agreement has come into place eventually. The contribution of some \$2 billion of state and federal taxpayers money to fund irrigation system upgrades, develop environmental works and implement watering for key sites, plus a host

of other measures, has seen the package continue along the lines we have outlined to where it has arrived today. Sadly some aspects of the package have been mismanaged over the past three years to the point where now have the risk that the compliance of Victoria's part of the basin plan remains problematic at best and, if the current situation continues, unlikely or undeliverable at worst.

Let us then be clear as to what is at stake here. It is a water package that seeks to deal with the proper management of our precious water resources, a task that falls to governments in providing proper stewardship for its many values. Equally the significant financial investments by state and federal governments which have occurred to date and which are scheduled to occur in the future are dependent on the delivery of this program and adherence to it by all parties. But even more fundamentally, the basin plan is about ensuring the survival of the basin's rivers and its dependent communities. Water is a source of life for the basin area and indeed for the entire nation. As populations grow and the planet warms, the responsible and equitable management of limited water resources continues to be one of the greatest challenges facing us all.

Here in south-eastern Australia we have lately seen some relatively benign years in terms of water availability, which have followed an intense battle over water during the most severe droughts to have occurred during the white history of this nation. Now in other parts of the basin we are again starting to see a return to dry conditions. Just as these dry times have occurred in neighbouring states, we know they will inevitably re-emerge here. Let us hope that when this dry time does return to Victoria we will have built resilient and strong communities and that the mechanisms to protect the health of our rivers and their dependent communities will have been implemented. Let us make sure that this government delivers on the promises and commitments it made on behalf the people of Victoria to achieve those outcomes. Let us hope that the goals for water savings are met.

Getting water stewardship right as a result of the proper application of policy and pricing via market-based tools to drive the most efficient use of water is critical to this outcome. This bill is part of the package to deliver not just a basin plan but a dialogue between the sometimes competing stakeholders about water-based activities through a common framework of principles and a process for driving best practice outcomes. Through the basin plan we must all seek to create a common agreement on the role, place and importance of water, meeting the many stewardship values it demands from all basin parties. An agreement on the values for water

stewardship provides us all with benefits, particularly in the identification of water management risks and prospects. It offers us a future founded on how we can best manage and deal with these risks in an era of increasing climate change.

However, the success of the reform program is open to question if one of the key points of the agreement is around the proper governance and pricing of water. If these principles of good governance are at risk anywhere in the basin, they are at risk here in Victoria. The revelations of recent times about the government's mismanagement of water raise serious concerns about our capacity to deliver on the basin agreements. These are most evident in this government's signature policies, which concern urban water and which are associated with the Office of Living Victoria. What no doubt started as a good idea about water savings relating to stormwater and the capture of recycled water, which was delivered by successive Liberal and indeed Labor state governments going back to the Kennett years, has now given way to an out-of-control beast that devours sound governance and good policy.

This government is not in a position to lecture anyone on water policy. Details now on the public record show not only that procurement policies have been trashed but also that the proper relationships between the department and the minister have been done away with. Water policy in this state has become little more than a trough for Nationals hacks delivering primarily on political agendas.

Mr Crisp — On a point of order, Acting Speaker, I know lead speakers are given a very wide-ranging authority to debate; however, this is a bill about water trading rules. We were very patient listening to the opposition's take on the Murray-Darling Basin plan. However, the member has strayed far from the bill, and I ask you to bring him back to debating the bill that is before the house and not other matters.

The ACTING SPEAKER (Mr Angus) — Order! I do uphold the point of order. I know the lead speaker has some latitude, and that has been extended, but I ask the member to come back to the bill.

Mr FOLEY — I will give your guidance the consideration it deserves, Acting Speaker. This important bill delivers on one of the undertakings of the Murray-Darling Basin plan. However, the Murray-Darling basin plan mechanisms to ensure that good governance and consistent water policy are delivered are very important. When we see in the Murray Darling-Basin area issues and concerns, particularly from production stakeholders, that the

government's achieving of the savings targets through the basin plan are at risk, we are quite rightly in the position of questioning whether basin communities can have confidence that the work for the basin plan will be achieved by this government. The importance of the trading rules as part of the path to achieve the goals of the sustainable diversion limits and all of the other outcomes for the basin plan should not be underestimated. Confidence in the public policy and in the state agenda to build the infrastructure, implement the policy and gain the community support are all part of the framework that is needed for the basin plan to be delivered.

When we see issues around questions of the irrigation works, of questions around the headworks, of uncertainty around the delivery of the backbone system or of the difficulties of implementing new tariff systems, of the policy around carryovers and indeed the ever-lengthening delays of connections program devised by this minister, we can only lose confidence in the timetable of the basin plan being delivered. The common theme throughout this particular area is the disappearance of a coherent water policy in Victoria with this minister's determination to turn water policy into the watering hole of The Nationals and their mates. The climate change deniers opposite might well take that view, but fortunately we still have the binding intergovernmental agreement of the basin plan. With all of its shortcomings and all its difficulties it at least offers us certainty here in Victoria where we have this fast-collapsing, crisis-ridden government when it comes to water policy. We at least have the assurance that the Murray Darling Basin Authority will oversee the process.

The Victorian Labor opposition will not be opposing this bill as part of ensuring that Victoria sticks to the commitments under the Murray-Darling Basin plan, which we support. Indeed, as we have pointed out, Labor has been at the heart of the delivery of this national agreement. What we will not be supporting and what we will be shining the light of probity and accountability onto is the lack of anything that looks like a coherent policy position on water by this government. What we will be opposing is this government's politicisation and waste in the water portfolio. Most particularly we will not be lectured on water policy by this government, which has sacrificed good policy and water security for political interests of The Nationals in this Parliament and their Pretorian guard spear carrier, the Minister for Water.

Victorian Labor looks forward to the basin plan being delivered on time and in the interests of all Victorians, of the state's rivers, wetlands and of the industries and

communities that depend on those resources. We will hold this government to account to ensure that occurs.

Dr SYKES (Benalla) — What a pleasure it is to have the opportunity to follow the contribution of the member for Albert Park, which is somewhere in Melbourne, in relation to the Water Amendment (Water Trading) Bill 2014. This is a rather dry bill, especially in light of the animated debate between the Minister for Water and the opposition during the last two question times. It reaffirms the Mark Twain quote, ‘Whiskey is for drinking; water is for fighting over’. That said, I find it ironic and absolutely fascinating that the member for Albert Park got up and lectured us, the responsible coalition government, on governance, politicisation and waste.

I have to respond, and I note that the member for Albert Park is vacating the front table and going back to his seat to listen. I cannot let an opportunity pass by to remind the member for Albert Park that it was a government of which he was a member that put a millstone around the neck of Melbourne Water customers for the next one, two, three decades. For each of those one, two, three decades Melbourne Water customers will pay \$1.8 million a day to fund the largesse and incompetence of the then Labor government.

Mr Howard — On a point of order, Acting Speaker, this bill relates to the Murray-Darling Basin plan, and the member has already strayed well off that line by talking about water use in Melbourne. I ask you, as you did for the previous speaker, to direct him to return to speaking on the bill.

Dr SYKES — On the point of order, Acting Speaker, there is clearly a relationship between the desalination plant and the Murray-Darling Basin plan, because the Labor government also sought to put in place the north-south pipeline. That having been shut down, there is still some interest in the existence of the exorbitantly expensive desalination plant.

Mr Foley — On the point of order, Acting Speaker, I understand that these debates by their nature are wide-ranging, but for the sake of completeness the honourable member might also point out that there is a significant amount of water already able to be linked up through those other areas like Ballarat, for instance. There are a whole range of other areas south of the Murray-Darling Basin.

The ACTING SPEAKER (Mr Angus) — Order! That is not a point of order. I do not uphold the point of

order of the member for Ballarat East, but I do ask the member for Benalla to return to the bill.

Dr SYKES — I will return to issues north of the Divide, where the great Murray-Darling Basin is. I congratulate the Minister for Water for his role in completing the negotiations on the Murray-Darling Basin plan and looking after the interests of Victoria. Among other things, he achieved \$14.3 million to develop offset projects in the area and \$47.4 million over eight years for start-up costs associated with implementing the basin plan, and \$25 million from the \$100 million Murray-Darling Basin regional economic diversification program will be coming to Victorian communities.

What we have seen is an example of a capable Minister for Water using his considerable lifetime experience in the water industry and his hard-nosed negotiating skills to come up with an outcome that is in the best interests of Victorians. He has achieved proper management of water in the whole Murray-Darling Basin for the benefit of irrigators, communities and the environment. It is a win-win situation.

The bill has a number of components that will result in Victoria complying with the requirements of the Murray-Darling Basin agreement, in particular chapter 12. There will be the removal of limitations on the classes of person to whom a water allocation under water shares, bulk entitlements and environmental entitlements may be assigned and to whom a limited term transfer of water shares may be given. This is freeing up water trading. Similarly there will be the removal of indirect restrictions on water trading. There will also be the removal of restrictions on a person's right to provide direction for an ongoing period on the transfer of water rights, which means when you put in place an ongoing agreement there is no longer a requirement each year to reinstruct the water authorities on what your wishes are. These sorts of changes reflect the common-sense approach for which the minister and the coalition government are well known.

The other part of the package — it is not in this bill, but it is part of the package — is the removal of the 4 per cent trading limit on water shares, and that will be completed in line with the agreement by 1 July 2014. This bill slots into a wider package of activities that are being undertaken by the coalition government, including the revision of the Water Act 1989, which is about simplifying the act and making it easier for people to read and use. There has also been considerable refinement of the policy on the use of water in the upper catchment areas.

Interestingly, in the Broken Valley irrigation district, which is in my neck of the woods, we have had ongoing issues following the regrettable decommissioning of Lake Mokoan, which is part of the Murray-Darling Basin water management strategy. The Labor government chose to proceed with the total decommissioning of the lake, rejecting a partial decommissioning option that would have delivered the same savings but provided security of water for irrigators. Unfortunately the concerns of irrigators at the time have been realised, and there are issues in relation to the allocation of water rights. Because of the current operating arrangements put in place by the Labor government, irrigators in the Broken system do not get a clear understanding of their water allocation until relatively late in the season, which limits their ability to utilise water to maximum value.

I commend the key irrigators who have been involved and made a significant contribution to resolving this issue. I am talking about Wayne Spinks, Maureen Cottam, David Rush, Peter Ryan from Dookie, young Mark Foletta and Mike Reid. All of these people have worked with Goulburn-Murray Water, and they are seeking to come up with a solution whereby they will be able to access early season water out of unregulated flows, which will enable earlier water allocations, greater certainty of those allocations and therefore the use of that water on higher value crops in many cases. That work is still in progress, but it is a credit to those irrigators. They are not saying someone should do something; they are actually getting out there and doing it. Similarly they are looking for a way of retiring some water out of the system to shore up the security of supply, which is a worry to irrigators in the area. The other aspect of this approach, in line with enabling water to be used where it is considered most profitable, is that there will be an exploration of options to open up the ability to trade out of the Broken system.

Similar sorts of issues exist in the Ovens Valley and north-east Victoria in general. Thirty-eight per cent of the water that flows through the Murray-Darling Basin originates in north-east Victoria — in the upper Murray, the Ovens, the King and the Broken systems. It is absolutely critical in managing the whole catchment, as this plan does — aspects of this bill relate to the allocation of water shares — that it be managed wisely, which is why there is still more work to be done in the utilisation of water, particularly in the upper Ovens catchment, where it has previously been used for tobacco. Now, though, a large amount of the water allocation is not being used, and it is critical that we use that in the valley for the benefit of local agricultural producers and the broader local community.

This is another step along the road of logical decision making and sound, common-sense legislation. It is a credit to the Minister for Water, who has his feet firmly planted on the ground. He is prepared to make tough calls and negotiate hard. He has delivered excellent outcomes for Victorians, including over \$1 billion in savings for Melbourne Water users this week.

Mr HOWARD (Ballarat East) — I am pleased to add my comments on the Water Amendment (Water Trading) Bill 2014. As we have heard from other speakers, the bill ties into the stages of intergovernmental agreements that have taken place in regard to the Murray-Darling Basin plan. We all know the background to this — in particular, the 10-plus years of drought experienced across a large part of this state and other states until about 2009, when the realities of the limitations of the water supply across this country became even more starkly evident.

The major catchment system across this state is the Murray-Darling Basin catchment. The Darling River runs from Queensland through western New South Wales and links into the Murray River system, which flows along the New South Wales-Victoria state boundary and finishes up in South Australia. It is a huge system of water which the people of those four states rely on for agricultural produce, for water supply and for the life of the communities that exist along and near those rivers. So it was important for the four states involved to come together with the commonwealth to plan how irrigation permits can be provided and how the sharing of water can take place in the future. We can no longer have, as we nearly did, a situation where states continue to give further irrigation rights to irrigators in their areas even though the river system could not be depended upon to meet those needs and meet the environmental requirements which ensure that those rivers remain healthy and that downstream water demands are met as the water comes in towards South Australia.

It was vitally important that an agreement be reached and approaches be taken to limit the ways that permits can be offered in future. A great deal of money was expended, with something like \$2 billion worth of investments planned and some undertaken to improve our irrigation systems. Not only are we restricting the way permits are offered, but we are ensuring that the water used in irrigation is used intelligently, using the latest technology, so that we do not have a waste of water. We know, for example, that for many years farmers across the Mallee who depended upon water for their stock actually received most of that water from the Grampians through old systems of canals. Only

about 10 per cent of that water actually reached its final destination in the farmers' irrigation troughs.

That is a great testament to the Labor governments that built the Wimmera–Mallee pipeline. As a result of the pipeline, a much smaller amount of water is now required to meet irrigation needs, and much of that comes out of the Murray River via the pipe system and into the Mallee. The farmers also have to do their bit on their properties to ensure that they do not maintain water in open dams, causing more evaporation, that they all have appropriate tanks on their properties and that the water is mostly in pipes. I am familiar with a lot of other investments that were undertaken by the Labor government. We upgraded the systems for irrigation and initiated the food bowl modernisation project, and there were many other projects along the Murray to reorganise the channels and to ensure that piping was used where possible and that the allocation and metering systems used modern technology to reduce water wastage. We have seen projects like that in other parts of Australia, and that has been very good news for our country.

We have seen an intergovernmental agreement on how water trading should take place, and the bill removes a number of the restrictions that are still in place regarding water trading. It was agreed that the changes would come in by 1 July, so this bill is a little late in coming before this house. I trust it will have a smooth passage and will be implemented by the required date of 1 July.

Overall, the Murray-Darling Basin plan has been a terrific development to ensure water security across the four states, as I mentioned. We know many other water savings plans have been put in place across the state which have changed the way people think about water, whether they are irrigators, urban populations or other water users. We also appreciate the importance of ensuring environmental flows. The Moorabool River, a significant river in my electorate, has become significantly degraded over the years. It is important to recognise in our overall water management systems that there needs to be an appropriate balance between all of their users and, as much as we can, we need to ensure that there are good environmental flows through all our river systems. There is still a lot more work to be done to ensure that we have healthy flows down the Moorabool River, which will reinvigorate it and ensure that it can have a vibrant and healthy future from an environmental point of view as well as from a utilitarian point of view for urban and agricultural water users.

Likewise in Ballarat we have had a discussion this week with the Office of Living Victoria, which I do not want to go into in great detail, about the plan to save water and harvest stormwater and ensure that it can be made better use of. Ballarat has attracted \$1 million in funding from the Office of Living Victoria for the Living Ballarat project, and I am glad that our committee is getting on with that work. We know the committee is frustrated that the money is not flowing into actions at this stage, but look forward to that happening in the near future.

I commend this bill to the house. I commend all the work that is being done to ensure that there is good water management across this state. We were trendsetters compared with New South Wales and Queensland in the past, and I hope we continue to be in the future. We need to sustainably use this valuable commodity in the future, and this bill assists us to do that.

Mr CRISP (Mildura) — I rise to support the Water Amendment (Water Trading) Bill 2014. I also note that the opposition is supporting this bill. The purpose of the bill is to meet certain requirements of the water trading rules set out in chapter 12 of the basin plan under the commonwealth Water Act 2007 in relation to more flexible trading of available and future water allocations and to amend the act in relation to dealing with water shares.

As we all know, Victoria signed the Intergovernmental Agreement on Implementing Water Reform in the Murray-Darling Basin after a long and at times bitter community debate, in particular between the constituents in my electorate and other water users in the Murray-Darling Basin in Victoria. At the end of that process the intergovernmental agreement produced the certainty that farmers and businesses in my electorate were looking for. The signing of that agreement by the Minister for Water created that certainty and ended years of uncertainty during which we had that very difficult debate.

For Victoria, the intergovernmental agreement secured \$14.3 million over three years to develop offset projects to reduce the volume of water taken from the basin. It is a very important part of that agreement and will deliver a program of works and measures that flows from the signing of the agreement. What has to happen is that the environment becomes as efficient at using its water as farmers are. The farmers in the Murray-Darling Basin have worked for probably the last 50 years at making every drop count and using every drop to maximise their income. The environment has to catch up and it has a lot of catching up to do. That is why there are a

number of projects in the programs of works and measures which are designed to help the environment catch up.

I point to the joint project between a number of partners, including the Mallee Catchment Management Authority on the Hattah Lakes, which is an iconic site within the Murray-Darling Basin. The work there involves putting in some very large pumps and a large amount of earthworks so that the environment can be irrigated with a measure of efficiency without having to use what we call vast quantities of transport water, which all has economic value. What no-one should ever forget is that in the Murray-Darling Basin water equals food. When you look at your breakfast tomorrow morning or your dinner tonight, you should think about how water was involved in delivering that food. Given the productivity of the basin, more than likely it has come from the basin.

With that in mind we have to make sure that we get the balance right between the environment and economic use, and that is where Victoria has been extremely active. Originally 2750 gegalitres was the ambit claim. With the works and measures program that should come down to 2150 gegalitres, and Victoria's share of that has almost been acquired. In fact the commonwealth need not buy any more Victorian water or take any more water out of active and productive use for growing your food, my food and Australia's food, nor should it take away from the economic capacity of the Murray-Darling Basin communities.

A number of things will come from the works and measures, which also includes Lindsay Island, a very large project that can deliver huge savings and vast amounts of environmental benefit. High-value horticulture needs security and certainty. What this bill does is allow forward contracts to be written for food to be grown in some of the high-value areas, particularly in Sunraysia. With high-value horticulture, you are planting crops that will take up to a decade to provide a significant economic return. When you want to establish a crop, you have the option of buying an owning entitlement.

You can buy an annual allocation on a temporary basis and now, with this bill, you can buy a temporary allocation on future or forward contracts. This will deliver certainty. If you are planting a crop that is not an annual crop, you need that certainty. This will help us to deal with the changes that have occurred within the Murray-Darling Basin, which have been significant, by adding that security which is critical for horticulture. I expect that a number of businesses will be interested in entering into what I call forward or future contracts. In

some cases they are already available, but for Victoria this will make that process far more part of a normal business routine.

A number of issues have been raised in this debate already around efficiencies, and there has been some discussion, particularly from opposition members, about what should and should not happen in the basin. It should be pointed out that the farmers and people in the basin communities know how to manage this resource. They have been doing it in my area for 100 years. As I said at the start of my contribution, we have always made every drop count, and we have always made sure that we got the best value for every drop. The environment use has to undergo the same scrutiny, and it is going to take a very long time to deliver that. However, if it does not, we are wasting everybody's money. It is clear that we are going to experience growing populations not only here in Victoria but throughout Australia and nearby. We are going to have to provide more food with pretty much the same amount of available water. This is a huge challenge. For the environment not to be subjected to those pressures is clearly uncompetitive and means that we will not be using all the things we have learnt over the last 100 years about how water should and can be managed.

Good work is being done. I note that the Murray-Darling Freshwater Research Centre has been contracted by the Murray-Darling Basin Commission to look at some of the work that has already been done and to monitor those works over time to make sure that the environmental water is delivering what it is supposed to deliver. This will take a long time, but in the meantime there is plenty to be done, and there is plenty that will be done.

I think Victoria should be congratulated. The Victorian water minister went first, went hard and delivered a package that delivers certainty and security to our farmers and to the communities within the Murray-Darling Basin. What now needs to be delivered is the works and measures program, and some of that goes beyond what I have spoken about. It is also about the economic measures that can be taken to compensate Murray-Darling Basin communities for the loss of that economic activity that comes from the water being diverted to the environment.

Similarly we have to make some very big decisions as to whether we use water for environmental purposes or for the water trading market. That is a discussion that is being held in Canberra. With some of these water trading rules, opportunities will arise. To be efficient in using water for the environment, we must invest in a lot

of irrigation infrastructure. This bill is about certainty for high-value horticulture, certainty for water holders. I commend the bill to the house.

The SPEAKER — Order! The time set down for consideration of items on the government business program has expired.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**TRANSPORT (SAFETY SCHEMES
COMPLIANCE AND ENFORCEMENT)
BILL 2014**

Second reading

**Debate resumed from 25 March; motion of
Mr MULDER (Minister for Public Transport).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**GAMBLING AND LIQUOR LEGISLATION
AMENDMENT (REDUCTION OF RED
TAPE) BILL 2014**

Second reading

**Debate resumed from 25 March; motion of
Mr O'BRIEN (Treasurer).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**JUSTICE LEGISLATION AMENDMENT
(DISCOVERY, DISCLOSURE AND OTHER
MATTERS) BILL 2014**

Second reading

**Debate resumed from 26 March; motion of
Mr CLARK (Attorney-General).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**CHILDREN, YOUTH AND FAMILIES
AMENDMENT (SECURITY MEASURES)
BILL 2013**

Second reading

**Debate resumed from 26 March; motion of
Ms WOOLDRIDGE (Minister for Community
Services).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**CORRECTIONS AMENDMENT (PAROLE)
BILL 2014**

Second reading

**Debate resumed from 25 March; motion of
Mr WELLS (Minister for Police and Emergency
Services).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**TRANSPORT LEGISLATION
AMENDMENT (FURTHER TAXI REFORM
AND OTHER MATTERS) BILL 2014**

Second reading

**Debate resumed from earlier this day; motion of
Mr MULDER (Minister for Public Transport); and
Ms HENNESSY's amendment:**

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 appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed price notification scheme on taxi operators in cooperatively run network service providers in regional Victoria;
- (2) possible fare increases; and
- (3) consumer protections for regional Victorians, particularly in relation to the proposed price notification scheme'.

House divided on omission (members in favour vote no):

Ayes, 43

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

Noes, 42

Allan, Ms	Howard, Mr
Andrews, Mr	Hutchins, Ms
Barker, Ms	Kairouz, Ms
Beattie, Ms	Kanis, Ms
Brooks, Mr	Knight, Ms
Campbell, Ms	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	Pakula, Mr
Garrett, Ms	Pandazopoulos, Mr
Graley, Ms	Perera, Mr
Green, Ms	Richardson, Ms
Halfpenny, Ms	Scott, Mr
Helper, Mr	Thomson, Ms
Hennessy, Ms	Treize, Mr
Herbert, Mr	Wynne, Mr

Amendment defeated.

Motion agreed to.

Read second time.

Circulated amendment

Circulated government amendment as follows agreed to:

1. Clause 48, line 31, after "Zone" (where secondly occurring) insert "but cannot drop off a passenger picked up in the urban and large regional zone in the urban and large regional zone".

Third reading

Motion agreed to.

Read third time.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Mixed martial arts

Mr EREN (Lara) — I raise a matter for the attention of the Minister for Sport and Recreation. The action I seek from the minister is that he remove the ban on the use of enclosures for mixed martial arts (MMA) events. I urge the minister to reconsider the government's stance on the current ban on the octagon ring to accommodate MMA competitions in Victoria. Professional boxing and combat sports such as mixed martial arts are not everybody's cup of tea, but they are legal sports in which highly skilled athletes compete in a regulated and controlled environment with very strict rules. I am sure the minister is aware that MMA is one of the fastest growing sports in the world, and this government has a duty of care to the sport's athletes, who are currently competing in unsafe conditions.

There are now many more of these events due to the growth in and demand for this style of martial arts in Victoria. The government needs to get its head out of the sand, listen to its advisory board and realise that the enclosure is vital for competitor safety before

somebody is seriously hurt as a result, ironically, of their falling out of the ring and going head first onto the concrete floor. If a government puts laws and regulations in place for a sport, it needs to ensure that the fighters, spectators and officials involved are competing in a safe environment. In most Australian states MMA competitions are held inside an enclosed structure, but in Victoria competitions are fought inside a traditional boxing ring. That is not fair and is very unsafe for the competitors. As I have said, competitors could fall through the ropes and sustain serious injuries. I witnessed a competitor fall out of the ring right in front of me at an event in Melbourne recently.

This ban is impacting not only on fighter safety but also on jobs and tourism dollars for the state. Recently Victoria missed out on the Australian Fighting Championship, which went to New South Wales — another event lost to a different state. United Fighting Championship (UFC) currently hosts a number of bouts in other states with sell-out crowds, with the majority of spectators coming from Victoria. UFC has already stated publicly that it has a memorandum of understanding with Etihad Stadium to hold an event there, which would attract 50 000 people and bring in about \$40 million to \$50 million to the local economy.

Moving events over the border is a slap in the face to Victorian MMA fans and a lost opportunity economically in terms of tourism dollars. Victorian Labor has listened to the stakeholders, professionals, competitors and members of the community alike. We announced in 2012 that Australia needs a national framework for combat sports so that world-leading safety practices can be implemented. This reform would enable the introduction of both a national code of practice in all states and territories and the use of a safe alternative to a boxing ring, such as an octagon-shaped enclosure. We put the safety of competitors, officials and spectators first. We will make combat sports safer and help increase sporting tourism in our state.

I encourage the current minister to listen to the government's advisory board and make his decision based on fact and not on political motive. Again, the action I seek from the minister is that he overturn the ban on the use of an enclosure for MMA events.

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

Gippsland tourism

Mr BLACKWOOD (Narracan) — I raise a matter for the attention of the Minister for Tourism and Major Events. I ask that the minister advise if there are any programs or tourism campaigns planned to help raise the profile of the Gippsland region and encourage

Melburnians and Victorians to visit regional Victoria. Tourism is very important to my area of Gippsland, and we have a large number of very competent tourism operators that offer a range of experiences for locals and visitors. In 2011–12 tourism contributed \$1.05 billion to the Gippsland economy and employed 10 700 people. The statewide figure is a massive \$10.9 billion in economic value and 110 000 jobs in regional Victoria.

Gippsland has some of the best natural attractions in the state. Recently I had the opportunity to visit Mount Baw Baw for the World's Longest Lunch event, which was a huge success. It showcased the best of regional produce in a beautiful setting and was well attended by people from both the Gippsland region and elsewhere across the state. Mount Baw Baw has traditionally been a winter destination for ski and snowboard enthusiasts, but it has done an excellent job of diversifying into summer tourism with walking tracks, and downhill and cross-country mountain bike trails that have been very well utilised this past summer.

Many Victorians are unaware that many of these venues are open year round and that their appeal changes from season to season with different events and attractions taking place throughout the year. The World's Longest Lunch has been held on a number of occasions in recent years at the Noojee Trestle Bridge and the Outpost Restaurant in Noojee. In fact the minister herself has attended this fantastic event on at least two occasions and thoroughly enjoyed the food and wine, perhaps not in that order. Mount Baw Baw is just one of the major attractions in the Walhalla and mountain rivers tourist area. It is well supported by the Walhalla historic township and heritage railway and the townships of Erica and Rawson with their hotels and cafes offering high-quality food and wine.

This weekend Farm World is being held at Lardner Park. This annual event will attract more than 50 000 visitors over three days and will showcase a huge range of modern farming techniques, technology, machinery and livestock. The Minister for State Development will conduct the opening ceremony at 11.00 a.m. tomorrow, Friday. I encourage all Melburnians to take the opportunity to visit our excellent regional communities and experience the great tourism opportunities they have to offer, and I ask the minister to support our regional tourism operators.

Universal housing standards

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the Minister for Planning. The action I seek is that he ensure a universal housing policy similar to the 6-star sustainability standard is introduced. I pay tribute to Ms Kathleen Matthews-Ward, who has worked

tirelessly on this proposal. Introducing a universal housing standard similar to the 6-star sustainability standard would change planning policy to ensure that all new dwellings include key universal housing design features to more appropriately accommodate families with young children, the ageing population and the 20 per cent of people in our population who have a disability.

Some features include no-step entries; wider doorways, hallways and stairways; reinforced bathroom and toilet walls, which would allow easy future installation of grab rails; no-step showers at entry level; having at least one bedroom, bathroom and toilet, kitchen, living area and open space at entry level; and aligning doorknobs and light switches. By addressing this problem we would help to address the current shortage of appropriate private housing suitable for people with a disability or for people who develop a disability later in life. The changes are needed because the demographics in Victoria require more adaptable housing. The system would also allow people to age in place and help limit their need for aged-care beds as well as assisting in reducing rising health-care costs due to accidents and injuries.

Falls in the home environment cost the Australian population a staggering \$1.8 billion in public health costs each year. The introduction of such a system would help minimise the demand for home and community care funding, because there would be fewer falls and people would be able to look after themselves more readily. It would also eliminate renovation and modification costs and the heartache that goes with people having to go through a renovation.

If we look at modifying an existing home, we find that building in these features is 22 times cheaper than retrofitting existing homes. The new system would also help eliminate the cost of government-subsidised home modifications for older Victorians and enhance social connectedness and mental health for people with disabilities because they would be a part of the community, not apart from it.

A wide range of people would benefit from this new system, including people with young children who need to get strollers and prams into their homes and who want safer homes, people who sustain temporary or permanent injuries which limit their mobility, and ageing people.

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

Racial discrimination legislation

Mr SOUTHWICK (Caulfield) — I direct my adjournment matter to the Minister for Multicultural Affairs and Citizenship. The matter I raise concerns the federal government's proposed changes to the commonwealth Racial Discrimination Act 1975. The action I seek is that the minister make representations to the federal government to ensure that the message that bigotry in any form is unacceptable and that there must be sufficient protection against vilification with an appropriate balance between freedom of speech and protection from racial abuse.

For many years Victoria has taken a bipartisan approach to and played a lead role in embracing multiculturalism. We live and breathe multiculturalism, and the success of our state is underpinned by contributions made by people from ethnically diverse communities.

Sections 18C and 18D of the Racial Discrimination Act were enacted after three national inquiries found that there was a connection between racially vilifying conduct and racially motivated violence. These laws led to the successful imprisonment of Holocaust revisionist Fredrick Töben after the Federal Court ruled that he breached the act by imputing that the Jews who were offended by Holocaust denial had limited intelligence and that the Jewish people had exaggerated the number of Jews killed in World War II for financial gain. I hope any proposed changes do not take away the very thing that they were set up to address, including racist attacks, vilification and hatred directed at individuals, groups and culturally diverse communities.

I understand the federal government has called for submissions on the proposed changes, and I believe this is a great opportunity for the minister to present our concerns and to offer a solution by referring to Victoria's racial and religious tolerance laws as a starting point for the review.

The Victorian Racial and Religious Tolerance Act 2001 was passed with the support of both sides of Parliament and took effect in 2002. This act prohibits behaviour that incites or encourages hatred, serious contempt or severe ridicule against another person or group of people because of their race and/or religion. The act deals with public behaviour, not personal beliefs, and makes it unlawful to make racist comments in a publication, including the internet and email, and/or statements at a meeting or at a public rally. It also makes it unlawful to write racist graffiti, display racist posters or stickers and/or engage in racist or vilifying abuse in a public place.

My concern is that we would not want to water down what legislation we already have in Victoria by the changes to the federal laws. I commend Colin Rubenstein, the executive director of the Australia/Israel Jewish Affairs Council, for what he has done on the matter.

I ask the minister to write a submission and offer this Victorian law as a starting point. The Racial and Religious Tolerance Act in Victoria is a great place to start for any review. Colin Rubenstein and David Marlow from the Jewish Community Council of Victoria have said that the act is too narrow and the current laws need to be consistent and have cited Victoria's legislation as a great place to start.

As the Premier said earlier this week, 'We want to protect freedom of speech, but it is not unlimited freedom of speech'. We need to protect and promote free speech as one of the great democratic rights we have in this state and country, but not at the expense of preventing hatred and racial abuse.

Education conveyance allowance

Ms DUNCAN (Macedon) — I raise a matter for the attention of the Minister for Education. The action I seek is for the minister to direct that the criteria applied to different types of schools for the purposes of receiving a conveyance allowance be maintained in its current form, that parents again have choice and that the school criteria accurately reflect the different types of schools in the Macedon electorate and beyond.

It would seem that again this government is trying to cut costs by revising the rules around the conveyance allowance. Under these revised rules there is an assumption that there are comparable non-government schools closer to a student's home, which is currently the only way families can be denied the allowance. It assumes non-denominational schools are the same as non-religious schools. I urge the minister to check the definition, because 'non-denominational' specifically references the religious basis of a school.

Parents wanting a non-denominational school would not see a school such as Candlebark School in my electorate, which has no religious basis at all, as meeting their needs. Under this change in application a school such as Gisborne Montessori School is being put in the same category as Candlebark School, which in turn is seen as being the same as Red Rock Christian School, according to these changes in application.

Anyone who thinks these schools are the same has clearly never visited any of them. It is a nonsense to lump non-denominational schools in the same category as schools with no religious affiliation. These changes

will seriously impact on the viability of Candlebark and potentially other schools. Virtually every student at Candlebark travels by buses which are privately operated and leased by the school. Red Rock Christian School and the Gisborne Montessori School would have a similarly high number of students in receipt of the allowance.

The fact the department only has classifications of 'non-denominational' or 'no religion' and seems to treat those terms synonymously to cover a huge range of schools is ridiculous. To quote John Marsden, the principal of Candlebark, it:

... means there is no distinction between schools with vastly different ideologies, philosophies, structures and styles. A Catholic student is not expected to attend an Anglican school, and an Anglican student can pass a Catholic school on the way to his or her Anglican establishment, and yet the difference between those schools is likely to be minimal compared to the differences between, say, Candlebark and Red Rock Christian School (two of the schools the department treats as identical for the purposes of paying — or refusing to pay — the conveyance allowance).

Red Rock Christian School is non-denominational, Candlebark is non-religious. The notion that non-denominational and non-religious mean the same thing is an understanding not shared by the world outside the department.

Equally, Montessori schools are different again, with different styles and philosophies. It would also seem that if another school opens after a family has committed to a particular school, those families should withdraw their children or else accept that younger siblings will be required to go to a different school.

Previously the government tried to deny the conveyance allowance to those families not in receipt of the education maintenance allowance. In my electorate this caused enormous outrage and the government quickly backtracked. This time the government is trying to interpret the rules in a way that they have never been interpreted before — this from a government that claims to be all about choice.

The conveyance allowance is critical to a number of schools in my electorate, and I ask the minister to do what needs to be done to maintain the current custom and practice of this important assistance to students in regional Victoria.

Benalla electorate sporting clubs

Dr SYKES (Benalla) — My issue is for the Minister for Sport and Recreation, the Honourable Damian Drum. My request is that he continue to provide support and funding for sporting clubs in my electorate.

In the words of the previous Minister for Sport and Recreation, the ambition of the coalition government is

to have more people more active more often, and it is important that we apply these words to both males and females. If we can get them when they are young and instil in them good healthy sporting activity as part of their daily routine, that will lay a very firm foundation for a healthy and valued life in the future. One of the issues, particularly in areas where there is social disadvantage, such as Benalla and some other localities within the electorate of Benalla, is that costs can be a constraint on participation. Therefore programs such as the sporting uniform grants program can assist in helping more people to be involved in sport.

In the Benalla electorate there are many sporting clubs with a high level of participation. Among the clubs that would benefit from these uniform grants is the All Blacks Football and Netball Club, in particular the netballers, who are also known as the Panthers. I visited the club just last week, and it was great to see a large number of young people actively participating and generally being in pretty good shape, which is a credit to them, their coaches and the support groups around the club. Similarly we have the Benalla and District Junior Football League, and in particular its teams the Bulldogs and the Giants. Their need for funding is quite significant because as a result of declining participation in the older age groups of junior footy Benalla's older young footballers have had to join a Wangaratta-based competition and it is appropriate for them to be decked out in new uniforms. These clubs, the Bulldogs and the Giants, need new uniforms and would benefit from a uniform grant.

Interestingly, on the issue of participation in sport and junior footy, just last week I was invited to participate in a working group that is looking at encouraging participation in junior footy in the Benalla area. This draws on my background playing football and being an administrator in junior footy. I am pleased to be able to assist and to try to identify the issues that are constraining young people from being involved. We know one of the issues is cost — and that is why we are asking for support with the uniform grant — but there are often other social issues that we also need to address. I am looking forward to being involved in having more people more active more often.

United Energy

Mr LIM (Clayton) — I wish to raise a matter for the Minister for Energy and Resources. The action I seek is that the minister demand an urgent explanation from United Energy regarding the severe power outages on its network which commenced on Sunday, 16 February, in some cases causing residents to suffer a loss of electricity for up to 36 hours.

Residents in my electorate and surrounding suburbs have voiced their frustration that they could not contact United Energy's call centre and that its website was incorrectly indicating no outages on that Sunday morning. If they finally managed to speak to a person, only general information was offered and excuses of unseasonal weather was implied as the cause. This is a serious health and safety issue, particularly for children and elderly people. I would have expected United Energy to have written to all residents affected, apologising and explaining the details of the fault closest to their homes and including an easy-to-complete form seeking details on spoiled food or equipment damaged as a result. It has been four weeks now since the outage and there has been no proper explanation, no information on the company's website, no media release and no official contact with residents. I can only imagine the amount of food that would have been spoiled in the case of the residents with the longest outages, and I would expect United Energy to be compensating them within days of receiving a claim.

If unseasonal weather was the actual reason for the outages, then one would think there would have been a similar number of outages over the entire metropolitan network serviced by the other network providers, but I believe this was not the case. Residents and I want to know: what are United Energy's maintenance programs? Has United Energy reduced maintenance or inspections over the past year or the past five years? How do United Energy's maintenance programs compare to those of other network providers? What are United Energy's procedures to reduce the incidence of major outages into the future? Will United Energy provide extra staff to adequately cover phone calls from concerned residents during the next major outage? These are all pertinent questions which United Energy needs to address.

I would expect the minister to have serious discussions with the company, demanding answers and assurances on behalf of Victorians living in United Energy's zone. If not, I would expect the minister to conduct an inquiry into the maintenance programs of all our network suppliers forthwith. The minister should be aware of this, and he must demand that United Energy be brought to account.

Monash University bus services

Mr McINTOSH (Kew) — I raise a matter for the attention of the Minister for Public Transport. The matter concerns the lack of direct public transport from the Kew electorate to Monash University's Clayton campus. The action I seek from the minister is to

provide a direct bus service to Monash University's Clayton campus from the Kew electorate.

It has been brought to my attention by one of my constituents, a teacher at one of the many great schools in the Kew electorate, that at present there is no direct bus service from Kew to Monash University. While there are many options to travel from Kew to Monash University by public transport, all involve several types of transport. Currently a student, or indeed a staff member, can travel to Monash University by public transport; however, such travel involves at least three changes of transport. For example, someone living in North Balwyn, which is in my electorate, would be required to catch a tram, another tram, then a train and a bus. This presents students travelling to Monash University with a variety of complex combinations of bus, tram and train timetables. This juggling act means it takes approximately 2 hours each way, and it is a significant disincentive for students and staff to use public transport. Many, if not most, give up and simply drive to Monash University.

I note that a bus runs from Kew direct to La Trobe University and that to get to Melbourne University from my electorate is relatively easy, with short distances and well-established forms of public transport. Monash University is a leading Australian university. It is a clear option favoured by many students in my electorate. The tyranny of distance could be overcome by a direct bus to Monash University, providing a viable public transport option for students and staff of the university who live in my electorate. Providing a direct bus service to the Clayton campus would also have other benefits, including environmental benefits, as well as reducing traffic congestion by getting many cars off the road.

I request that the minister look at this issue with a view to providing a direct bus service from the Kew electorate to Monash University's Clayton campus.

School bullying

Mr NEWTON-BROWN (Pahran) — The matter I wish to raise is directed to the Minister for Education. The action I seek is that he investigate and advise the house as to the situation concerning bullying programs in Victorian schools and in addition that he advise the house as to the funding for school education on bullying, following statements that were made in this place earlier this week.

This government has a very proud record on stamping out bullying in Victorian schools through its partnerships with organisations, schools and school

communities. There is the \$10.5 million eSmart antibullying initiative, which has been undertaken in conjunction with the Alannah and Madeline Foundation; our \$4 million Bully Stoppers campaign, including training and development for teachers; the work around a resilience framework; and the school-wide positive behaviour programs in our schools, which we recently extended to a further 70 schools in addition to the 150 already running this program in Victoria. There is the Safe Schools Coalition Victoria, which has been awarded recurrent funding in the course of this term of government. That program provides very important antibullying programs for same-sex attracted students.

This government is focused on ensuring that our schools are safe, inclusive and supportive places. It has delivered on its election commitment to provide an additional 150 primary welfare officers in our primary schools. It has handed control of the student support services officers network back to schools, effectively taking them out of the control of the bureaucracy. The government has extended the School Focused Youth Service and developed student engagement and inclusion guidance for schools.

I know that the minister was out on the National Day of Action against Bullying and Violence, and he launched two student-produced films that strike at the hearts of those who seek to make others' lives a misery. The Premier, with the minister, launched the One Team, One Goal — Celebrating Diversity school competition last week to stamp out unacceptable racial intolerance and bullying.

I had hoped that the fight against bullying and intolerance in schools and across our diverse Victorian community would enjoy bipartisan support, but in light of comments made in this place this week I seek that the minister investigate and advise as to the extent of that support.

Public transport fares

Ms RYALL (Mitcham) — The request I have is for the Minister for Public Transport. The action I seek is that he come out to the Mitcham electorate and discuss with my community in the Mitcham electorate, and in the area of the Ringwood and Ringwood East stations as well, the changes to the public transport system that have been announced this week.

I have five stations in my electorate, and those further out to the east are zone 2 stations. These changes will have an enormous impact, in real terms, on these people in terms of price reduction and cost of living reduction.

I know they will be very pleased to fully understand the implications for their household finances of being able to travel from zone 2 to zone 1 for the cost of a zone 1 fare and to be travelling around the city for free. I call on the minister to assist me in making these explanations to my electorate. I thank him for the wonderful announcement that has been made this week.

The ACTING SPEAKER (Mr Nardella) — Order! Before I call the Minister for Public Transport, I inform members that there has been a change in the number of members speaking. Normally there would be five members from both sides of the house, but because there was a swap with the Independent member for Frankston last night there have been four from the opposition and six from the government.

Responses

Mr MULDER (Minister for Public Transport) — The member for Mitcham has asked me to come out and meet with her and constituents from her electorate to give them a bit of a run-down on what the implications are for them of the government's announcement that zone 2 travellers will be able to travel for the same fare that is applicable to zone 1 and that they will be able to get access to free tram travel in the CBD.

We had a group of seniors in Parliament last night, and they were saying, 'Look, does that affect us?'. Of course it does, as it also affects students and commuters. Over the course of the next few weeks we will be out there talking to these different groups, explaining to them these great benefits, including how much money they will be able to put back into their pockets as of 1 January next year and how they can best access this new service. It is a fantastic announcement for the member for Mitcham's community, and they will be over the moon.

That electorate knows it has a very hardworking member. As this particular issue is being discussed with her community, members of that community will no doubt be looking at the work she has done on the Mitcham-Rooks roads grade separation; on the Ringwood station development, working hand in hand with the member for Warrandyte; and now on delivering a fantastic outcome like this. It is a great outcome, and she is a very hardworking member. I am more than happy to go out there and have that discussion with any of her groups so that they get an understanding of what a great benefit this is going to be to them.

The member for Kew raised an issue with me in relation to access to Monash University, Clayton, from the Balwyn area. I would like to let the member for Kew know what we have been doing with buses. There are 3800 additional bus services on weekly timetables since 2010. One of the services, which was introduced on 18 July 2011, is an express bus from Monash University in Clayton, which runs from Huntingdale railway station. Other changes include 1400 new bus services weekly in the Point Cook area and another 400 bus services weekly in Warrnambool.

Right across the state we have been adding bus services to the network. Public Transport Victoria (PTV) has done a great job of coordinating bus timetables with trains and designing new routes to keep up with growth. We can only do this because we are getting above 90 per cent punctuality. Once you get the heart of the system — the metropolitan rail system — working properly, you are then in a position to start to talk about an integrated system, and that is what the coalition government is doing. PTV is currently developing a network development plan for on-road public transport in order to set out a future vision for bus and tram networks. We are now doing with buses what we have done with the metropolitan rail network.

I am going to ask PTV to get back to me with some advice on options to improve connections between Monash University, Clayton, and the Balwyn area. I also point out that the coalition's zone 1 fare capping from 1 January 2015 will mean that commuters from the Kew area will be able to save around \$5 a day when travelling to and from Monash University. That is a fantastic outcome. We will take it up on behalf of the member for Kew and get back to him once I have had a discussion with PTV.

Mr DIXON (Minister for Education) — The member for Macedon raised with me an issue regarding the student conveyance allowance within her electorate and more specifically for students at Candlebark School. There has been no change to the conveyance allowance policy; it has remained the same. With regard to the definitions and denominations, there was no clear definition at all when we came to government, and there were concerns about that. I think it was in 2012 that we sat down and worked with the Catholic Education Commission of Victoria and also Independent Schools Victoria to come up with an agreed definition of what those denominations would be. In fact they are based on the Australian Bureau of Statistics criteria as well.

I preface my comments by saying that there has been no change to any policy. What has happened, though, is

that new technology that is being used in administering the conveyance allowance has thrown up a range of students right across the state who have been receiving the allowance who should not have got it in the first place, so there are quite a few non-compliant students around the state. Rather than just going cold turkey on this, we are managing the situation and the transition. I know Candlebark School has received for this year the same amount of money that it received last year, so there has been absolutely no change as part of our transition. We will work with that school and a range of other schools around the state where, as I say, a number of students have been receiving the allowance who should not have been receiving it in the first place.

But there has been no change to the policy. The policy parameters are the same. The denomination was agreed with ISV and the CECV. It is about the compliance of those ongoing policies that has been thrown up with the changed IT systems. As I said, we will work on the transition with the schools on an individual basis, including Candlebark. I believe that school has just found out that it has received the money it was expecting to receive this year.

Ms Duncan — Next year.

Mr DIXON — This year. As I said, we will work with it on the transition.

The member for Prahran has also raised a matter with me. First of all, it is great to have him as my parliamentary secretary. He is a man with a great interest in and knowledge of education, so I welcome him on board. He referred to some statements made in this place by the parliamentary secretary to the shadow Minister for Education, the member for Bundoora, who said this government walked away from bullying programs in Victorian schools in 2014, with no funding having been allocated. I found that comment astounding. The member for Bundoora is just plainly wrong.

I can assure the member — I went and checked up of course — that there has been absolutely no cut in funding at all. In fact we have invested \$14.5 million in the eSmart program and our range of Bully Stoppers programs. They are funded right through to June 2015, so there is absolutely no way at all that that funding has been cut. The member for Bundoora is just plainly wrong. He has been wrong on this before. I remember last year when we were talking about the School Focused Youth Service the member for Tarneit said it was a Labor program, and that was wrong. I remember the member for Altona said we had cut the program, and that was wrong. Then, when the funding continued,

as it was always going to, the member for Bundoora actually took credit for having saved the program.

The member for Bundoora does get it wrong. There was concern about this. Some of the organisations and schools that receive this funding and are part of these programs were concerned because they thought the funding had been cut. We will reassure them that that is not the case. In fact we expanded it. We are working all the time. In fact this year we are partnering with the AFL, Courage to Care, headspace and the University of Melbourne to support those students who really need a lot of help and support. We have a real emphasis on student safety, wellbeing and inclusion. We are doing a lot of work in that regard.

I would like to reassure the member for Prahran, because I know he has a real interest in this area, that there are no funding cuts at all. We are doing great work with our partners and schools. In fact the Alannah and Madeline Foundation, or the eSmart program, has 1800 schools that are part of it, so four out of every five government and non-government schools in this state are continuing to receive the ongoing funding, along with the other programs.

Mr NORTHE (Minister for Energy and Resources) — I will respond briefly to the member for Clayton, who raised a matter with respect to United Energy and the fact that a number of constituents in his electorate had suffered as a result of power blackouts. Briefly, if I may, obviously the Victorian government takes very seriously the security of electricity supply to households and businesses. We have a number of programs in place to support security of supply. Through our \$750 million bushfire powerline safety program a number of measures are being undertaken to improve overhead supply and underground lines to ensure that there is security of supply, particularly for rural communities. There has also been the installation of automatic circuit reclosers on a number of different lines throughout Victoria to ensure that at the appropriate time we have security of supply.

The distribution companies themselves have obligations to ensure that they perform well. There are performance targets they must meet to ensure that there is security of supply. If, for example, customers are off supply for a certain period of time, then effectively those distribution companies can be penalised financially for that. It is a major issue that the member for Clayton has raised. Unfortunately as I stand here I do not have all the specific details necessary for me to respond to the member. However, I will speak to him individually after the adjournment and will get back to him as soon as possible.

Ms ASHER (Minister for Tourism and Major Events) — The member for Narracan spoke about the importance of tourism to the Gippsland region and asked me if there are any plans to assist with raising the profile of regional Victoria. He has been a consistent advocate of the economic benefits of tourism to his region for a very long period of time. I am delighted to announce tonight in response to the query of the member that Tourism Victoria has partnered with Fairfax Media to deliver a \$500 000 campaign to boost tourism visitation and economic yield across regional Victoria. It is an intrastate campaign to encourage Victorians to travel to regional Victoria. It is entitled *Our Patch* and will run from 28 March until June this year.

The campaign will give all Victorians an opportunity to share their favourite experiences across the state, including places to eat and drink, locations to visit, attractions to see. It might be a favourite cafe or restaurant, a hidden beach, a great bakery or an activity. People are encouraged to share with others whatever they think is their favourite activity. Tomorrow a special edition wrap of the *Age* will be handed out across the Melbourne CBD to encourage participation in this campaign and ultimately to encourage participation in regional Victorian tourism. People will also be invited to take part through an online, print and radio campaign, so I encourage members to keep their eye out for that. Obviously if we can get people who live in Melbourne to visit country Victoria, that will be a real boost to regions. That is the whole point behind this campaign. However, I also encourage my parliamentary colleagues to participate and share their views about the best places to visit in regional Victoria. People can simply do this by visiting the website from tomorrow onwards.

In the second phase of this campaign a number of full-page stories will be featured across Fairfax Media's relevant publications, bringing these experiences to life. The content will be available online, supported by video content and imagery. This new campaign follows the *Spotted by Locals* intrastate campaign, which I think I have previously discussed in this chamber, and it reflects the coalition's ongoing commitment to regional Victoria.

It is very important that we spread tourism visitation to the regions, and I am delighted that the coalition government is partnering with Fairfax Media to run this campaign. I look forward to it, and more importantly I look forward to the results. I thank the member for Narracan for raising the important issue of regional tourism.

The member for Lara raised a matter for the Minister for Sport and Recreation, calling on him to remove the ban on cage fighting. I will refer that matter to the minister.

The member for Pascoe Vale raised an issue for the Minister for Planning in relation to a universal housing policy, which will impact disabled people. I will refer that matter to the Minister for Planning.

The member for Caulfield raised an issue for the Minister for Multicultural Affairs and Citizenship in relation to the federal government's prospective changes to the Racial Discrimination Act 1975, calling on the minister to do what he can to convey the member for Caulfield's views on this matter. I will refer that matter to the Minister for Multicultural Affairs and Citizenship.

The member for Benalla raised a matter for the Minister for Sport and Recreation, urging him to support funding for sporting clubs in the Benalla electorate. I will pass on that matter to the Minister for Sport and Recreation.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 4.51 p.m. until Tuesday, 1 April.