

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-SEVENTH PARLIAMENT
FIRST SESSION**

Tuesday, 11 March 2014

(Extract from book 3)

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The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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

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(*Council*): Mr O'Brien and Mr Ronalds.

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

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

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

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

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

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, and Mrs Peulich.

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

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

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

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Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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)

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

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

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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

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Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
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Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
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Halfpenny, Ms Bronwyn	Thomastown	ALP	Sykes, Dr William Everett	Benalla	Nats
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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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Tuesday, 11 March 2014

The SPEAKER (Hon. Christine Fyffe) took the chair at 2.03 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. The Morwell fire started burning on 9 February, yet a community health and assessment centre to provide health checks did not open until 21 February. Why did Morwell residents have to breathe toxic smoke and ash for almost two full weeks before the government checked on their health?

Dr NAPTHINE (Premier) — I thank the Leader of the Opposition for his question. I am pleased to advise the house that yesterday Craig Lapsley, the fire services commissioner, announced that the fire at the Hazelwood coalmine was controlled. As members would be aware, this has been a challenging and very difficult fire that has posed significant challenges for our career and volunteer firefighters. It has also posed enormous challenges for the adjoining Morwell community, particularly the residents of Morwell South, who have faced challenges associated with the smoke and ash as a result of that very significant coalmine fire.

It is extremely disturbing to understand — and I can understand it being very frustrating for the people of Morwell who would quite rightly be very angry — that the fire was deliberately lit. It put that community at risk and certainly put the assets of the coalmine and the Hazelwood power station at risk. That is absolutely disgraceful.

With regard to support for the Morwell community, there certainly was a recognition of the significance of this fire. The house will recall that at the time the day of that fire was described by the fire authorities as the worst day for fire that this community had faced for over five years. We had significant fires across the state, including the Mickleham-Kilmore fire and the fires in East Gippsland. There were fires throughout the state.

Mr Andrews — On a point of order, Speaker, on relevance, I ask you to draw the Premier back to answering the question in accordance with the standing orders. The question was about Morwell.

The SPEAKER — Order! I believe the Premier was being relevant to the question that was asked.

Dr NAPTHINE — The context was that these were the worst fire conditions faced in Victoria for five years. The fire authorities were dealing with fires across the length and breadth of the state, and indeed they certainly worked extremely hard to protect life and property on that day. We are pleased that despite those horrific conditions no lives were lost in Victoria on that day, and that is to the great credit of our fire authorities.

With respect to the health issues at Morwell, let me say that on 27 February the Leader of the Opposition said on 3AW:

But I have to say this to you: I would always take the advice of the Victorian fire services, the CFA, the MFB —

and other emergency services, including the chief medical officer and the Department of Health. We would always take that advice, we follow that advice, and we have in this case.

Hazelwood mine fire

Mr NORTHE (Morwell) — My question is to the Premier. Can the Premier provide the house with details of the independent inquiry into the Hazelwood mine fire and the response to and the support of Morwell and affected communities?

Dr NAPTHINE (Premier) — I thank the member for Morwell for his question, and I want to place on the record my appreciation and the appreciation of the government and the broader community for his great work on behalf of his community in the face of extreme challenges in Morwell. The member for Morwell has been front and centre in fighting for his community, in looking after his community and in strongly representing his community.

As I said in my previous answer, yesterday the fire service commissioner announced that the Hazelwood coalmine fire was controlled. I want to place on the record our thanks to the 7000 career and volunteer firefighters from across Victoria and interstate who worked on that very challenging mine fire. I thank all the other agencies, departments and individuals, including Ambulance Victoria, the Department of Health, the Department of Human Services, the Red Cross, the Victorian Council of Churches, St John's Ambulance, the Environment Protection Authority Victoria and the Latrobe City Council. In particular, I thank the people of Morwell and the Latrobe Valley for their support in dealing with this very challenging situation.

We recognise that there is more work to be done and that we need to completely extinguish this fire as soon

as possible. We need to rebuild the confidence of businesses in Morwell. We need to assist families to rebuild their lives, clean up their homes and clean up their local community. To this end, the government will be working with the Latrobe City Council and the Morwell community on these issues. But it is also time to have a full, open and independent inquiry into all aspects of this fire, including how the fire was started and how it spread into the coalmine, the regulatory regime which applied to the Hazelwood mine, the adequateness and effectiveness of the emergency response, the adequateness of information flow and of the support for affected communities, particularly the Morwell community.

I am pleased to advise the house that former Justice Bernard Teague, AO, will head this inquiry. Former Justice Teague recently served Victoria well in heading the 2009 Victorian Bushfires Royal Commission. He is a person of great reputation and has a great understanding of the key issues. The inquiry will be constituted as a board of inquiry. The board will have the full range of powers to undertake the very important work of a full, open and independent inquiry. The people of the Latrobe Valley and the people of Victoria deserve nothing less.

The board of inquiry will have the power to compel people to attend and to give evidence under oath. It will have power to order the production of documents from private individuals, from companies and from government agencies and departments. It will have the power to hold public hearings, and we certainly urge it to hold public hearings wherever possible. There is the power to call for public submissions. It will have the power to protect witnesses. Witnesses will have the same protection as witnesses in the Supreme Court, so they will be able to speak freely and without fear or favour.

It is expected that the inquiry will be established and up and running by the end of March. We advise that the inquiry will be headquartered in Morwell and will operate through those headquarters. We expect that it will report to the government by August this year. The people of the Latrobe Valley and the people of Victoria deserve nothing less than a full, open and independent inquiry so that we as a community can examine what went on in this circumstance and determine how we can learn from this process to improve our future responses.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. On 28 February the Premier's government told Morwell South residents

that they should consider evacuation. Why did vulnerable Morwell residents have to breathe toxic smoke and ash for almost three weeks before his government told them that for their own health and safety they should get out of Morwell South?

Dr NAPHTHINE (Premier) — I thank the Leader of the Opposition for his question. I refer the Leader of the Opposition to his own comments on 3AW on 27 February, when he said:

But I have to say this to you: I would always take the advice of the Victorian fire services, the CFA, the MFB —

and the other emergency services. So what the Leader of the Opposition said when he was on the Neil Mitchell program was that he would take advice from the appropriate experts, and I agree with those comments. I absolutely agree with those comments. They are responsible and reasonable comments made by the Leader of the Opposition. I can advise you, Speaker — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has asked his question. I ask him to cease interjecting.

Dr NAPHTHINE — I can advise you, Speaker, and I can advise the house that while I have been Premier throughout this issue I have taken the professional advice of the professional experts — from the fire services commissioner, from the head of the Environment Protection Authority Victoria (EPA) and from the chief medical officer, Dr Rosemary Lester. They are the ones that I have taken the advice from, and we as a government have followed that advice and implemented that advice. That is the appropriate thing to do; that is the responsible thing to do. That is what the Leader of the Opposition said when he was on the Neil Mitchell program. Now he comes in here trying to make cheap political points instead of acting in the best interests of the community.

What we want and what we need in an emergency situation — whether it be a fire, whether it be a flood, or whether it be a medical emergency — is a government that follows the professional advice of the experts in the area, one that follows the advice of the Chief Commissioner of Police, follows the advice of the fire services commissioner, follows the advice of the chief medical officer in the Department of Health, follows the advice of the EPA and its head, John Merritt. That is the advice we followed, and when they gave advice we made sure they had the resources to

implement that advice and make it happen. That is what we are doing.

The advice given by the chief medical officer was that while the situation was uncomfortable, it certainly was not unsafe. That was the advice of the chief medical officer. With respect to the allegation made by the Leader of the Opposition with regard to an evacuation, there was never an order to evacuate Morwell South. There was never an order to evacuate. That was not a recommendation of the chief medical officer. The chief medical officer said that people in certain categories — those over 65, those with heart and lung conditions, preschool-aged children and those with pre-existing health conditions — should consider relocating and were advised to relocate. There was no order of evacuation of Morwell South.

I conclude where I started. Let us make it very, very clear: I, as Premier, my ministers and my government throughout this process have followed the professional advice of the experts — the chief medical officer, the fire services commissioner, the Chief Commissioner of Police and the EPA.

Hazelwood mine fire

Mr BLACKWOOD (Narracan) — My question is to the Minister for Regional and Rural Development. Can the minister update the house on the current status of the Hazelwood mine fire and how the government will continue to support Morwell businesses affected by the fire?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for his question. As the Premier indicated, the fire services commissioner, Craig Lapsley, yesterday advised that the Hazelwood coalmine fire had been controlled. As members are aware, the fire — which started on 9 February and has been burning for more than one month — is the largest coal fire ever experienced in Australia, covering a 3-kilometre section of the disused mine face. Firefighters are continuing to work with mine staff to secure and maintain the fire areas and to respond to any small pockets of heat or smoke that occur.

The fire services commissioner acknowledges that rain will finally put out this fire, and we are hopeful that there will be rain in the Latrobe Valley tomorrow or on Saturday. In the meantime, preparations are in place for the predicted strong wind change early this afternoon. It could trigger a flare-up, and we have appropriate resources in place to accommodate that. The Environment Protection Authority Victoria (EPA)

continues to monitor air quality, and this morning it warned of immediate high-level smoke impacts on Morwell and Morwell South. There are monitoring stations located in and around Morwell and Traralgon. Mobile indicative particle monitors are located in Morwell, Churchill and Moe.

Eighteen EPA staff are dedicated to the collection and analysis of data to provide advice to the chief health officer. That is an important point; the government has to be advised by the chief health officer. Those of us who have a position of responsibility in this, and those in the chamber who should know better, well understand the importance of the role of the chief health officer. On this side of the house we understand that it is important that we act in accordance with the recommendations made to us by the chief health officer. That has been the position of previous governments. Even previous ministers in this chamber have been happy to act on the advice of the same chief health officer who is now advising our government.

You can bet that had we not acted on the advice we received, we would have had plenty of commentary from the other side of this place asking us why we had not done so. We have done so throughout. We accept the commentary from the Leader of the Opposition that the chief health officer is a very able and competent person, who has historically done a very good job in her role.

We have 210 firefighters on the scene, working two shifts operating over a 24-hour period. In addition, 230 emergency workers are active over the 24-hour period. They include a whole range of people who provide those important services. The Latrobe City Council has been assisted by 158 personnel from councils around Victoria. It has doorknocked every property in Morwell. Since mid-February it has conducted over 18 000 personal — that is, face-to-face — interviews. The response has been coordinated by all Victorian departments, including the Country Fire Authority, the Metropolitan Fire Brigade, the Department of Environment and Primary Industries, Parks Victoria, the EPA and Ambulance Victoria. In addition, the Red Cross, the Victorian Council of Churches and St John Ambulance have done invaluable work.

Clean-up assistance is now available in Morwell, including free car and clothing washes. HEPA vacuums have also been made available by the council's home and community care teams as part of their regular cleaning service. Planning is well advanced in relation to these additional elements of the clean-up. I endorse the commentary around the efforts of the member for

Morwell, who has been untiring in his representation of the local community. In addition to all of this, the respite centre has seen over 261 visitors and there have been another 391 visitors to the centre in Morwell. We will continue to assist the people of Morwell during this very difficult time.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Community Services. Morwell residents have been living with toxic smoke and ash from the Hazelwood mine fire for more than a month, and I ask: when did the minister first visit Morwell during this disaster?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the Leader of the Opposition for his question. To reiterate and follow on what we have heard from the Premier and the Deputy Premier, the coalition government has provided a comprehensive response to the Morwell fire. Of course my responsibility and the responsibility of the Department of Human Services (DHS) is to deliver services in relation to relief and recovery. Those services have been very significant across the board, and I would like to outline some of them, because they are very important.

Honourable members interjecting.

Ms WOOLDRIDGE — It is very significant work. Those opposite might criticise the Department of Human Services and the response it has made, but it has been a comprehensive, professional response across the board. I have seen firsthand the response of the community when visiting with the member for Morwell in relation to the positive work the Department of Human Services has done.

There is the establishment of the respite centre in Moe so people could leave Morwell and go and get some respite in that community. There are respite payments, there is an 1800 number and there is the expansion of the DHS call centre in Morwell with additional staff so they can take the calls from the community to then set up the meetings in the relief and recovery centres to access the relocation and the relief payments. There has been involvement through bus services between Morwell and Moe so that that respite centre can be accessed, and the Red Cross has set up the Register.Find.Reunite service so that people can find family members who have moved away for a period of time. There is ongoing work across the board.

There has been comprehensive relocation assistance and work done with the Latrobe City Council to make sure that the community information and recovery centre could provide the support to the Morwell residents. It goes on and on — a very significant response across the board from the Department of Human Services. I have been briefed multiple times on a daily basis — —

Honourable members interjecting.

Ms WOOLDRIDGE — I have been involved in decision making in relation to the establishment of the relief centre, the establishment of the grants, the number of grants that are happening and what else needs to happen. As the Leader of the Opposition well knows, I was down there last Thursday, when he was down there — exactly the same day. It is a rhetorical question, because he was there at the same time and on the same day. The fact is that management — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition! The Chair is having difficulty in hearing the minister.

Ms WOOLDRIDGE — I have absolute confidence in the decisions that have been made in relation to the Department of Human Services. I have confidence in the briefing, the advice and the information that was received by the Premier, the Deputy Premier, me and the other ministers who have been down there extensively and who have been delivering the support and services that are required for Morwell residents. I have confidence that the work has been done to make sure that the recovery, the relocation and the relief support have been provided. This is what matters. It is the Morwell residents getting the support they need across the board from the coalition government, and that work has taken place thoughtfully and comprehensively and with us making sure we put the needs of the residents first and foremost to make sure they are supported in their recovery journey.

Cranbourne-Pakenham rail corridor

Mr K. SMITH (Bass) — My question is to the Premier. What benefits will go to commuters from the multimillion-dollar — in fact multibillion-dollar — investment in the Cranbourne and Pakenham rail lines, and how will this build a better Victoria?

Dr NAPHTHINE (Premier) — I thank the member for Bass for his question. He understands the need to build a better Victoria and build the infrastructure, particularly after 11 years of neglect under the Labor

government. He understands the importance of building infrastructure such as the Koo Wee Rup bypass and upgrading our commuter rail network. That is why he would appreciate the announcement made last week of a massive \$2 billion to \$2.5 billion dollar upgrade of the Pakenham, Cranbourne and Dandenong rail corridor, neglected under 11 years of Labor and being fixed by a coalition government.

This upgrade will deliver more trains carrying more people more often. It is a comprehensive package that will make a real difference to rail commuters along the Cranbourne, Pakenham and Dandenong corridor. It includes 25 next generation trains — 25 new trains. It includes high-capacity signalling: 21st century signalling right along that rail corridor. It includes removing level crossings at Koornang Road, Carnegie; Murrumbeena Road, Murrumbeena; Clayton Road, Clayton; and Centre Road, Clayton; and it involves the preconstruction funding for another five level crossings. That builds on the 18 level crossings removed or being removed under the coalition government — the biggest level crossing removal in the state's history, and certainly exceeding 11 years of neglect under the Labor government.

This project also includes a new train maintenance depot at Pakenham East. This will start in 2015 and finish in 2019. It will also create 3000 new jobs — very important jobs in infrastructure. It will create the capacity for an extra 4500 commuters each hour during the peak periods — an extra 2 million trips per year.

There has been enormous support for this announcement. The Master Builders Association of Victoria said:

The multibillion-dollar program to transform the Pakenham and Cranbourne lines will deliver a 30 per cent capacity boost for one of Melbourne's busiest rail corridors.

This project is not only welcome for those who will use this transport corridor but for those who will ... build it ...

Further, it says:

The recent 'Super Tuesday' planning announcements, the east-west link and the redevelopment of port of Melbourne will deliver thousands of jobs and benefits for Victorians ...

The Property Council of Australia issued a media release headed 'Urban rail bonanza for Melbourne's south-eastern suburbs' and said:

The bundling of level crossing removals, train station upgrades and 21st century signalling ... is a masterstroke in coordinated public transport policy ...

Infrastructure Partnerships Australia said:

Today's announcement shows that Victoria has been smart to open up to new thinking from proponents, while putting in an accountability framework to ensure community confidence in projects that make it through.

The Committee for Melbourne — and those on the other side will know Kate Roffey, the CEO of the Committee for Melbourne — said:

Not only does this signal a commitment to getting on with the business of building a metropolitan rail system that meets the needs of a 21st century Melbourne ...

The RACV said:

Victoria's leading transport advocate, RACV, has welcomed today's ... announcement of ... the Dandenong rail corridor.

This is a great announcement for Melbourne and Victoria.

Ironman Asia-Pacific Championship Melbourne

Mr SHAW (Frankston) — This question is to the Minister for Tourism and Major Events. The Ironman Asia-Pacific Championship Melbourne is into its third year of a three-year contract. The 3.8-kilometre swim begins and ends in Frankston, as does the 180-kilometre bike ride, and the 42-kilometre run starts in Frankston and ends in St Kilda, showing at a national and international level Frankston right up to St Kilda. The three events have all sold out in record time — within minutes. What are the financial benefits to the state, and will the contract be extended for the Ironman Asia-Pacific Championship Melbourne to commence in Frankston for future years?

Ms ASHER (Minister for Tourism and Major Events) — I wish to thank the member for Frankston for a very important question in relation to a major event secured by the coalition for the Frankston electorate. In fact I remember when this event was announced in 2011 for the 2012 year the member for Frankston was a particularly strong supporter of the event and still is a very strong supporter of the event. This is not the first occasion the member for Frankston has raised this matter with me in the house, and that is probably representative of the fact that he, like the coalition, understands the importance of these major events to the electorate of Frankston.

In response to his question I can advise the member for Frankston, and indeed the house, that the 2013 event attracted over 2162 registrations representing 36 countries, and as the member referred to in his question, registrations were sold out within 4 minutes

and 57 seconds. This was the fastest selling ironman event in the world. Registration numbers had increased by 42 per cent from what they were in 2012. The demand from non-Victorian athletes was extremely strong, with 50 per cent of athletes coming from outside of Victoria. There were 738 interstate and 301 international athletes and international media from Japan, New Zealand, the US and Germany attending the event.

As the member for Frankston said, the swim event is held in Frankston and the running event, which goes up to St Kilda and indeed through my own electorate of Brighton, commences in Frankston as well. Enabling businesses to secure a major economic advantage is one of the coalition's key elements in supporting major events, and it has done a lot of work with communities and businesses to ensure that businesses gain advantage from this event — unlike the Labor Party, which ran a major bike event in Geelong that all of the local businesses were locked out of.

The original estimate of the economic advantage of hosting the ironman event was \$10 million, and I am delighted to advise the house that my department has very recently reported an economic benefit of over \$12 million to the state last year as a consequence of this event. That figure is hot off the press, and I am delighted to provide that economic evaluation of the 2013 Melbourne ironman event to the house. I also indicate that the 2014 event will be held on 23 March, and I expect that the member for Frankston will be actively involved in that event, as well as other members of Parliament.

I can advise the member for Frankston in relation to the final element of his question, regarding whether the government is prepared to contractually take the ironman event further, that the government is going through an evaluation of the event by looking at its economic impact. As I have indicated to the house, it is my belief that the economic benefit of hosting the event is substantial, but the government will go through its evaluation processes and its cabinet processes, and it will judge it at that time.

SPC Ardmona

Mr WELLER (Rodney) — My question is to the Minister for Regional and Rural Development. How is the coalition government's coinvestment in SPC Ardmona securing jobs and building a better future for the Goulburn Valley?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for his pertinent

question. It is not even a month on from this government's announcement of the coinvestment with SPC Ardmona, and it is already proving very fruitful. I am delighted to say that this coinvestment has delivered about 2700 jobs in the Goulburn Valley — jobs directly dependent on SPC Ardmona. It is not only the people who work in the factories themselves but also those involved in the fruit growing and the supply chain areas — particularly the transport sector — and the packers who have been the beneficiaries of our coinvestment with company. Since the announcement of that support the company has received enormous — indeed overwhelming — endorsement for the initiative being undertaken.

This was evident last Tuesday when the Minister for Agriculture and Food Security and I were in Shepparton, in company with the members for Shepparton, Benalla and Murray Valley and members for Northern Victoria Region in the other place, Wendy Lovell and Damian Drum. There were about 120 people present, and they were very pleased to see the release of our *Goulburn Valley Industry and Employment Plan* together with the *Goulburn Valley Fruit Growing Industry Roadmap*. We launched both of those documents.

As well as that, importantly we have put \$5 million on the table to assist with the implementation of the proposals the community has brought to us through these two areas of work that have been undertaken by the people of the region. This is funded out of our Regional Growth Fund, and we are delighted to see another initiative which is going to be of such benefit to Shepparton. This will mean that there are many benefits ongoing.

Today we saw the announcement by SPC of an arrangement that has been struck with Woolworths, which will see a five-year program under which Woolworths will be supplied with an additional 24 000 tonnes of fruit from SPC. Bearing in mind that at the moment SPC supplies about 32 000 tonnes, this will mean an additional 24 000 tonnes, which will be comprised of fruit and tomatoes. It will mean a tripling of the amount of tomatoes that are provided by SPC to Woolworths. This is an absolutely magnificent outcome, and I know that the whole of the house is thrilled about it. It is the equivalent of another 86 000 trees that will need to be grown to supply this additional fruit. It is just as well we resisted the urges of so many — a lot of whom sit across from me now — to pull out trees when of course we are going to need those trees to supply this additional contract.

SPC and Woolworths are to be congratulated on this great initiative. It is yet another instance of the private sector working in concert with government. As a government, we have been able to facilitate this with our \$22 million coinvestment with Coca-Cola Amatil, which invested \$78 million. That is \$100 million very well spent, and it is producing the sorts of outcomes we have seen announced today by SPC and Woolworths.

In addition, while I was in Shepparton last week I announced a \$300 000 grant to Campbell's Soups. Campbell's is investing some \$5 million, which will allow it to have an additional \$14 million in export sales of soups into Asia. We announced another \$950 000 grant to Pactum Dairy Group to assist its \$40 million investment. We are heavily committed to these and many other projects, because in the end we want great regions like the Goulburn Valley to flourish.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Community Services. I refer the minister to her previous answer, and to the fact that she first visited Morwell on 6 March, and I ask: why did it take nearly a month for the minister with responsibility for community support, emergency relief and recovery coordination to set foot in Morwell? Can the minister explain that to the house and to the people of Morwell?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the Leader of the Opposition for his question. Everything that needed to happen in relation to the delivery of Department of Human Services functions has occurred. We have established relief centres, we have established relocation grants and we have delivered relocation grants. We have established relief grants, and we have delivered relief grants. We have established assessment centres. We have expanded —

Mr Pakula interjected.

The SPEAKER — Order! I indicate to the member for Lyndhurst that I cannot hear the minister when he is interjecting like that.

Ms WOOLDRIDGE — We have established a call centre, and we have taken thousands and thousands of calls. The Red Cross has been operating its Register.Find.Reunite. service. Things have been operating exactly as they have needed them to. As part of that process, I have been integrally involved. I have been making sure that the decisions are made about when those funds are established and making sure that

the resources are available. I have been engaging with my cabinet colleagues.

We have relocated staff down to the Morwell area from Department of Human Services offices across the state. The functions that have needed to happen have happened and have delivered the services to the people of the Morwell community. As part of that let me give some examples. For example, in personal hardship respite payments, 2520 grants have been issued totalling more than \$1.27 million. In personal hardship voluntary relocation payments, 637 grants have been issued totalling over \$610 000. We have even had a second round of relocation payments, with 46 grants already made for a second week of those payments.

What this requires is the team working together, the minister providing resources, guidance and decision making and coordination across the cabinet under the leadership of the Premier and Deputy Premier — a combined effort from right across the whole cabinet. We have had four or five visits from the Premier, four or five visits from the Deputy Premier and visits from the department. There have been visits from the Minister for Environment and Climate Change, the Minister for Energy and Resources, the Minister for Police and Emergency Services and so on.

Mr Andrews — On a point of order, Speaker, on relevance, the minister was asked why she only visited Morwell for the first time on 6 March, a month after the fire started, as the minister responsible for supporting the community. That is the question. It is not about any other minister; it is a question about her failure and her abandoning the people of Morwell.

The SPEAKER — Order! The Leader of the Opposition knows very well that taking a point of order is not a reason to enter debate and to attack anyone in this house.

Honourable members interjecting.

The SPEAKER — Order! The member for Melton knows it is against the rules of this house to knock.

Ms WOOLDRIDGE — There has also been a visit from the Minister for Education and a visit from me. This is a government and a cabinet that are working together in a way that we did not see previously.

Mr Andrews — On a further point of order, Speaker, the question very directly went to this minister, her responsibilities and her failure to attend Morwell until 6 March. It did not relate to an alleged whole-of-government response; what we have seen is a whole-of-government failure. The minister should be

brought back to deal with her ministerial responsibility, which was the subject of the question.

The SPEAKER — Order! I find it difficult to see how that is a point of order.

Ms WOOLDRIDGE — The form that has been driven by the coalition government is to have a coordinated response under the leadership of the Minister for Police and Emergency Services and fire services commissioner with all ministers ensuring that their bit of the coordinated activity is delivered, and that is exactly what has been delivered.

I am proud that the Department of Human Services has coordinated and delivered in a way that is exceptional. It has brought in people from right across the state and has had the guidance and advice to deliver the services that have been delivered. That is exactly what I have done as minister, and I am very pleased to say that the Department of Human Services has stepped up to take on that responsibility and has delivered for the residents of Morwell.

Victorian College of the Arts

Mr NEWTON-BROWN (Pahran) — My question is to the Minister for the Arts. What action is the coalition government taking to secure the future of the renowned Victorian College of the Arts and to maintain Victoria's rightful place as Australia's cultural capital?

Ms VICTORIA (Minister for the Arts) — I am delighted and very proud that the Premier and I made an announcement only a week or so ago in relation to the Victorian College of the Arts (VCA) and the former police stables. This is an initiative that premiers, arts ministers and police ministers have been trying to coordinate for some 40 years — and it has taken this coalition government to make it happen. This is a prime example of how education facilities, the ministries, government and philanthropy work so well together, because this could not have been done without coinvestment from the Myer Foundation and the Ian Potter Foundation.

The VCA was a very different place some six or so years ago. I remember standing side by side with students on the Save the VCA campaign. It was the then Leader of the Opposition, the member for Hawthorn, who, when he became Premier, fulfilled the promise of saving the VCA and put in \$24 million of investment to make sure that as the greatest city of the arts in Australia we also have the greatest arts institutions for training. We put our money where our mouth was when there was silence from those opposite,

and we have achieved so much from that \$24 million. In fact some of the programs that were funded out of that \$24 million were the performing arts professional pathways scholarship program, the national graduate opera program and the national music theatre program.

On the latter program, I will say how proud I was of the third-year students on Sunday night at a place called Testing Grounds, which is at 1 City Road, just around the corner from the VCA at the beginning of the arts precinct. The third-year students, the first intake we had after funding the music theatre program after it had been axed and the Labor government did nothing to help, are now into their final year, and they were magnificent. At least half of them could have been taken straight off their little platform stage and put onto the main stage anywhere in the world. I was so very, very proud of them.

They have also put in place a regional training program. These programs are all to do with the VCA. One of the really important things that is going to be housed at the stables is a visual arts precinct. This will be not only about visual artists and giving artists a place to grow and experiment but will also be used as an incubator. The important thing is that this will help the University of Melbourne open up its possibilities to the people who live and work in the Southbank area as well as more people across the campus. This is something we can be incredibly proud of.

As I said, this is not something we could have done on our own. Whether the students be in the streams of music theatre, art, dance, theatre, film and television, contemporary music, production, community cultural development or Indigenous arts management, they will all be the beneficiaries of the work that this coalition government has done on the VCA precinct. But this has not been something we have done on our own.

I place on the record my thanks to the Premier and also very much to one of the unsung heroes, a man who is learning to love the arts and has taken a great interest, I am pleased to say, in the arts — the Minister for Police and Emergency Services. I am ruining his reputation! I also want to thank the Chief Commissioner of Police, Ken Lay, who made sure that this happened in a timely manner and happened for the sake of all future students at the VCA and the wonderful arts precinct. This is something of which as a coalition government we are very proud.

WITNESS PROTECTION AMENDMENT BILL 2014

Introduction and first reading

Mr WELLS (Minister for Police and Emergency Services) — I move:

That I have leave to bring in a bill for an act to amend the Witness Protection Act 1991 to improve the operation of the Victorian witness protection program and for other purposes.

Mr NOONAN (Williamstown) — I ask the minister for a brief explanation of the bill.

Mr WELLS (Minister for Police and Emergency Services) — The bill ensures the operation of the Witness Protection Act 1991 and will in particular allow the chief commissioner to issue interim protection for a witness.

Motion agreed to.

Read first time.

VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014

Introduction and first reading

Mr WELLS (Minister for Police and Emergency Services) — I move:

That I have leave to bring in a bill for an act to amend Victorian acts as a consequence of the enactment of the Victoria Police Act 2013, to amend that act and for other purposes.

Mr NOONAN (Williamstown) — I would be very pleased if the minister could give a brief explanation of the bill.

Mr WELLS (Minister for Police and Emergency Services) — The Victoria Police Act 2013 was introduced last year. This bill makes a number of amendments regarding, for example, ensuring that the terminology is consistent across all other acts.

Motion agreed to.

Read first time.

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

Introduction and first reading

Mr MULDER (Minister for Public Transport) — I move:

That I have leave to bring in a bill for an act to amend the Transport (Compliance and Miscellaneous) Act 1983, the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013, the Transport Integration Act 2010, the Heavy Vehicle National Law Application Act 2013, the Ombudsman Act 1973 and the Road Safety Amendment (Operator Onus) Act 2012 and for other purposes.

Mr DONNELLAN (Narre Warren North) — I ask the minister provide further explanation. There is a fair bit to provide explanation of there, but maybe he could give us an outline of what it is all about.

Mr MULDER (Minister for Public Transport) — The bill delivers on the government's commitment to clean up the Victorian taxi industry and lift public satisfaction rates with the industry. It introduces price notification for country and regional operators. It contains provisions to strengthen the fit-and-proper-purpose test for taxidivers. It amends the owner-operator accreditation provisions and also provides provisions relating to taxi zones.

Motion agreed to.

Read first time.

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 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Rubicon Valley tourism

To the Legislative Assembly of Victoria:

The petition of the undersigned, being residents of the Rubicon Valley and the wider community of the Murrumbidgee Shire Council and the many visitors who come to recreate in the RV, as fisherman, walkers, family campers, trail bike riders, mountain bike riders, horseriders, runners, 4WD's clubs, outdoor ed students and overseas visitors, draws to the

attention of the house the proposal by Vicforest to log the western face of the Royston Range in the Rubicon Valley.

The petitioners therefore request that the Legislative Assembly of Victoria withdraw the logging proposal by Vicforest and change the Royston Range from the present General Management Zone classification to a Special Management Zone in order to protect a sustainable and flourishing local tourism industry in the Rubicon Valley.

By Ms ALLAN (Bendigo East) (398 signatures).

Rail revival study

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria calls on the Napthine government to immediately institute the principles of the recent rail revival study to provide passenger rail services between Bendigo, Ballarat and Geelong and the intermediate communities.

This will mean:

repair and reopening of the Castlemaine–Maryborough rail line;

more passenger trains between Maryborough and Ballarat;

trains from Maryborough connecting via Castlemaine to Melbourne and Bendigo;

passenger trains between Ballarat and Geelong;

reopening of the Moolort silo complex and ballast siding and more efficient freight handling along the Bendigo corridor.

Petitioners therefore request that the Legislative Assembly call on the Napthine Liberal government to publicly announce its support for the project and to make a suitable allocation in the forthcoming state budget to carry out this initiative in full.

By Ms EDWARDS (Bendigo West) (1217 signatures).

City of Moreland planning zones

To the Legislative Assembly of Victoria:

This petition of the people of Victoria draws to the attention of the house the significant concern regarding the implementation of new residential zones within the city of Moreland.

The level, scope and extent of the proposed rezoning has caused much anxiety in many parts of our community, particularly the breadth of the application of residential growth zone and that the proposals do not respect the current character, heritage and amenity in traditional local streets.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Napthine government and Moreland City Council to acknowledge these significant concerns, and that current heritage zonings and neighbourhood character be fully respected and reflected in any amendment to the Moreland planning scheme,

particularly given the level of density and growth that has already been absorbed by our community.

By Ms GARRETT (Brunswick) (1015 signatures).

Regional rail link

To the Legislative Assembly of Victoria:

This petition of the residents of Victoria draws to the attention of the house that when the regional rail project is complete there will be up to 18 trains every hour through Ardeer and Deer Park stations. That is a train every 3.3 minutes during peak hour. With this enormous increase in rail traffic there are issues to consider:

Noise: currently the RRL Sunshine to Deer Park is recognised as the section that will be most affected by increased noise yet no sound reduction measures are being put in place.

Pollution: an increase in the number of diesel trains equals an increase in burnt diesel fumes (a known cancer-causing agent). An increased engine load as the trains come up hill out of the Anderson Road separation equals an increase in the output of diesel fumes for each train.

Traffic management: currently along the Sunshine to Deer Park section, upgrades to the rail crossing are proposed for Anderson Road and Robinson Road. What about the two crossings in between? How is the car and pedestrian traffic going to flow across Fitzgerald–Forrest roads crossing and Mount Derrimut–Tilburn roads crossing? There is no planned separation at these intersections.

The petitioners therefore request that the Legislative Assembly of Victoria suspend works on the regional rail link project until such time that the following issues have been thoroughly researched and considered:

1. the long-term financial and social outcomes of constructing the regional rail project based on using old, polluting technology verses planning for the electrification of the Melton, Geelong, and Ballarat lines;
2. conduct an independent analysis of the noise, and air quality and ensure proper validation of the assessment, including all variables;
3. conduct a community consultation with a view to implementing appropriate noise and pollution protection through existing suburbs;
4. fund the grade separation of Fitzgerald–Forrest roads crossing and Mount Derrimut–Tilburn roads crossing to deal with the increase to traffic at Fitzgerald Road and Station Road;
5. fund the cutting in of the regional rail line between Sunshine and Deer Park stations;
6. further examine alternative regional rail connections that is not restricted to the corridor from Anderson Road to Deer Park Station.

By Mr LANGUILLER (Derrimut) (466 signatures).

Mount Ridley P-12 College

To the Legislative Assembly of Victoria:

The petition signed by students from Mount Ridley P-12 College draws to the attention of the house that funding to complete the final stage of our building program has not been allocated to the college in the last three state budgets, despite our pleas to the Premier and Minister for Education.

The petitioning students therefore request the Legislative Assembly of Victoria to allow for the funding in the 2014 state budget in order for our school to have the permanent teaching spaces it deserves.

By Ms BEATTIE (Yuroke) (254 signatures).

Tabled.

Ordered that petition presented by honourable member for Bendigo West be considered next day on motion of Ms EDWARDS (Bendigo West).

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 3

Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 3 of 2014* on:

- Corrections Amendment (Parole Reform) Bill 2014**
- Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014**
- Fences Amendment Bill 2014**
- Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014**
- Honorary Justices Bill 2014**
- Mental Health Bill 2014**
- Transport (Safety Schemes Compliance and Enforcement) Bill 2014**
- Vexatious Proceedings Bill 2014**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Crimes (Controlled Operations) Act 2004 — Reports 2012-13 of the Victorian Inspectorate under s 39 (two documents)

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Torquay and Jan Juc Foreshore Reserve

Fisheries Act 1995 — Report 2012-13 of the Victorian Inspectorate under s 131T

Gambling Regulation Act 2003 — Amendment of Category 2 Public Lottery Licence under s 5.3.19

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return March 2014 and Summary of Variations notified between 1 October 2013 and 6 March 2014 — Ordered to be printed

Municipal Association of Victoria — Report 2012-13

Planning and Environment Act 1987:

Amendment C72 to the Cardinia Planning Scheme and notice of permit granted under s 96I

Notices of approval of amendments to the following Planning Schemes:

Boroondara — C160 Part 2

Casey — GC5

Colac Otway — C72 Part 1

Corangamite — C35

Glen Eira — C99

Greater Bendigo — GC5

Greater Geelong — C246

Horsham — C57

Melbourne — C142, C226, C228

Melton — C151

Monash — GC5

Mount Alexander — C70

Pyrenees — C38

South Gippsland — C82

Wangaratta — C47

Whittlesea — C170

Wyndham — C143, C151

Statutory Rules under the following Acts:

Australian Crime Commission (State Provisions) Act 2003 — SR 4

Co-operatives National Law Application Act 2013 — SR 3

Fisheries Act 1995 — SR 5

Transport (Compliance and Miscellaneous) Act 1983 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 3, 4, 5, 6

Documents under s 16B in relation to *Education and Training Reform Act 2006* — Strategic Planning Guidelines (Amendment) — TAFE Institutes

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Victorian Environmental Assessment Council Act 2001:

Government response to the Victorian Environmental Assessment Council's Report on the Yellingbo Investigation

Request and statement under s 16

Water Act 1989 — Abolition of Shepparton Irrigation Region Groundwater Supply Protection Area Order 2014

Wildlife Act 1975 — Report 2012–13 of the Victorian Inspectorate under s 74P.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 8 February 2011:

Public Administration Amendment (Public Sector Improvement) Act 2014 — Whole Act — 1 April 2014 (*Gazette S65, 4 March 2014*)

Superannuation Legislation Amendment Act 2013 — Part 1, Division 2 of Part 2, Part 3 and Part 4 — 1 April 2014 (*Gazette S65, 4 March 2014*).

ROYAL ASSENT

Message read advising royal assent on 25 February to:

Crimes Amendment (Grooming) Bill 2013
Domestic Animals Amendment Bill 2013
Drugs, Poisons and Controlled Substances Amendment Bill 2013
Mineral Resources (Sustainable Development) Amendment Bill 2013
Sustainable Forests (Timber) and Wildlife Amendment Bill 2013.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Honorary Justices Bill 2014

Mental Health Bill 2014

Transport (Safety Schemes Compliance and Enforcement) Bill 2014.

HOUSE COMMITTEE

Membership

The SPEAKER — Order! I have received the resignation of Mr Drum, MLC, from the House Committee effective from 25 February 2014.

BUSINESS OF THE HOUSE

Program

Ms ASHER (Minister for Innovation, Services and Small Business) — I move:

That, under standing order 94(2):

- (1) the orders of the day, government business, relating to the following bills:

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014;

Environment Protection and Sustainability Victoria Amendment Bill 2014;

Game Management Authority Bill 2013;

Health Services Amendment Bill 2014;

Mental Health Bill 2014;

Victorian Civil and Administrative Tribunal Amendment Bill 2014; and

- (2) the notice of motion, government business, relating to the Cardinia planning scheme amendments C72 and C183

be considered and completed by 4.00 p.m. on Thursday, 13 March 2014.

I wish to make a couple of comments in relation to this government business program. It is a reasonable workload that is not particularly onerous for the house to deal with. The government is in the habit of trying to put forward a reasonable workload, not an excessive one. The second point I want to make is that there is a change to the government business program from that which was advised last Thursday by me via a member of my staff. If members look at that notice, it says quite clearly that it is my intention to move that as the

government business program. I have changed one bill. The State Taxation Amendment Legislation Bill 2014 has dropped off the list and the Mental Health Bill 2014 has gone on to it.

I am very conscious of the procedures of shadow cabinet and shadow ministers who need to be briefed. The office of the manager of opposition business was called on Thursday, I believe, to advise her that there was the possibility of the Mental Health Bill being debated. As I said, as someone who spent a long time in opposition I know that shadow cabinet has to go through its processes and procedures on a Monday, and to drop a bill without any notice is too tough, which was why a verbal phone call was made while the government was dealing with a number of other matters. I think it would be conceded that I was overseas and in a different time zone, and indeed on a plane at the time that a lot of these considerations were due to take place. The opposition has asked for a consideration-in-detail stage for the Mental Health Bill, and the government has said it will provide for that. It is a reasonable request, and the government is happy to accede to it.

I wish to mention the opposition's attitude to the government's business program. During the last term of the Labor government, from December 2006 to November 2010, the coalition agreed to 71 per cent of that government's government business programs and opposed 29 per cent of them. It is of course completely reasonable for oppositions to oppose whichever motions they want; that is the nature of opposition. My point is: do they oppose constantly, or do they actually have a reasonable degree of opposition? For example, if the program has a large number of bills on it, that is a reasonable ground for opposition. I have seen last-minute changes before, when you have done your work and you can use it again another day.

During the current term of the coalition government Labor has agreed to only 23 per cent of the government business programs and opposed 77 per cent of them, which raises the question of whether perennial opposition is the tactic, particularly in the face of a government trying to accommodate the needs of the opposition, or whether individual government business programs are to be assessed on their merits. As I said, this is a reasonable program. The opposition has its matter of public importance this week. I believe the program that has been put forward by the government is reasonable under the circumstances, and I urge the opposition to support it.

Ms ALLAN (Bendigo East) — In rising to speak on the government business program I want to make a few

observations on the contribution by the Leader of the House. The Leader of the House has identified that there are six bills and one planning scheme amendment on the program and identified that as a reasonable workload. I guess you have to make a silk purse out of a sow's ear when it comes to describing a workload as reasonable, given there is a significant backlog on the notice paper. The government is still struggling to play catch-up, given its program has been in disarray for many parliamentary weeks in a row.

I will make a couple of observations about this week's government business program. The Leader of the House has referred to the Mental Health Bill 2014 in particular. Members of the opposition appreciate the enormous generosity of the Leader of the House of granting us what is rightfully ours — that is, of course, a consideration-in-detail stage. We look forward to taking this very important and significant piece of legislation into a more detailed debate. This is not just important because it is a detailed bill that has far-reaching consequences; it is important that this consideration-in-detail stage be granted because of the last-minute manner in which this bill has come before the Parliament. Indeed the Victorian parliamentary Labor Party was only notified and given confirmation a bit before 9 o'clock this morning that this bill was going to be on the program for this week. That is very last minute; that is almost as last minute as you can get when it comes to changes to this program.

It is remarkable, given the scope and the sensitivities of this bill, that it has been dropped into the Parliament in such a manner, particularly when you consider that the bill that has been taken off the program this week is the State Taxation Legislation Amendment Bill 2014. I can just imagine the frantic phone call from the Treasurer to the Leader of the House this morning when he opened the *Age* newspaper and saw that the bill was under threat from the member for Frankston and that the member for Frankston had spoken and said, 'I don't want this bill. I'm not going to support this bill'. The Treasurer would have frantically got up as he was trying to swallow down a few Weet-Bix and take his jammies off to get ready for work and frantically put in a phone call to the Leader of the House — —

The SPEAKER — Order! I advise the member for Bendigo East that we are on the government business program. There is no taxation bill on the program.

Ms ALLAN — There is no state taxation bill on the program, and that is because of this last-minute change that has been wrought on the program by the member for Frankston. Once again we see the government putting forward a business program in complete

disarray. We know what the ‘g’ in ‘government business program’ stands for: it stands for ‘Geoff. It is the Geoff business program. It is not the government’s business program, because if it were, members of the government would wrest control of the program. They would make sure they were pushing their legislative agenda through, but they are not. They are beholden. They are beholden to the member for Frankston, and they are in complete chaos when it comes to a day-to-day proposition about what he will and will not support. That is the member for Frankston’s call; he is an Independent. He will choose to vote as he likes, but what it means is that the government has no control over this Parliament. It means that from day to day we are seeing things shift at the last minute, as we have seen today.

What is disappointing is that what has been dropped into the Parliament at the last minute for this week is the Mental Health Bill, which is so important. It is an important bill that requires considerable debate and consideration, and it should not be treated in this way. I will leave it to others to speculate as to why the minister who is responsible for this bill has not been able to bring it forward in a more expeditious way and whether the distractions she might have found in the electorate of Kew have taken priority over her bringing forward the Mental Health Bill into this Parliament.

As I said, it is of concern to the opposition how shambolic the government’s running of its business program is. Once again we have a sitting week that is already chaotic and in disarray before we have even reached the start of the parliamentary day. It is for those reasons that the opposition will not be supporting the government business program.

Mr TILLEY (Benambra) — I rise in support of the Leader of the House in relation to the government business program. It is always delightful to follow the contribution of the member for Bendigo East on the government program. It is often confusing. On the one hand we hear that the government business program is limited and manageable but members of the opposition say it is not enough, and on the other hand when we give them one or two more bills they say that the work is too much. What is typical of members of the opposition is their work-to-rule attitude. It is in their DNA. Often we do not know what their work-to-rule ethic is. Certainly their work ethic is well below par when it comes to working at the coalface of delivering good government and a good program.

This is typical of the opposition. It is a bit rich to hear the member for Bendigo East talking about the government being beholden to the Independent member

for Frankston. Those on the opposition side are the puppets. I am not sure whether they are the string-type, *Thunderbirds*-type puppets or whether they are the hand-up-the-back glove puppets. I am not too sure. I think it is probably the latter. Nevertheless, they take their instructions from one hand and their funding from the other — from unions. What is never surprising is the hypocrisy of those on the other side.

The SPEAKER — Order! On the government business program.

Mr TILLEY — It is a bit rich to suggest that the government takes its instructions from anyone else apart from its own members. The government business program is manageable. There are some significant things to be debated in the house in relation to advancing Victoria to an even better position that it is in already, but I have to remind the opposition that the government is not obliged to give notice of what bills need to be debated by Thursday. A leopard never changes its spots. It is just incredible that opposition members try to stick back at us what they expected in the 11 dark years of their government.

On that note, this government business program is more than manageable. I wholly support the motion moved by the Leader of the House, but I have to say that we should give credit where credit is due. The negotiations I have had with those opposite have been encouraging, although it is no doubt disappointing that they are opposing our government business program. Let us see how this week transpires, and I hope that the negotiations we have had so far can see some good, solid work done in the Legislative Assembly.

Mr PALLAS (Tarneit) — I also rise to speak on the government business program and to support the manager of opposition business in her opposition to the program. In speaking on the program, the Leader of the House made it clear that she believed what is being put forward today — six bills and one planning scheme amendment — constitutes a reasonable workload that is not particularly onerous. If you wanted a telling illustration of this government’s inability to seize an agenda and prosecute it through this place, you could find nothing more dramatic than the fact it is more worried about the reasonableness of its workload than the outcome of the effort that comes out of this place.

That is why this government is a 25 per cent or less effective government when it comes to approval of the government business program. Far too often this government sees its role as being to constrain this house from debating issues of substance and from being able to delve into legislation through the use of a

consideration-in-detail stage. We have not seen enough of that, and once again I think we basically see a government that refuses — —

Honourable members interjecting.

Mr PALLAS — And we hear from the fossils on the mid-benches who on their way out are once again making an effort to demean a serious debate in this place. Once again we see from this government that it really has no substantial agenda. If you want a clear explanation of why this government has failed so miserably in being able to prosecute its agenda, you could see no more dramatic illustration than the shambolic and misconstrued way in which this government has constructed this business program.

We hear from the Leader of the House that it is quite appropriate for the government to come forward at any stage it wishes and to put forward changes or to recommend the government business program at whatever stage it wishes. If you want informed debate from those opposite, then of course you do need to engage us in terms of the timing of the bills that you are bringing forward — and it makes eminent sense that this side of the house be properly informed of what is coming forward.

The fact that the government has taken the State Taxation Legislation Amendment Bill 2014 off its program is really a clear indication that it does not control this Parliament and that it is incapable of putting forward a business program. This is a government that is lurching from one crisis to the next. The fact that this business program is shambolic in the way it has been put together, and the fact that those opposite squealed indignation that those on this side expect involvement in a substantial debate around issues and want a business program that is consistently advocated for and prosecuted in this place, is a real indication that this is a government in denial. It denies that it has failed to prosecute an effective legislative agenda.

This is a government that understands, as the member for Benambra so eloquently said, the concept of work to rule — there are very few rules when this government goes to work, and whatever rules there are are dispensed with very quickly in an effort to achieve what little agenda they have to prosecute. A classic illustration is the State Taxation Legislation Amendment Bill 2014, which is a bill that the government indicated it wanted brought forward. This is a bill that the government rang the media at 6.30 a.m. about and said, 'It has been pulled from the government business program'.

Ms Asher — On a point of order, Speaker, the State Taxation Legislation Amendment Bill 2014 is not on the government business program, and the member for Tarneit's comments are not relevant.

Mr PALLAS — On the point of order, Speaker, this is directly relevant to the reason the opposition is opposing the business program. If we cannot explain our reasons, it makes a farce of this debate.

The SPEAKER — Order! It does appear there has been quite wide-ranging debate on this business program, which has been rather sad to listen to. The member for Tarneit has finished.

Mr CRISP (Mildura) — I rise to support the government business program. The Nationals are looking forward to making some contributions to debate on the bills on the program. The Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014 is significant, particularly the section that provides for the registration of early childhood teachers. In country areas what we are looking to do step by step is to look at our early childhood teachers and our preps at school to see how we can work those two together in the future, and that probably paves the way for K schools rather than P schools.

The purpose of the Environment Protection and Sustainability Victoria Amendment Bill 2014 is to establish a new framework for state-based waste resource recovery planning, to establish new waste and resource recovery groups and to perform waste and resource recovery functions. This is particularly important for local governments, which tend to have complex responsibilities in both what is required in waste management and the fees that are paid. They manage the waste areas.

The Nationals are supportive of the Game Management Authority Bill 2013. The Health Services Amendment Bill 2014 seeks to broaden the functions of Health Purchasing Victoria and to expand the range of its value buying to include other health service areas in the health sector. It also seeks to give the Minister for Health the power to approve long-term leases and licences with respect to hospital sites. The Victorian Civil and Administrative Tribunal Amendment Bill 2014 is about trying to make the Victorian Civil and Administrative Tribunal more efficient.

I want to take up one of the points made by the member for Tarneit, which was about the lack of substance in the government business program. I think the rewriting

and the reform of the Mental Health Act 1986 is enormously substantial. The Mental Health Bill 2014 has been drafted after many years of amendments to the act. Mental health is a growing and grave concern for our community. I congratulate the Minister for Mental Health for getting this bill ready. I think the Parliament should debate it, as it is a matter of considerable substance. There are some aspects of this bill which show how much substance it has. The Mental Health Act is one of the few acts through which you can take away someone's liberty without them having done something wrong. The only other act I am aware of that does this is in the quarantine area.

This bill makes a number of changes; it is a major rewrite. The minister should be congratulated for her work on it. I think the quicker this Parliament gets this bill debated and enacted, the better it will be for all Victorians.

With that said, I think this is an excellent program. I note that the Leader of the House has provided some interesting statistics about 71 per cent support for and 29 per cent opposition to government business programs. By the time we finish today those numbers might be in reverse for the opposition. With that said, The Nationals are supporting the government business program.

Mr DONNELLAN (Narre Warren North) — We will not be supporting the government business program, as our lead speaker has indicated. This is a business program that allows the government to avoid the shame of dealing with a business program that is not supported. Each week the government puts together its business program with one eye on the member for Frankston and the other eye on what it should be doing. There are many things the government should be doing, and none of them includes being led by one individual who dictates or appears to dictate on a continuing basis what does or does not get put on the business program.

Bills required for the budget have suddenly slipped away at the last minute, and other bills have been introduced in their place. It appears that this government is not in charge of its own agenda, where it wants to go or where it wants to take us. All the members in the house, especially the government backbenchers, must hold grave concerns that the government does not seem to have a sense of what it wants to do with the legislative program before us. The government does not seem to have an agenda.

If the budget is not urgent and there is no desire to have money bills go through that deliver revenue to ensure that there is a golden surplus — which we delivered for

10 years in a row, with a AAA rating — then obviously something is knocking this government off its bike every time; something is knocking the government off the agenda it should be following. Instead we have an agenda of triathlons and other things which seem to be leading this government down paths it should not be heading down. This seems to be very much the case. The government is putting forward business programs that should not be put forward.

The Health Services Amendment Bill 2014 has been brought on at the last minute. Bills such as this require very serious consideration; they require very serious briefings. The Health Services Amendment Bill 2014 encompasses a total rewrite of the act. It is not appropriate to swap one bill for another at the last minute. At the end of the day the opposition does not have the same resources as the government to be able to get on top of these bills and properly debate them. For the government to bring on bills at the last minute and say, 'Look, mate, we're being incredibly generous here. We're like Mother Teresa; we're going to allow you to debate them all day Thursday', and expect that we will suddenly beatify those on the other side because they have been so generous and kind is a ridiculous proposition.

At the end of the day the Health Services Amendment Bill 2014 is being brought on because this government continues to lose control of its own agenda. It is a shambolic situation. All you have to do to see this is look at the fear on the faces of the government backbenchers as the government continues to lose control of its own agenda.

Honourable members interjecting.

Mr DONNELLAN — Some people may feign confidence, but the feedback we are getting is that there are serious concerns. They do not just relate to the government business program; they relate to many other forms of leadership in this house. The government business program is a reflection of the fact that the government cannot lead itself and the Premier cannot lead the government. Every week the government business program becomes a little trick. It becomes an exercise of saying, 'What's going to happen? How do we keep this ship afloat? How do we keep it well balanced, because we know it's going to potentially flip at any stage?'

Every week we have the mystery of the government business program, which is a rather interesting exercise for those on this side of the house because we sit here watching the government twist and turn and chop and change its policies on an ongoing basis, whether it be

the port or anything else. The government is saying, 'We do backflips at 100 miles per hour because our business program is so prone to being knocked off that we don't know where we're going. It's like we're riding a bike and we're not really sure whether we're heading north, south, east or west; we're just riding. Someday we'll get there, but we don't even know where "there" is'. That is a terrible sign for a government; it is terribly sad. In the same way as the Speaker was saddened by the earlier contributions, she is probably even more saddened by the contributions of some of the dingbats over on the other side at the moment.

The SPEAKER — Order! I ask the member to use parliamentary language.

Mr DONNELLAN — I was only appropriately responding to comments from the other side. It very much highlights the quality of the individuals on the other side and the quality of the leadership of this government. This government is heading nowhere; this government is lost. Every week the government business program becomes a serious issue in cabinet — —

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

House divided on motion:

Ayes, 42

Angus, Mr	Naphine, Dr
Asher, Ms	Newton-Brown, Mr
Baillieu, Mr	Northe, Mr
Battin, Mr	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
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

Noes, 41

Allan, Ms	Hutchins, Ms
Andrews, Mr	Kairouz, Ms
Barker, Ms	Kanis, Ms
Beattie, Ms	Languiller, Mr
Brooks, Mr	Lim, Mr
Campbell, Ms	McGuire, Mr

Carbines, Mr	Madden, Mr
Carroll, Mr	Merlino, Mr
D'Ambrosio, Ms	Nardella, Mr
Donnellan, Mr	Neville, Ms
Duncan, Ms	Noonan, Mr
Edwards, Ms	Pakula, Mr
Eren, Mr	Pallas, Mr
Foley, Mr	Pandazopoulos, Mr
Garrett, Ms	Perera, Mr
Graley, Ms	Richardson, Ms
Halfpenny, Ms	Scott, Mr
Helper, Mr	Thomson, Ms
Hennessy, Ms	Trezise, Mr
Herbert, Mr	Wynne, Mr
Howard, Mr	

Motion agreed to.

MEMBERS STATEMENTS

Cambodia

Mr PAKULA (Lyndhurst) — My electorate of Lyndhurst has a large number of constituents of Cambodian and Vietnamese heritage, and last week I visited those two beautiful countries for the first time. As part of that visit I went to Phnom Penh, the scene of unspeakable atrocities during my lifetime and during the lifetime of every member of this house. Whilst in Phnom Penh I met with Kem Sokha, former leader of the Human Rights Party and current deputy leader of the Cambodian National Rescue Party, the Cambodian opposition.

Sokha is an extraordinary man — someone who was forced into the fields by the Khmer Rouge, who has been a human rights leader, who has never gone into exile and who has stayed and fought for his country's future. Based on my meeting with him, a number of things are clear. He is committed to reconciliation, to amnesty, to a peaceful future for a country that has been through so much and to free and fair elections. Whilst I was there the comments of former federal foreign minister Gareth Evans received enormous attention in Cambodia, and it was just a small sign of what can be achieved through international attention.

The people of Cambodia, especially the young people, seem hungry for change. The key to change is free and fair elections, and for them to occur, Cambodia needs an independent electoral commission and an independent judiciary and court system. That is not too much for any nation to expect, and it should be emphasised in all contact between this state or this country and the Cambodian government.

Hazelwood mine fire

Ms ASHER (Minister for Innovation, Services and Small Business) — The government is committed to supporting Morwell businesses that have been affected by the fire at the Hazelwood open-cut mine. I was delighted to sign off on a range of initiatives which were announced by the Premier last week and which will include the Morwell Business Relief Fund, which will provide assistance to businesses affected by the fire. Grants of up to \$10 000 are available to small businesses in the Morwell township employing fewer than 20 people that can demonstrate an impact on profit as a result of reduced business.

The Victorian Employers Chamber of Commerce and Industry, through private sector business specialists, will assess grant applications. The government's mobile business centre has visited Morwell already — visits have occurred on three occasions — providing professional assistance and expert advice. Further mobile business centre sessions — which are staffed by Small Business Advisory Services personnel — will be available at a time to be advised in due course. Volunteer small business mentors have been made available to the Morwell business community as well.

In many ways the government has been very focused on giving assistance to businesses that are not directly impacted on by the fire but that suffer the direct impact of the economic disadvantage, which is what this package is designed to achieve. We will continue to focus on assisting those businesses.

Dianella Community Health and Merri Community Health Services

Mr McGUIRE (Broadmeadows) — I am deeply concerned about the process that has eliminated Dianella Community Health and Merri Community Health Services from continuing to deliver mental health care to vulnerable Victorians. About 30 jobs will be slashed in Melbourne's north with the axing of these service providers, which have given decades of dedicated care and commitment.

This move will upset more than 200 people with mental health conditions who are currently being cared for by these not-for-profit organisations and create instability in their lives. I call for the Minister for Mental Health and Minister for Community Services to provide a full public explanation of the decision-making criteria. Serious issues have been raised with me that the coalition government is corporatising this sector by stealth, and that the level of care will be cut for the most needy.

Five months ago I raised concerns that the Napthine government's tender process risked the quality of services and the necessary established bonds between carers and clients. Incredibly the Department of Health has not given these not-for-profit providers even an explanation as to why they were axed. The government has issued a gag order preventing service providers from making public statements about the future arrangements for the people currently in their care, yet the minister wants these not-for-profit services to carry on until 31 July as if nothing has happened. Given that the price of each program and function was not a competitive issue and the not-for-profit providers have never been criticised for the quality of their care, they believe they have been set up and stitched up.

Awake and Shine School, India

Dr SYKES (Benalla) — We currently have two delightful Indian ladies staying with us. Anju and Pascalina are teachers at the Awake and Shine School, Samthar Village, in far north-eastern India. The Awake and Shine School is the brainchild of General 'Jimmy' Singh, who recognises that education provides the passport from poverty to prosperity. Local former school principal Graeme Budd and his wife, Joy, have become strong supporters of Awake and Shine, as has the Rotary Club of Benalla. Graeme, Joy and another former principal, Margo Sherwill, organised for Anju and Pascalina to visit Benalla for eight weeks to broaden their horizons and learn new teaching techniques. It has been quite a cultural shock for them.

Anju walks for over an hour to and from school each day, as do many of her primary school students. They have a computer at school and a television at home — to watch the cricket — but few other trappings of life. When they stayed in a hotel en route to Australia they discovered that water comes from taps — taps which they could turn on but not off, resulting in the flooding of their hotel room. They were also challenged by the lift, and rather than ask for help they quietly watched people use it until they were confident that they could use it. I am sure that Anju and Pascalina will go home brimming with renewed enthusiasm and heads full of ideas. Well done to all involved. I look forward to visiting Anju and Pascalina and their students in the future.

Bendigo Spirit

Ms ALLAN (Bendigo East) — I rise to congratulate Bendigo Spirit on its outstanding achievement in taking out back-to-back Women's National Basketball League titles for the second year in a row, defeating Townsville Fire in front of a packed Bendigo crowd at Bendigo

Stadium. It was an outstanding achievement, and it was great to be there on Sunday. The atmosphere was absolutely electric. It was a wonderful showcasing of the sport of basketball and of the achievement of elite women athletes, and a fantastic showcase for Bendigo.

I reflect on how long a way Bendigo Spirit has come since those days in 2006 when it was seeking to enter a team in the national league. I was able to get the former Labor government on board with a \$100 000 sponsorship. We had some last minute manoeuvrings to get the confirmation of that money through to Basketball Australia, which wanted to be sure that the funds were behind the club. Look at how far they have come; that confidence has been repaid over and over. I am looking forward to Thursday, when the member for Bendigo West and I will be joining the Minister for Sport and Recreation in hosting Bendigo Spirit for lunch at Parliament House. I certainly agree that maybe the team should get the keys to the city next. Kristi Harrower is an outstanding athlete who deserves the highest accolade. I agree with those who identify Kristi as the greatest Bendigo athlete.

Frayne College Baranduda

Mr TILLEY (Benambra) — I had the pleasure recently of attending the school assembly at Frayne College Baranduda to officially present the school with its 5-star certification through the Victorian coalition government ResourceSmart AuSSI Vic initiative. The coalition government has already invested \$8.3 million over four years in the ResourceSmart AuSSI Vic initiative, which recognises and rewards the hard work and performance of schools. Frayne College was awarded 5-star certification because of the sustainable values demonstrated by the school community.

During the assembly students and parents alike were entertained by Pete Denahy, a local musician from Yackandandah and a Golden Guitar award winner last year. He is a terrific entertainer for everybody to enjoy. I hope he has long success with his work. He sang songs about the journey of a drop of water and one about the life of a dung beetle, which were enjoyable for students and parents. I say well done, Pete. I also absolutely congratulate the school community and especially Suzie Patralla on their very hard work over a number of years to achieve this certification and on the work that will continue to maintain it.

Dodecanese Islands

Mr PANDAZOPOULOS (Dandenong) — It was a pleasure for me to attend a couple of events on the weekend of 1 and 2 March. One of those was the

commemorations of the reunification with Greece of the Dodecanese Greek Islands. These islands were reunified with Greece following World War II after the Italian and German surrender. In my speeches on such occasions I always take the opportunity to highlight the Anzac links with Greece. This time I highlighted the fact that seven Australians are buried in the commonwealth war cemetery on the Greek island of Rhodes. I paid tribute to Sergeant Osborn Henry Bossence from East Malvern, Pilot Officer William George Dalco from Hobart, Flight Sergeant Noel Fisher from Brunswick, Flight Sergeant Christopher George Hoskin from Coburg, Flight Sergeant Allan Lord from Glasgow, New South Wales, Flight Sergeant John Alexander Henry May from Earlwood, New South Wales, and Flight Sergeant Robert Sutton Neighbour from Kangaroo Island in South Australia. They came to the defence of these islands in both 1941 and 1943.

The Royal Australian Air Force officers were based in northern parts of Egypt defending the islands. After the fall of Mussolini, the Italian troops had done a deal surrendering the island to allied forces. They were in allied control for a few months until the Germans invaded those islands again. It was a good opportunity to highlight these links between Greece and Australia that after the war led to the freedom and reunification of the Dodecanese Islands with Greece. I pay tribute to the community for organising this annual event.

Beaconhills College

Mr BATTIN (Gembrook) — I thank the Beaconhills College students for coming in today on their tour. It was wonderful to have them look around Parliament, obviously one of the greatest places in Victoria to look around, and do a tour as a school group.

Cranbourne-Pakenham rail corridor

Mr BATTIN — I rise today to speak about the public transport system down in Dandenong and through to Pakenham and to talk about the fantastic announcement from the Minister for Public Transport and the Premier.

An honourable member interjected.

Mr BATTIN — The question of when I last caught a train was asked, and it is a good question. I catch a train at least once a week. We are going to improve the services along that line, which was neglected by those opposite. There are going to be 25 new next generation trains with updated signalling systems so that 18 trains per hour will be able to travel along the line, increasing

capacity along the Pakenham and Cranbourne lines by 30 per cent. An extra 4500 people per hour will have an opportunity to travel into and out of Melbourne during peak periods, which is very important. In addition, the trains will be serviced and maintained at a new maintenance facility to be built in Pakenham East, which means local jobs for local people. There will be 300 jobs during the construction phase and an additional 100 ongoing, permanent jobs. This is in line with the Shire of Cardinia's calls for the government to work with the council to ensure we get jobs in the local area. The increase in the availability of public transport will also improve the local road system. I congratulate the Premier on this announcement.

National parks camping fees

Ms HENNESSY (Altona) — First, I wish to bring to the attention of members the concern of a constituent of mine, Joan Healey, who for 40 years has been travelling with children from Altona, Hoppers Crossing, Werribee and beyond to Cape Conran Coastal Park, and the effect of the Napthine government's decision to hike up camp site fees at national parks across Victoria. She reports this increase will set families back more than she pays in weekly rent for her three-bedroom house. I call on the government to reverse its cash grab, which will result in people like Ms Healey, who for decades have provided opportunities for local kids, being priced out of camping in our national parks.

Women train drivers

Ms HENNESSY — The second issue I wish to raise concerns the difficulties faced in recruiting more women into jobs across the public transport system. I support efforts to actively encourage the recruitment of more women and particularly note Metro Trains Melbourne's current campaign to recruit a greater number of women train drivers. This is a commendable and wise program. However, a number of concerns have been raised with me which warrant the attention of the government. Some of those concerns relate to women drivers not being provided with appropriate uniforms, with some cases of pregnant women being told to wear men's shirts, and a lack of acceptable facilities.

Gippsland fires

Mr WELLS (Minister for Police and Emergency Services) — I would like to provide a further update to the house on the fantastic work being undertaken this fire season by our emergency services and partner agencies across government. It is pleasing to advise the

house that all the significant fires across the state have now been contained. The Goongerah fire in East Gippsland was deemed to be contained last night while the fire at the Hazelwood mine was controlled yesterday, as mentioned during question time. The Hazelwood fire is almost out, with only small hot spots being monitored and extinguished with specialist equipment. The use of foam and water applications and of earthmoving dozers and excavators has further reduced active fires in the mine. The Environment Protection Authority Victoria and emergency services will continue to monitor the air quality over the coming weeks to minimise any risks to communities and firefighters. To date they have undertaken 7000 health assessments of firefighters who have been entering or leaving the mine. Firefighter safety is critical and our fire services are ensuring that the health and safety of all firefighters is being monitored regularly.

While summer is now over, conditions remain extremely dry as the state has had no significant rain over the past few months. Today is a day of total fire ban. I want to again commend every single one of our career and volunteer firefighters and our partner agencies. I also acknowledge the support of the member for Morwell, who has done an exceptional job of representing his people at a very difficult time.

Sebastian Gronow

Mr CARROLL (Niddrie) — I rise to congratulate Sebastian Gronow, a young resident of Airport West in my electorate, on his recent success with the mobile app game Happy Dactyls, which reached no. 123 on the bestselling app list in recent weeks. The game consists of six animated dactyl characters, three good and three evil, and the goal is to dodge the evil dactyls. It is a lot of fun. In fact it was downloaded more than 50 times in its first week of being listed.

Remarkably Sebastian is only 11 years of age, making him the youngest Australian, and the third youngest in the world, to create an app. I am proud to have him in my electorate. Sebastian and his father Russel visited me in my electorate office last week, and I was thrilled to hear of his innovation and initiative in creating the mobile app. I purchased the app through the Apple iTunes store for 99 cents and got a firsthand appreciation of the work Sebastian put into designing it. It took him seven months to put the app together; it is made up of 40 000 lines of computer code — lots of trial and error by Sebastian. Sebastian learned how to code by reading an e-book.

The Happy Dactyls app was rejected four times before it was finally accepted. In the *Moonee Valley Leader of*

24 February Sebastian said, 'I have a motto of "Keep moving forward" because I never gave up and I kept going'. In fact recently, when Sebastian was interviewed on Tom Elliott's *Drive* program on radio 3AW, he said it was a game for all ages. I have no doubt Sebastian has a brilliant career ahead of him, and as I said earlier, I am fortunate to have someone so young with such entrepreneurial flair in my electorate.

Hazelwood mine fire

Mr NORTHE (Morwell) — I rise to speak on the Hazelwood mine fire situation, and I commend all those tackling this complex and difficult fire. The conditions within the mine are dangerous and challenging, and one can only admire the efforts of our Country Fire Authority career and volunteer firefighters, the Metropolitan Fire Brigade firefighters and the industry and mine personnel. In addition, hundreds of staff and volunteers from a number of agencies are providing onsite health and welfare checks to these dedicated men and women.

It is pleasing to learn that the fire has now been contained; however, we must be mindful because the smoke could potentially be a concern for our communities for the immediate future. The government response to the community and businesses has been extensive with the initiation of a number of grants and support services. These include the Moe respite centre, which has attracted 261 visitors, and the Morwell community health assessment centre, which has assessed approximately 1866 people. Our paramedics, health and community health personnel are doing a fabulous job. Thus far 2520 respite grants and 683 relocation grants have been approved for Morwell residents, and in addition a number of business grants have been triggered, which include concessional loans of up to \$100 000. A \$2 million fund has been established whereby eligible businesses can apply for grants between \$1000 and \$10 000.

The Premier's announcement today of an independent inquiry into this fire is a critical step towards recovery, and I welcome the appointment of Bernie Teague to the position of inquiry chairperson. Whilst steps have been made I am cognisant of the need for additional measures to be implemented to support our community over the days, weeks and months ahead.

St Monica's College

Ms D'AMBROSIO (Mill Park) — It was with great pleasure that I attended the International Women's Day breakfast at St Monica's College on Friday, 7 March.

The event was well attended by parents and supporters, past and present, and female student leaders.

I take this opportunity to inform the house that 2014 is St Monica's golden jubilee. It is 50 years to the year since St Monica's College in Epping commenced teaching young people in the then new outer northern suburbs.

In this special year the school has a terrific year-long program of activities and events to celebrate the jubilee. The celebrations were launched in February at the Kilmore Racecourse on its cup day, with a race day event which included a sponsorship race. Upcoming golden jubilee events include a past staff afternoon tea; a golden jubilee mass; a jubilee variety extravaganza, where the full talents of past and present Monicans will be on display; an alumni gathering; a sports breakfast; the Ostia Arts Festival; and a jubilee masquerade dinner to cap off the year in November.

School principal Brian Hanley, teachers and staff have arranged a terrific program that is sprinkled with surprises along the way. It is no wonder that Brian Hanley was dubbed 'a legend' by students when he surprised them with a school visit by three gelato vans a few weeks ago. Over 1000 ice-creams were served that day. On the morning of the International Women's Day breakfast Mr Hanley kept it a tight secret that on that day students would be treated to Tim Tams. The Tim Tam is also celebrating its 50th anniversary!

I wish to congratulate Brian Hanley — —

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

Labor government

Mr MORRIS (Mornington) — I am often surprised at the glibness with which opposition members recite their promises and pretend that given the chance they will implement them. It is worth looking back to the promises that were made when Labor last had the chance to implement its policies, because it did not implement too many. Funding for the Sandringham to Williamstown SmartBus was deleted from the program. Labor's policy of returning 100 conductors to our trams was never delivered. The construction of a third railway track between Mitcham and Blackburn was never done. The reopening of the passenger rail line to Mildura was never done. The standardisation of the Portland to Mildura rail line was never done. The provision of dual gauge rail access to Lascelles wharf, Geelong, was never done.

The extension of the metropolitan rail network to Cranbourne East was promised twice and never funded. A proposed new tram service to Knox City was never built. A rail link to Melbourne Airport was never built. The posting of protective services officers at city loop stations was never done. And of course Labor promised that there would be no tolls on the Scoresby freeway — an absolute rock-solid commitment from the former government. I paid my tolls on EastLink this morning.

In contrast, this government will deliver more level crossing removals in one term than Labor did in three terms; the regional rail link, the biggest rail project in Victoria's history; a major overhaul of the Frankston rail line, with reliability up from 60 per cent under Labor to 90 per cent now; the Melbourne Metro rail tunnel, which will revolutionise our suburban rail system; a \$2.5 billion overhaul of the Cranbourne and Pakenham lines; and there is more to come.

Labor's empty promises speak for themselves. This government is delivering a 21st century public transport system.

City of Greater Bendigo

Ms EDWARDS (Bendigo West) — Bendigo's prominence as the sporting, tourism, festival and event capital of regional Victoria was cemented over the Labour Day long weekend. In Bendigo West, the Harcourt Applefest was hugely successful, with crowds up on previous years. The highlights included the ferret races, the town crier competition and, of course, the apple pie baking contest. The Taradale Mineral Springs Festival and the Maldon puppet festival were also held and drew crowds of locals and tourists.

To top off the fantastic back-to-back win by the Bendigo Spirit in the Women's National Basketball League grand final, we also had a Bendigo local boy take out the Bendigo International Madison on Sunday night. Twenty-year-old Sam Crome partnered with Dutchman Roy Pieters to win the event in what is considered one of the greatest wins in the history of the madison. Sam and Roy were rank outsiders going into the event but rode the race of their lives to win against world champions such as Glenn O'Shea. Congratulations, Sam and Roy.

Congratulations to the Bendigo Spirit team, who have put women's basketball front and centre on the national sporting stage and have raised the profile of women's sport in Bendigo and across the country. I am looking forward to joining with the member for Bendigo East, who was instrumental in getting the Bendigo Spirit into the national competition, and the Minister for Sport and

Recreation in hosting the Bendigo Spirit for lunch in Parliament House on Thursday.

Kangaroo Flat Country Fire Authority brigade

Ms EDWARDS — Congratulations must go to the members of the Kangaroo Flat Country Fire Authority brigade, who are now back-to-back state CFA champions, having defended their title at the Volunteer Fire Brigades Victoria Urban Championships in Bendigo. These championships are a great boon for Bendigo, with around 67 teams competing.

Extel Technologies

Mr GIDLEY (Mount Waverley) — Founded in 1991, Extel Technologies is a leading, high-quality electronics design, manufacturing, service and repairs company based in Mount Waverley. Extel's products have developed a strong reputation with customers both in Australia and around the world. In June 2013 the organisation was also inducted into the Victorian Manufacturing Hall of Fame.

I was pleased to have the Minister for Manufacturing recently visit my electorate to announce that Extel had been awarded an Investing in Manufacturing Technology round 4 grant to assist the establishment of a new manufacturing facility. I congratulate Extel on its success and thank its staff for the opportunity to view its existing and future business operations with the minister.

Chinese New Year

Mr GIDLEY — Chinese New Year continues to grow as an important occasion in Victoria's events calendar, with the occasion providing for increases in both economic and cultural activities across the state. As part of 15 days of Chinese New Year celebrations, the Year of the Horse was celebrated in my electorate on Sunday, 9 February, with the Chinese New Year and Lantern Festival. The festival featured a wide array of events, including lion dances, live entertainment and a huge variety of food stalls. The Chinese New Year and Lantern Festival was organised and presented by the Monash Chinese Events Organising Committee. I acknowledge and thank the committee for all of its work in delivering such successful Chinese New Year celebrations in my electorate.

Paul Sheahan, AM

Mr GIDLEY — I congratulate Australia Day honours award recipient, former test cricketer and Melbourne Cricket Club president Mr Paul Sheahan, who has been awarded a Member of the Order of

Australia in the 2014 Australia Day honours list for significant service to secondary education as a teacher and for his roles with sporting, charitable and community organisations.

Merri Community Health Services

Ms CAMPBELL (Pascoe Vale) — In the week we will be debating mental health the Minister for Mental Health has sacked all of the mental health workers at Merri Community Health Services. Today staff members were told that they will lose their jobs. Over 15 equivalent full-time jobs have gone, and of course that means many more workers. For over 30 years the city of Moreland has been well served by Merri Community Health Services, and its achievements in the mental health area are renowned in my electorate. Also losing funding, as outlined earlier, are Dianella Community Health and the Salvation Army office based in Albert Street, Brunswick.

This is an absolute outrage. People who have mental health concerns who have been well looked after and genuinely cared for by the staff at Merri Community Health Services at the Salvation Army office and at Dianella are appalled at this atrocious decision by the minister. Today Merri Community Health Services has written to the minister outlining its significant achievements in the delivery of services. It has consistently met and exceeded its service targets. There have been no negative issues with this service, and yet it has lost its opportunity to look after an area it is well connected with. The local community appreciates this service. I call on the minister to change her position.

Sunraysia Leo Club

Mr CRISP (Mildura) — I attended the chartering of the Leo Club of Sunraysia. Leo stands for leadership, excellence and opportunities and is the youth arm of Lions Clubs Australia.

I wish these young people all the best in their entry into community service, and I am sure this will be a gateway to a lifetime of contributing and receiving the rewards of being a volunteer.

Rosebery Country Fire Authority station

Mr CRISP — On 2 March Rosebery was the centre of my electorate with the official opening of the new Rosebery fire station, which also serves as a community meeting centre and houses the local history collection.

On the same day the Rosebery Red Cross celebrated 100 years of service to the local community. It has

moved back to Rosebery now that it has a meeting room attached to the fire station.

Hopetoun P-12 College

Mr CRISP — It was my pleasure to hand out the school leadership badges at Hopetoun P-12 College. A feature of Hopetoun's leadership is the appointment of bus captains. These students take on the responsibilities of ensuring that all who should be on the bus are on the bus and also maintaining standards of behaviour on what for some is a long bus trip to and from home. I congratulate these captains, as they have responsibility for children from kindergarten to year 12.

Hattah-Robinvale Road

Mr CRISP — The Hattah-Robinvale Road has become an extremely important freight route with the expansion of horticultural industries in the region, particularly of almonds. I have been in contact with VicRoads in order to ensure that this road receives the attention it now deserves and needs.

Robinvale community hub

Mr CRISP — I would like to take this opportunity to thank Swan Hill Rural City Council for its support of the Robinvale community hub. This project is vital for Robinvale's future, and I thank the mayor, the CEO, councillors and council staff for giving this project their support.

Ballarat Lyric Theatre

Mr HERBERT (Eltham) — A week ago I visited Ballarat to see Ballarat Lyric Theatre's production of *The Phantom of the Opera* at Her Majesty's Theatre in Ballarat. What an awesome production it was. From the spectacular opening and the scene with the chandelier to the closing moments the audience was treated to a riveting experience to rival anything found anywhere in the world. Great voices, stellar performances, terrific scenery and glamorous costumes made it a professional production of which Andrew Lloyd Webber himself would have been proud.

I can particularly commend the director, Stephen O'Neil, who was largely responsible for the outstanding artistic success of this production. The exacting professional approach and creative drive that Stephen brought to the *Phantom* show why he is rapidly being acknowledged as one of Victoria's most outstanding directors and why artists of great talent queue up to be part of his productions.

In a cast of stars with a production of great beauty I acknowledge a couple of outstanding performances. In particular the incredible talent and stage presence of Andy McCalman, whose emotive performance as the phantom generated great empathy with the audience and really brought the production to life. Then there is 17-year-old Molly Fry, whose magical performance as Christine Daaé was fantastic. She has a voice and talent beyond her years. Shaune Davis's performance as Vicomte de Chagny was outstanding — what a great stage debut. Lastly, costume designer Rodney Green's beautifully detailed and dramatic costumes would wow audiences on the West End and Broadway and were a treat for those in Ballarat.

Molesworth Hall

Ms McLEISH (Seymour) — I recently took delight in announcing on behalf of the Deputy Premier a \$299 000 investment by the Victorian coalition government towards the refurbishment of Molesworth Hall. The hall is a vital piece of community infrastructure with substantial historical characteristics reflecting its 100-plus years. Through the years the hall has had the role of meeting place, dance venue and school, among others.

I was particularly delighted to see that this small community was able to contribute \$100 000 to this substantial project and I thank community members for their great work. The hall committee and local community have undertaken a range of fundraising activities and raised a very commendable amount of \$85 000 towards the project, with the community committing a further \$15 000 of in-kind labour.

In particular I want to recognise Muriel Perry and Jean Mahoney for their contributions to the fundraising efforts over the years. Having spent the better part of 35 years in the driver's seat of the annual Molesworth Easter Bazaar, their contribution has been extraordinary. In their 84th and 96th years they deserve special mention and were thanked by the hall committee and community on the day.

However, this investment would not have been possible without the coalition's \$1 billion Regional Growth Fund (RGF). At the end of December 2013 around \$380 million from the fund had been invested into regional Victoria. The fund has supported more than 1350 projects similar to the Molesworth Hall throughout the regions and has leveraged a total investment of over \$1.5 billion. The economic infrastructure component of the RGF has seen \$151 million invested in 70-plus strategic projects. That

in turn has leveraged around \$950 million of investments in that area.

EDUCATION AND TRAINING REFORM AMENDMENT (REGISTRATION OF EARLY CHILDHOOD TEACHERS AND VICTORIAN INSTITUTE OF TEACHING) BILL 2014

Second reading

Debate resumed from 6 February; motion of Mr DIXON (Minister for Education).

Mr MERLINO (Monbulk) — I rise to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. There are five main outcomes of the changes proposed in this bill. It clarifies the process of criminal record checks for teachers through the Victorian Institute of Teaching (VIT). It establishes a register of disciplinary actions — RODA — for teachers. It introduces a scheme for the registration of early childhood teachers by VIT. It provides those early childhood teachers with the responsibility in regard to mandatory reporting, and it also changes the governance structure of the VIT council.

Overall, Labor will not be opposing this bill. Indeed, it supports the continuation of reform with regard to criminal record checks. We support those changes, and we also support the registration of early childhood teachers by VIT bringing early childhood teachers within the gamut of primary and secondary school teachers. We think this is a very positive move. However, there is always a but; and that is in relation to changes to the governance of VIT. I will speak a bit about that later on in my contribution. Members on this side of the house are concerned, and many people in the community are concerned, that this is just a further example of the antidemocratic leanings of the Baillieu and Napthine governments. They did it to the TAFE boards. They did it to university councils, and they cannot help themselves — they are doing it to the Victorian Institute of Teaching.

The institute itself was established by Labor in 2001. It is a register of all teachers — government, Catholic and independent — into a single professional body. It is responsible for setting the standards for people to qualify to teach. It is responsible for approving and accrediting courses. It is responsible for assessing qualifications, for advising on professional development, undertaking police record checks,

preregistration on an ongoing basis — which I will talk about in a moment — and for administering a discipline system.

The establishment of VIT was a very important step in recognising and acknowledging the profession and the important role that teachers play in our society. It is a recognition of the important role that an institution needed to play to ensure and protect standards and to improve the quality of teaching across all schools. As I am sure you would agree, Acting Speaker, teaching is a noble profession. Those of us in this chamber know that you never forget those very special teachers who have had a positive impact on your development and your life. I know that I have never forgotten those special individuals. The institute was created in 2001 in recognition of the profession and of the need to continually enhance and protect its quality.

I turn now to the clauses in the bill. Part 2 of the bill relates to criminal record checks and clarifies the meaning of the term ‘criminal record checks’ to encompass national and state criminal record checks. A definition was included to clarify this process of checking against both state and national records. The national criminal history check under part 2 includes any of the following: findings of guilt against the person with or without conviction, any charges outstanding against the person, convictions recorded against the person when the person was a juvenile and convictions against the person that are spent. That is a necessary clarification. Part 2 also specifies that registration of a teacher will be suspended if consent to the check or the fee is not provided. This is all about ensuring as best as is humanly possible the suitability of teachers teaching our children.

This change is supported by and built on reforms introduced by Labor. I can give the house a couple of examples. Legislation that Labor introduced in 2009 included the introduction of the concept of ‘suitability to teach’ as opposed to simply ‘fitness to teach’. That allowed a broad assessment of potential teachers, including their physical and mental health and their criminal records. It gave the VIT the power to investigate allegations below serious misconduct and the ability to initiate an investigation in cases where it suspected or had knowledge of a teacher’s serious incompetence, misconduct, serious misconduct or lack of fitness to teach — an own-motion investigation, if you like. The VIT was also given the power to convene medical panels where a teacher’s ability to teach was compromised by physical or mental impairment. Medical panels were introduced into that process.

In 2010 legislation provided the VIT with the power to undertake police record checks in parallel with national criminal record checks. Provision for parallel state criminal and national criminal checks is already on our statute book. This ensures that all the checking associated with working with children is covered by such checks. This bill is about clarifying what is meant by the national criminal record checks. In 2010 the legislation also included adverse outcomes of disciplinary action on the public register — that is, adverse outcomes on the public register of teachers registered to teach under the VIT. This bill expands that through the creation of the register of disciplinary action, which I will talk about in a moment. Suffice it to say that a whole lot of reform has been in place over the last 15 years or so, from the creation of the VIT itself and the provision of criminal record checks to the reforms in 2009–10 to the reforms that relate to criminal record checks under the bill before us today.

I turn now to RODA. The establishment of RODA creates a database specifically to record any disciplinary action applied to a teacher, as distinct from what currently happens where a note is included alongside the registered teacher’s name on the registration list of the VIT. The institute can make exemptions if it believes there is no benefit in publishing the name of an individual on that list. That has always been the case. When Labor introduced changes to the publication of adverse outcomes it ensured that this was public and also ensured that exemptions that were available. That was for reasons of public interest, or for reasons determined by a medical panel if it was an informal process. There are a variety of ways adverse outcomes can be exempted from being published, and that has always been the case.

An issue in relation to the bill that has been raised with me by a number of people is the amount of time an outcome remains on the list for public viewing. In part 3 of the bill, clause 28 inserts new section 2.6.54G, entitled ‘Retention period of particulars contained in register of disciplinary action’, which states in part:

... must remain on the register for whichever is the longer of the following periods —

- (a) 5 years after the disciplinary action takes effect;
- (b) the period for which the disciplinary action continues to have effect.

At the very minimum those findings are on the public register for five years. If the disciplinary action continues for longer than five years, obviously it will be for the longer period. It is interesting to note what was said in the second-reading speech of Minister Pike back

in 2010 in regard to the inclusion of adverse outcomes. It states:

The inclusion of adverse outcomes of disciplinary action on the public register will result in greater transparency and improved client service to employers who are employing teachers and to people who employ or otherwise engage registered teachers in a non-teaching context.

It goes on to say that adverse outcomes:

... will be published next to a teacher's name on the institute's register of teachers.

...

Any adverse outcomes, other than deregistration, will be automatically removed from the public register at the expiry of the condition, limitation or suspension period. It is anticipated that the length of a condition, limitation or suspension period in most cases will be approximately 12 months.

That is the advice I have received. Most of the adverse outcomes to be noted on the register are for around 12 months, and there are a number of disciplinary issues covered by that.

The minister talks about balancing the rights of the employers and the public against the rights of the individual teachers. This is a balance we always need to strive to meet. What is the correct balance? Should an adverse outcome against a teacher be put on the public register for the period of that punishment, if you like, when the average is around 12 months; or, as the bill proposes to do in regard to the register of disciplinary action, should it be for quite an extended period of five years or so?

Moving on to the VIT introducing the registration of early childhood teachers, on a positive note this is something Labor is very supportive of. It is good both for the educational outcomes of children and for early childhood workers, so we are not opposing this bill primarily on this point. In late 2007 Labor made the announcement and took the steps of merging the early childhood and education sectors into one department. Back then it was in recognition of the fact that learning is from birth to adulthood; lifelong learning is a truth. We knew that early childhood is the most critical stage for any child and that real improvements could be made by streamlining the transition for children from preschool to prep, enabling children's progress to be tracked from an earlier age to identify learning difficulties in order to provide targeted assistance to children who need it.

I go to a lot of schools and talk to a lot of principals and teachers. It is quite instructive when they tell me about

the huge disparity between the education levels of children when they start prep at school. We have seen the importance of early childhood education on the ground. From a personal perspective, my eldest child, Sophie, has gone through three-year-old kinder and four-year-old kinder and is now in prep. At the moment my second child is going through four-year-old kinder. This morning I was talking to my wife Meagan about this bill, the experience with our children's preschool teachers and the crucial role they play in the development of our children. I have seen it in the transition from preschool to primary school, where Sophie's preschool teachers directly engaged with the teachers at her primary school. They looked at the individual needs of each of those kinder children. It is amazing to see the different types of teachers — the more authoritative teachers and the soft and cuddly teachers — and different kids —

Dr Sykes — What are you?

Mr MERLINO — I am the soft and cuddly one in our school!

Mrs Powell interjected.

Mr MERLINO — Yes, that is right — Meagan will not be impressed by that. Different children need different things, and preschool teachers make observations and have the ability to pass that knowledge on to the teachers at primary school. I observed the kids at Sophie's four-year-old kinder and saw which teachers those children ended up with at the primary school our daughter goes to. The needs of those children and where those children were both educationally and socially determined their placement with the appropriate teacher. That was due to the experience, skills and knowledge of those kinder teachers. That is my first example.

Right through preschool — and everybody here with children would know it — children develop and learn through play, make things, experiment with ideas, learn to cope with structured days in preparation for school, and learn about life. I know that at my children's preschool they learn a lot about animals, the environment and the life cycle. Children learn about socialising in a preschool environment. For lots of kids it is their first time in an environment where they are away from their parents for any extended period of time. Preschools play an important role in enabling children to feel secure while away from their parents, and there is no doubt that early childhood teachers provide that opportunity. They are teachers within the education span of our children. They deserve to and

should fall within the scope of the Victorian Institute of Teaching and be registered in that way.

We have also seen partnerships between schools and preschools on the ground, with the establishment of preschool facilities and kinders on school sites. In my electorate the brand-new Boronia K–12 College has a preschool on site. Child care, preschool, the primary school and the secondary school are working seamlessly within that same site. There are also great examples of partnerships between schools and preschools. Monbulk Primary School is supporting the local kindergarten. Kallista Primary School has a very supportive relationship with its local preschool. On the ground we also see that relationship between principals, teachers and early childhood educators.

The opposition is broadly supportive of this change for registration of early childhood teachers by VIT; however, it has some concerns about an element of this bill in relation to double dipping on registration fees for early childhood teachers. I will give an example. Under this bill, an early childhood teacher who is also qualified as a primary school teacher will have to pay fees twice. That obligation does not exist for teachers who are qualified as primary and secondary school teachers. A teacher with primary and secondary qualifications who teaches in the year 5 to year 9 cohort will only have to pay a registration fee once. I will be interested to hear an answer to this question during the debate, either in this chamber or in the consideration-in-detail stage in the Council. Why do teachers who want to be registered as early childhood teachers and primary school teachers have to pay a fee twice? I would like to hear an answer.

To look at the issue broadly, I believe the registration of early childhood teachers by the Victorian Institute of Teaching is a positive step. It recognises the professional status of preschool teachers and provides opportunity for professional development, skills acquisition and feedback to tertiary providers. In a whole range of areas this is an important step.

I want to make a point about the mandatory registration of early childhood teachers with the Victorian Institute of Teaching. Placing early childhood teachers under the Victorian Institute of Teaching is another important change wholeheartedly supported by members of the opposition. There are corresponding changes and amendments to the Children, Youth and Families Act 2005, particularly to the definition of ‘information holders’, which includes members of the police force, registered teachers, principals, medical practitioners, registered psychologists, nurses and midwives. All of

those people are responsible under the mandatory reporting guidelines, so there are corresponding amendments in this bill to ensure that early childhood teachers are similarly responsible for mandatory reporting, a measure which is very much supported by the opposition. It is the next important step in the registration of early childhood teachers within the Victorian Institute of Teaching.

I turn to opposition members’ main concern about the bill. Whilst we do not oppose it, we want to put on record our concern about a particular change. When this legislation was introduced — the VIT was established back in 2001 — it was provided that there would be a comprehensive review of the structures, the performance and the focus of the VIT, which occurred in 2007–08 and led to changes in the institute’s governance structure in 2009. The composition of the VIT went from around 20 people to 5 members appointed by the Governor in Council on the recommendation of the Minister for Education. Those members are one teacher, appointed as chair of the institute; two employers of teachers; one expert in pre-service education; one parent; and six elected members.

Those six elected members were to be three registered teachers employed in government schools; one registered teacher employed in a government school for students with disabilities or impairments; one registered teacher employed in a Catholic school; one registered teacher employed in an independent school; and one member who shall be the secretary or the secretary’s nominee. This change was made following the review, which found that the membership needed to be streamlined; however, it also recognised that the membership of the board needed to be representative of the entire sector.

In this country, particularly in Victoria, education is marked by the distinction of having three systems, being government schools, Catholic schools and independent schools. This is one of the strengths of the Victorian education system, which includes the strength of parents to choose and the strength of the diversity of schools in our state.

It was vital that the Victorian Institute of Teaching — the very body responsible for accrediting teaching courses and registering, assessing and disciplining teachers — be made representative of the diversity of education in this state, and that was implemented as a result of the review. This bill seeks to implement the recommendations of that review which were rejected by the previous government and which are rejected by

Labor today. This legislation proposes that all of the positions become the choice and the responsibility of the Governor in Council and the minister. The bill maintains the requirement for 12 council members, of whom the majority must be registered teachers; however, the bill alters the appointment process so that 11 members will be appointed by a ministerial nomination to the Governor in Council. The twelfth will be the secretary to the department or the nominee.

It is interesting to note that all the bill says is that the minister must 'give consideration' to recommending persons from the following classes: registered teachers currently teaching in government schools; registered teachers in government schools for students with disability or impairments; registered teachers in non-government schools other than Catholic schools; a teacher in a Catholic school; and providers of education who are registered teachers or persons who wish to qualify as teachers.

All the bill provides is that the minister must simply give consideration to reflecting the diversity of education in our state, which members of the opposition reject. It is not just the Labor opposition which rejects this antidemocratic change; it is representatives of the education sector. For example, Parents Victoria has a representative on the VIT council — Sharron Healy — who has written:

PV —

that is, Parents Victoria —

think the council would have more credibility when the majority of positions are elected, not appointed.

Parents Victoria also stresses the importance of having a parent representative as a ministerial appointment. There is no guarantee to parents, to the Catholic sector, to independent schools or to teachers who teach students with a disability or an impairment. There is no guarantee to teachers or principals in our government schools, and no guarantee to academics in relation to teaching courses. There is no guarantee to anyone that they will be represented on the board of the Victorian Institute of Teaching.

We have been here before. We only have to look at the changes to TAFE and changes to the constitution of university councils to see that. Before changes were made to TAFE institute boards and adult education institutes' governing bodies, for the boards of TAFEs and adult education bodies one staff member was elected by the staff, one student member was elected by the students, and the CEO of the institute was amongst

their number. Within the TAFE boards and adult education institutes there was representation of students, staff and the CEO. This government has done away with all that and, more than that, the minister is controlling who chairs these boards. Previously university acts provided for university councils to consist of between 14 and 21 members, including at least three elected members who represented staff and students. The government removed any reference to elected members.

The great strength of our universities in Victoria and the great strength of our TAFEs is in the representation, the understanding, the skills and the knowledge. This government does not want to have anything to do with democratically elected representation on any of our education or further education institutions. It has done away with it in TAFE, it has done away with it at universities, and today it is proposing to do away with it in VIT. I challenge those opposite to explain to the Catholic sector, the independent sector, government schools and to parents why they should not have an automatic right of representation on the very institute that is responsible for the teaching profession.

Why is it that they should not have automatic representation? Why is it that only the minister should consider this issue? Like Minister Hall, Minister for Higher Education and Skills, giving his best mate the position as head of vocational education and training, we are likely to see Minister Dixon do the same thing. We oppose those changes, but overall there is a lot to like in the changes to the registration of early childhood teachers with VIT; that is something that should be supported. We very much support the changes to mandatory reporting and to criminal record checks, and we will support them.

In the last minute available to me, I wish to say that this bill is about the professionalism of the workforce. I make the point that while this government is introducing this legislation it is hardly supporting the profession. It is hardly supporting teachers and principals when it is ripping \$625 million out of education over three budgets. It is hardly supporting the profession when it is ripping the heart out of the Victorian certificate of applied learning. It is hardly supporting the profession when it makes vocational education and training so expensive that it is out of the reach of many families right across the state. We need true support of education in this state, not just bills such as this.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to rise to contribute to this very important

debate. I stand on this side of the house proud of the work that this government has done in terms of the registration of early childhood teachers and the changes to the Victorian Institute of Teaching (VIT).

This bill provides for the registration of early childhood teachers following the same model as already applies to teachers in school settings. By way of background, as the previous speaker highlighted, back in 2007 the former government introduced a system by which early childhood teachers were brought into the teaching profession with primary and secondary teachers. However, as we on this side of the house know, that was on the back of a policy that was led by the Liberal opposition seeking to do exactly that. It was because of that policy during the 2006 election, which I strongly remember campaigning for, that we saw a change of heart by the then Labor government and the inclusion of early childhood teachers in line with primary school and secondary teachers.

Like many, I have had a lot of involvement in preschool education. That involvement dates back over a decade to when I chaired the preschool advisory committee with the City of Knox. I had a lot to do with preschool education at that time, and I would like to place on record my heartfelt congratulations to all of the team at the City of Knox and all the hardworking preschool teachers who are employed in that profession. They do a wonderful job, and many people from outside the city of Knox who work in the municipality seek to register their children in the preschools in Knox because the council is recognised as a leader in the field. I place my congratulations to the City of Knox on the record.

Like the member for Monbulk, I have three young children who have just finished their time in preschool education, and I have seen firsthand the benefits that my children have gained in that education system. As the member for Monbulk identified, the work preschool educators do in liaising with the primary school system has ensured that we have a far better transition than was the case for many of us at the same stage many years ago.

Under this proposal, early childhood teachers will be able to secure one of three types of registration. They can be fully registered, they can be provisionally registered or they can obtain a non-practising registration. The costs will be the same as for teachers, with an initial registration of \$115 and an annual fee thereafter of \$87. We see this as a very important step; it has been endorsed by the sector. We see this as being very positive. It is about recognising the significance of workers in that sector, and we believe that this is

something that will be warmly embraced by educators in that very important sector.

The register of disciplinary action is going to be a register for teachers who have been subject to disciplinary action by a formal hearing. This will be published on the VIT website, and this information will be recorded for a period of five years or for the period during which the disciplinary action is in effect, whichever is the longer. We see this as being very important. It is about transparency; it is about educating families and parents so that they know if there are any adverse actions that have been levelled against a practitioner in education. This is about providing the necessary information to parents so that they have that information available to them and can ensure that information is made available about those people who have engaged in previous activity that has resulted in the action.

Mandatory reporting is a very important change, which is being introduced through this legislation. I am very proud of the fact that early childhood teachers will become mandatory reporters under the provisions of the Children, Youth and Families Act 2005, whereas school teachers, as we know, already are. I think most people would be shocked to think that preschool educators are not required to report under the mandatory reporting system.

As a member of the Family and Community Development Committee's investigation into child sexual abuse, I heard firsthand the number of allegations. That brought up the much bigger issue of mandatory reporting. As we know, many instances of child abuse are perpetrated by family members as opposed to members of organisations. Having said that, many people in the community would be shocked to think that when preschool educators see a crime potentially being perpetrated on a child they are not required by law to provide that information.

I strongly support the bill. It will mean an increase in the number of reports, and overall it will mean an increase in the work of those within the system, but the protection of children is paramount. I think all members in this house and the broader community believe that the protection of children, particularly vulnerable children, should be at the forefront of our minds. This was highlighted in an article in the *Age* of 3 February, which highlighted that the government was taking a very positive and important step. The article states:

Thousands of Victorian early childhood teachers will have to report suspicions of child abuse and neglect under new state

laws that respond to the Protecting Victoria's Vulnerable Children inquiry.

You need no other statement to identify the significance of this topic.

In terms of education, I am very proud to be a member of a government that is investing in education, including in the TAFE sector, where we have seen an increase from \$855 million to upwards of \$1.2 billion, a 50 per cent increase in the number of participants in the sector and a significant increase in the uptake of training in areas of skills shortage. That is just one example of this government delivering for Victorians.

In terms of the overall education sector, the government has invested significantly in upgrading our school stock. Schools in many of our electorates were severely neglected by the former government; throughout the east I know of many schools that were neglected by the Labor government. I am very proud to be part of a government that has put the education of children with additional needs at the forefront by ensuring that we have far better building stock to protect them. We have seen upgrades in the west, we have seen upgrades in Hume, and we have seen upgrades in Gembrook. In my community we have seen the delivery of the Eastern Ranges autistic school. Admittedly the Labor government committed \$8 million to the school, but it forgot to tell the community that it needed another \$8 million to finish it. I was proud to see this government fill that void once it realised the hole existed by providing another \$8 million to ensure the school could open.

My community of Knox has seen one of the most significant state government investments in upgrading education stock in a generation. Under the government's watch we have seen \$38.5 million in funding to upgrade our schools. Ferntree Gully North Primary School received \$4.5 million; Mountain Gate Primary School received \$3 million; Fairhills Primary School received \$4 million; Wattleview Primary School received \$4 million; Boronia K-12 College received \$15 million; and the Eastern Ranges autistic school received \$8 million. That is a total of \$38.5 million to upgrade our local schools.

At the last election the government, then in opposition, committed \$15 million to upgrade four schools in Ferntree Gully. I asked those schools to seek a similar commitment from the then Labor government. I said to them, 'What you need is a commitment from both sides of politics to ensure that your school communities will be protected'. Those requests were made of the former government, but it refused to provide that level of

funding, and it refused to upgrade those four schools. We said that if elected we would upgrade those schools, and I am very proud to see that investment when I drive around today.

Mr BROOKS (Bundoora) — It is a pleasure to rise to make a contribution to debate on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. At the outset I want to reiterate the comments made by the lead speaker for the opposition, the shadow Minister for Education, that Labor welcomes the provisions of the bill that will see the registration of early childhood teachers by the Victorian Institute of Teaching and recognises early childhood teachers for their professionalism and the very important part they play in developing young people in ensuring they have the best chance at life and do well at school. That is not just sentiment. The Minister for Education pointed to some research that was recently conducted by his department and the Melbourne Institute of Applied Economic and Social Research. That research follows lots of studies conducted both in Australia and overseas that points to the value of preschool education in the development and education of young people.

The work to which the minister referred found that a preschool education provided to a child by a qualified early childhood teacher flows through to the year 3 level in NAPLAN results and is the equivalent of 15 to 20 weeks of schooling. That is a significant improvement for those children who have had the benefit of a qualified teacher at preschool education level. It highlights the importance of the registration of early childhood teachers, which is why this house is supporting the move to ensure that all children have the benefit of an early childhood education by a recognised and qualified teacher.

The research, which was cited by the minister, also points to some problems. The last page states:

Some children — possibly those who would gain the most from attending a high-quality preschool program — might still miss out because of 'loopholes' in the new national quality framework that will be introduced from January 2014.

For example, child-care centres in Australia may be able to avoid the requirement for an early childhood teacher to be present at all times if:

- a) there are fewer than 25 children attending the facility; or
- b) high proportion of staff are not actually qualified but 'actively working towards' a relevant

qualification, likely leading to the quality of the program being lower.

I hope the Minister for Children and Early Childhood Development and the Minister for Education, along with their federal colleagues, are working to take account of the challenges highlighted in the research cited by the minister.

On this side of the house we also support the extension of the mandatory reporting requirements to early childhood teachers through the Children, Youth and Families Act 2005. The member for Ferntree Gully quite rightly suggested that we would have thought that that was already the case; we would have hoped so. It is a good thing that is being changed so that early childhood teachers are included in the mandatory reporting framework.

It is a shame that the Napthine government's level of support for the early childhood sector or preschools does not match its rhetoric. Over its term in government the coalition has failed to invest in children's capital. No funding was allocated in last year's budget for early childhood capital; funding was nowhere to be found in the budget papers for early childhood capital. A lot of the funding rolled out by the government has flowed through from the federal Labor government. Only a couple of weeks ago a Liberal Party member from the upper house cut ribbons at a number of early childhood centres in the city of Whittlesea, the funding for which had come from the former federal Labor government. Government members seem to be only too happy to cut ribbons, but they are not there to do the hard work in terms of providing funding for early childhood centres.

This is particularly important after the Council of Australian Governments agreed on universal access to 15 hours a week of preschool education. Many children's centres and preschools require capital funding to be able to change their configuration so that they can better accommodate 15 hours of preschool education in their local communities. That is certainly the case for many centres in my electorate. A number of those centres received funding from the state Labor government, but not one cent has been invested by this government in early childhood centres in my electorate. I think it is a great shame that the rhetoric we hear from this government about it supporting early childhood education is not backed up by investment. The state Labor government prioritised early childhood education and viewed it as an important part of our nation's future.

One aspect of this bill that is of great disappointment — and it is a disappointment because it has been tacked on

to what is otherwise a very worthwhile bill — is the section that relates to the changes to the composition of the Victorian Institute of Teaching council. This is a sneaky attempt to allow the minister to stack the Victorian Institute of Teaching council with Liberal cronies. As members will know, at the moment some of the council members are appointed by the minister, but some are elected. In the existing arrangements the minister appoints one teacher or a principal to be the chair of the council; there is one parent appointed at the recommendation of parent bodies; two members are nominated to the minister by non-government schools; one member is from a teacher training institution or university; and six members are elected, three registered and currently teaching in government schools, one teaching in a school for students with disabilities and impairments — which is a really important aspect, ensuring those with disabilities and impairments are not overlooked — one currently teaching in the Catholic sector and one teaching in the independent sector.

What is proposed under this bill is for the minister — leaving aside the appointment of the secretary of the department — to appoint all 11 positions directly. Under this bill the only restriction on the minister would be that the majority must be registered teachers, although they do not have to be currently teaching. This should be seen for what it is: a grubby attempt by this government to stack the council of the Victorian Institute of Teaching. It cannot be seen in any other way. The Victorian Institute of Teaching (VIT) should be independent of government. It should be providing advice to government and ensuring there is a level of respect for the profession of teaching, and that is only going to happen if it has an independent voice and a level of diversity in the consistency of its council.

This is not just this side of the house saying this. If you go back into the *Hansard* of this place, you can see that on 10 October 2007 the now Minister for Education, Mr Dixon, said in relation to the Education and Training Reform Miscellaneous Amendments Bill 2007:

I am glad that the VIT is being reviewed, because I think there is a lot of uncertainty amongst teachers about what it actually does other than send out a bill for \$60 each year and conduct police checks every five years. I think it is very important that the profession and the institute have a far clearer and more proactive role in speaking on behalf of teachers.

The now minister went on:

I think they are actually too close to the government. There was actually a ministerial appointment as part of the board of the VIT. I do not think that is healthy.

I would like to see the VIT depoliticised and be a stand-alone institute that has no formal connection, no legislative connection with the minister or the minister's office.

The same person who said he did not think a ministerial appointment to the board was healthy, that the VIT should be depoliticised and should be stand-alone and should have no formal or legislative connection with the minister or the minister's office is now introducing a bill into this house enacting his desire to appoint all the people on the VIT board. This is amazing hypocrisy. The minister must have been embarrassed to bring this bill into this place after what he has said in this place about the Victorian Institute of Teaching. It is not in any way consistent, given the comments of the minister in that previous debate, to be now putting forward a bill in relation to which he says he wants the ability to pick all the members of the board of the Victorian Institute of Teaching.

It is therefore a great shame that this government has decided to tack that section of the bill on to what I said before were worthwhile changes. Labor supports the registration of early childhood teachers through the Victorian Institute of Teaching, because we recognise the importance of the early childhood sector, and we recognise the need for professional recognition of those teachers. For that reason we do not oppose this bill. However, we voice very strongly our concerns about the changes that have been made to the way in which this government wants to be able to stack the board of the Victorian Institute of Teaching.

Mr WATT (Burwood) — It is with great delight that I rise to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. I will start by paying tribute to some of the great early childhood teachers we have, particularly in the Burwood electorate.

I acknowledge the 3800 early childhood teachers in Victoria, many of whom are in my electorate of Burwood. I particularly pay tribute to, in Ashburton, Estrella Preschool, Craig Family Centre, which will pretty soon be undergoing a \$500 000 upgrade, Highgate Early Childhood Centre, which has just received a grant of \$8400 from the government to improve its storage facilities externally, and Clever Kids Child Care and Kindergarten; in Ashwood, Bloom early learning centre, Ashwood Children's Centre and

the Ashwood Memorial Kindergarten; in Burwood, Mount Scopus Memorial College's kindergarten, Presbyterian Ladies' College Early Learning Centre, St Scholastica's Preschool Centre and Wattle Hill Kindergarten; in Box Hill South, St James Kindergarten, Box Hill South Preschool and Kingswood College Early Learning Centre; in Camberwell, Hartwell Kindergarten, Through Road Kindergarten and Children's Centre, Starfish Early Learning Centre and St Dunstan's Anglican Kindergarten, just outside my electorate; in Canterbury, also just outside my electorate, St Paul's Kindergarten; in Glen Iris, Alfred Road Kindergarten, Rowen Street Kindergarten, Glen Iris Road Uniting Church Kindergarten and Summerhill Park Kindergarten, which is again just outside my electorate but very much serves my community; in Surrey Hills, Florence Road Preschool, Surrey Hills Preschool and Surrey Hills Baptist Children's Centre. And the member for Bundoora said there had been no capital funds from this government! Here is an example of funds from this government: \$300 000 towards a \$1.06 million upgrade of the Surrey Hills Baptist Children's Centre.

I apologise if I have missed any of the early childhood centres or kindergartens in my electorate. I wanted to mention them because they do great work throughout the years, teaching kids in my electorate and getting them ready for primary school.

The member for Ferntree Gully talked about education in general in schools in his electorate. It made me think about the \$6 million upgrade of Ashburton Primary School; the maintenance funding provided by the government for Solway Primary School; St Michael's Primary School, which is a great school in my electorate; Glen Iris Primary School; Hartwell Primary School; St Dominic's Primary School; St Mary Magdalen's Primary School; Parkhill Primary School; Salesian College; Ashwood College, with a \$10.5 million upgrade; Ashwood School; St Scholastica's Primary School; St Benedict's Primary School; Wattle Park Primary School, which has just had a \$2.8 million upgrade; Presbyterian Ladies College; Mount Scopus Memorial College; Kingswood College; Roberts McCubbin Primary School; Our Lady's Primary School of Wattle Park; and Emmaus College. These are some of the great educational institutions we have in the Burwood electorate.

It is great to see that these two groups that I have just talked about have been brought into one department, being the education department effectively. Those opposite talked about how it was a Labor initiative; however, I remember that prior to the 2006 election the

Liberal Party put out a policy to bring early childhood education into the education department to pay respect to those people in that profession and raise the standard at which they are seen in the community. It is great that the Labor Party introduced that policy and followed the lead of the Liberal Party having announced it. That is fantastic, and I pay tribute to those on the other side who are sometimes willing to listen to great policies which are put forward by the Liberal Party.

I listened to contributions from those opposite today, the members for Monbulk and Bundoora, and I have to make comment on some of what they said. It would be remiss of me not to clear up some of what was said in the commentary of those opposite. In particular I will talk about dual registration, which the member for Monbulk spoke about. He talked about the fact that primary and secondary school teachers do not have to pay for dual registration. The reason there is a cost differential for dual registration for early childhood teachers and schoolteachers is the fact that they are registered under different divisions. One is division 3, under which teachers are registered, and the other is division 3A, which is for early childhood teachers.

The information is kept in two separate areas, and there are different checks. The early childhood teachers have a different checklist, which is a nationally approved qualification checklist. It should be noted that the differential that is paid for the second registration is only 25 per cent of the initial registration, which is different to what applies in other fields. If nurses register in two different divisions, they do not get a discount for the second registration; they pay two full registration fees for two different divisions. I note that although there is some differential, in my opinion that differential is justified given the extra costs that the Victorian Institute of Teaching (VIT) will incur, and is not to the level of what is charged in different professions.

The members for Monbulk and Bundoora also raised the issue of the VIT council. The member for Bundoora at least acknowledged that the majority of VIT council members will be registered or practising teachers or principals, but one thing he missed in his contribution was that the chair will also be a registered or practising teacher or principal. That is important to note as well. The board will be fully appointed, which brings it into line with standard practice. This was a recommendation of the King review of the VIT, which said that appointments should be based on the skills, experience and knowledge required to direct the operations of the institute. It is important to make sure we get people

who are qualified and have the experience and skill set to be able to undertake their roles. That is important.

I also note that the member for Monbulk talked about five-year publishing on the register of disciplinary action. That time line will bring the teaching profession into line with other professions, such as the health profession and the legal profession. However, it should also be noted that teachers will be able to apply to VIT to have information removed prior to the five-year time period and that VIT also has the power to remove the information if it believes it is not in the public interest. It should be noted that it is only the outcomes of formal hearing panels and voluntary agreements between teachers and VIT which are of a serious nature that are required to be published. We are talking only about serious disciplinary breaches; we are not talking about things that are low level. Once again, this brings the teaching profession into line with what occurs in other professions, such as the health and legal professions. Hopefully that will ease the minds of those opposite, who obviously have some consternation about some of these things. Let me assure them that the register will involve only serious misconduct and its introduction will bring the profession into line with other professions.

I want to finish off by talking about some of the other things this government is doing in the early childhood learning area. I noted that, once again, members opposite said the government is not investing in the early childhood sector. However, I remember going around to all of the community-run early childhood centres and kindergartens in my electorate — I think it was last year or just prior to that — announcing \$2000 grants for IT services. The government has been investing in kindergartens not only throughout the electorate of Burwood but also throughout the state. I want to pay tribute to all the great work done by our early childhood centres, and I once again note the \$300 000 this government has put forward for the upgrade of the Surrey Hills Baptist Children's Centre.

I also note some of the great work that is being done at the Craig Family Centre. I pay tribute to those people at the Craig Family Centre, who are working towards getting an upgrade of that facility, to which the state government has contributed some \$500 000. I look forward to seeing that work getting under way, I look forward to seeing some of the great work that the kindergartens in my electorate are continuing to do and I look forward to the passage of this bill.

I congratulate the Minister for Education for introducing this bill and the Minister responsible for the

Teaching Profession, the Honourable Peter Hall, for working with the Minister for Children and Early Childhood Development, the Honourable Wendy Lovell.

Ms HUTCHINS (Keilor) — I rise to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. Whilst we on this side of the house do not oppose the bill, we seek to take it to committee in the Legislative Council due to our concerns over the effect of changes to governance of the Victorian Institute of Teaching (VIT) and over double dipping on fees for early childhood workers.

I would like to take a step back and talk about the initial establishment of the VIT and its role in regulating the teaching profession in Victoria. First established in 2001, it has been a part of Labor's long legacy of commitment to education within Victoria. It is a vital part of the relevant legislation, the Education and Training Reform Act 2006, which established it and set out the standards for the teaching profession across Victoria. The influence of that flows on to students, and the standard of training they get from teachers in this state has really been remarkable.

The VIT registers teachers working in the Victorian government, Catholic and independent sectors. All practising Victorian teachers must be registered by the institute. As we have heard other speakers on this side refer to in earlier speeches, the institute is governed by 12 council members, the majority of whom are practising teachers from all of the sectors mentioned. The institute registers all teachers to ensure that only qualified people are employed in Victorian schools, works with teachers to develop standards of professional practice, supports teachers in their first year of teaching with a structured induction program and approves and accredits pre-service teacher education courses that prepare teachers — all extremely important systems that have now been in place for some time and have operated successfully.

This bill looks at putting in place four main outcomes in relation to the VIT: firstly, it clarifies the process for criminal record checks for teachers; secondly, it establishes a register of disciplinary action, referred to as RODA, for teachers; thirdly, it introduces a scheme for the registration of early childhood teachers by the VIT; and fourthly, and sadly, it changes the governance of the VIT and challenges the independence in practice of how it has been governed since its establishment in 2001.

Jumping back, the first main change this bill implements is in regard to criminal record checks. It clarifies the meaning of 'criminal record check' to encompass national and state criminal record checks, which is an extremely important step forward. It also specifies that registration of a teacher will be suspended if consent to the check or the fee is not provided, and obviously prevents those who need to be scrutinised by the system from escaping scrutiny. The other change is the introduction of a register for disciplinary action, a database to specifically record any disciplinary action applied to a teacher, as distinct from the VIT list of registered teachers. The Victorian Institute of Teaching can already make exceptions if it believes there is no benefit in publishing the name of an individual, and this will continue to be the case. The information is currently available to employers via the VIT, but the bill will change the way it is accessed and is intended to make it more efficient.

The third area of change is the establishment of a scheme for registration of early childhood teachers by VIT, which is well supported on this side of the house. It will bring early childhood teachers into line with their primary and secondary teaching colleagues — as they should be. Given the amount of study required to qualify and the standard of teaching and care that early childhood teachers bring to preschools, and in some cases primary schools, it is about time they were recognised and registered. Registration also puts the same onus on early childhood teachers to mandatorily report concerns of child abuse and neglect as is required for schoolteachers and is in line with the recommendations of the Protecting Victoria's Vulnerable Children inquiry. It also leads to further professionalisation of the workforce, and I will return to this topic in a minute.

The final area of change in this legislation concerns the governance of the VIT council, which is where we on this side of the house have some real problems. Whilst the costs and impracticalities of using the Victorian Electoral Commission to conduct elections were addressed in the 2008 review by FJ and JM King and Associates, we feel that the new appointment procedures will fail to provide an adequate cross-section of representative bodies, particularly active service teachers. At the moment the current make-up of the 12-member council that oversees and governs the VIT provides a good cross-section of council members, with six male and six female members. We can only dream of having that 50-50 balance here in this house one day.

An honourable member interjected.

Ms HUTCHINS — Just watch this space. I will touch on some of the people who are already on the committee, like Allen McAuliffe, an experienced teacher and principal class member who has worked across various regions, in high schools, technical schools and secondary colleges. He has had experience at Sandringham College and has previously been a principal of Brimbank Secondary College. Leonie Sheehy is a council member who has worked as the literacy and student services leader at St Joseph's Primary School in Boronia. Leonie has enjoyed many years as a classroom teacher, a teacher librarian and a Reading Recovery teacher. The amount of experience in those two committee members alone is amazing, and I raise concerns about the move from having an independent 12-member panel to one where the remaining six members are appointed by the minister according to the first chairperson who is a teacher or a principal.

The VIT is being stripped of its independence, and that is a real shame. These changes mean that the recommendation to have representatives from government, Catholic and independent schools would only need to be considered, with no requirement on the minister to meet those recommendations. It becomes doubtful whether we will continue to get the mix, the experience and the independence of the current members of the VIT council. We all know that when principals or teachers speak out about the education system they quite often get heavy-handed phone calls from the regional office or from a ministerial adviser. Certainly anyone who does not say the right thing by the minister will not be nominated for the council. That is the reality and that is where we see issues arising around the ongoing independence of the VIT. Clearly there are parts of this legislation that Labor supports, but this is not one of them.

We need to put VIT into the context of what the government has or has not been prioritising in education in its annual budget. Certainly many a review over the last few years has talked about how education funding has decreased and its effect on the maintenance of many of our schools. Many promises have been broken by the current government in relation to rebuilding or updating many of the schools across Victoria, and this comes on top of the government's \$600 million cut to public education in Victoria.

There are many preschools in my electorate that have suffered because of the government's lack of any commitment to spend on infrastructure in the preschool sector, and they have had to rely heavily on trying to

access funds through the federal government. I have to say the preschool education — —

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

Mr BULL (Gippsland East) — It is with pleasure that I rise to make a contribution on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. As we have heard, this bill amends a number of provisions in the Education and Training Reform Act 2006. It provides for the registration of early childhood teachers, it establishes a register of disciplinary action, it clarifies provisions relating to police checks and the publication of disciplinary proceedings and it alters the way that members are appointed to the council of the Victorian Institute of Teaching (VIT).

In relation to the registration of early childhood teachers, the importance of a high level of expertise in this area is absolutely crucial. Our children's formative years are of critical importance. Many studies have looked at the importance of early intervention in relation to children with special needs. This government recognises the importance of early childhood education. In my electorate of Gippsland East alone the government has made significant investments in a number of our early childhood facilities, including facilities at Swifts Creek, Orbost, Stratford, Maffra, Paynesville, Bairnsdale and Swan Reach. I refer to little rural bodies which rely quite heavily on early education and which have all received significant investment over the last three years to upgrade and expand their facilities to best meet the needs of families and the children who attend them.

International studies support claims that high-quality early childhood education has a positive impact on children's later school achievement. There are some very strong correlations in that area. Quite simply, the education children receive in the early childhood period is very important to their development, not just educationally but also specifically to their social and emotional development and their general development as people. The Melbourne Institute of Applied Economic and Social Research has recently completed a study that links longitudinal study of Australian children data with year 3 national assessment program — literacy and numeracy (NAPLAN) results, and it came up with some very interesting results. The institute's research shows that children who participated in a preschool program delivered by a qualified early childhood teacher in the year before they commenced

school recorded higher numeracy, reading and spelling scores in their year 3 NAPLAN tests. The proof of the pudding is certainly in the eating in relation to the importance of early childhood education. This confirms that education begins well before children arrive at the school to start their prep year, and it also confirms the crucial role of early childhood teachers.

This bill brings our qualified early childhood teachers under the regulatory scope of the Victorian Institute of Teaching, recognising them as qualified professionals and acknowledging their vital role — and as we have heard from previous speakers, so it should. The registration of early childhood teachers is consistent with the government's objectives in relation to the regulation of professionals in Victoria in a whole range of fields. The government aims to provide a greater focus on lifting the quality and standards of the profession and to provide better protections for parents and children alike.

In whatever setting, the services that employ early childhood teachers to deliver kindergarten programs will now be required to employ early childhood teachers who are registered with the Victorian Institute of Teaching. Like other professionals, only educators registered with the institute will be able to call themselves early childhood teachers. Currently early childhood teachers are required to have either a satisfactory working-with-children check or a satisfactory national police records check. Under the registration scheme established by this bill, one of the conditions of registration is that, like other teachers, early childhood teachers have a satisfactory national criminal history check undertaken through the institute, and this is to be repeated at least every five years.

These changes provide a uniform platform for employment, so that an employer will only need to check the institute's register of early childhood teachers to confirm whether a potential employee is suitable for employment. The disciplinary functions of the institute will also apply to early childhood teachers. Like their colleagues in schools, early childhood teachers will complete 20 hours of professional development per year and indicate that other professional practice requirements have been met. This is about improving professionalism across the board. This renewal process provides assurance to employers, parents and the wider community — most importantly, to family members and to extended family members — that teachers are maintaining currency of practice, remaining at the cutting edge of teaching practices and continuing to develop their expertise throughout their career. Registration of early childhood teachers by the

Victorian Institute of Teaching acknowledges the status of early childhood teachers as members of the teaching profession in Victoria.

Under this bill a single regulatory authority will regulate teachers in the early childhood and school sectors, and this will ensure consistency. The bill clarifies the process for teachers to obtain their national criminal history check through the Victorian Institute of Teaching. The national check undertaken by the institute is equivalent to that undertaken under the working-with-children provisions, so there is no need for that duplication in the process. Appropriately, should a teacher not consent to the check or fail to provide anything that is required as part of the check — whether it be paperwork or other aspects, such as paying the fee — their registration will be suspended until the check has taken place.

The bill extends this requirement to early childhood teachers, and by doing so it addresses an aspect of recommendation 44 of the report entitled *Report of the Protecting Victoria's Vulnerable Children Inquiry*, sometimes referred to as the Cummins report, which prescribes the progressive gazetting of the professions listed. The mandatory reporting requirement will mean that when an early childhood teacher for one reason or another in the course of going about their teaching duties forms the belief that a child is in need of protection, they must report that belief to the relevant authority. These amendments strengthen the safeguards that are already in place to protect our children and young people. It also provides the added assurance that early childhood teachers will be held to standards of conduct that are in line with public expectations, and I would think that is certainly in line with public expectations.

The bill amends the Education and Training Reform Act 2006 to establish a registration scheme for Victorian early childhood teachers based on the existing model by which the Victorian Institute of Teaching registers schoolteachers. It clarifies the institute's powers to undertake criminal record checks on teachers and to publish determinations of its formal hearing panels. It establishes a register of disciplinary action to create a public register of teachers who have been subject to formal disciplinary proceedings. This is in line with the registers maintained in relation to legal and medical professionals. The bill also extends the mandatory reporting requirements under the Children, Youth and Families Act 2005 to register early childhood teachers and, by doing so, implements an aspect of a recommendation of the Cummins report. Finally, it reforms the Victorian Institute of Teaching

council to bring the council's appointment process in line with modern regulatory practice by removing the elected members and having members appointed by the Governor in Council on the recommendation of the minister.

Members who spoke before me have also commented on the importance of the formative years of our children. All members who are parents have been through that stage with their children, and we certainly understand what a critical stage it is in their life. There is a lot of research that backs that up, and I think that in some ways this bill is modernising the profession, regulating it along similar lines to the teaching profession and giving early childhood teachers the due recognition they deserve. I have great pleasure in commending the bill to the house.

Mr LANGUILLER (Derrimut) — It gives me pleasure to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. The bill amends the Education and Training Reform Act 2006, which was a good Labor reform, the Child Employment Act 2003, the Fundraising Act 1998 and the Working with Children Act 2005.

At the outset, along with many other speakers on both sides of the chamber, I wish to add my support for and recognition of teachers, early school teachers, educationalists and everyone involved in the teaching of our children. It is arguably the most important contribution that can be made to the life of a child and a citizen, either man or woman, toward his or her future. I know only too well as a parent of four children how important it is for people to have the support of teachers throughout their lifetime. Today we speak about being engaged in lifelong learning, and that lifelong learning begins in early childhood education. We commend the teachers. We commend and respect their commitment to our children and recognise that we have to assist them in doing their job for our children and for the benefit of the community and society as a whole.

I note that Labor does not oppose this bill. However, although we do not oppose it, some important matters have been raised by a number of members on this side of the house which relate to the constitution of the Victorian Institute of Teaching (VIT) council, to which I will refer in a few minutes. Four areas of outcomes arise out of the proposed bill. First, it clarifies the process for criminal record checks for teachers through the Victorian Institute of Teaching — and how important that is! We certainly commend that. It ought to be done. It is something that has to be looked at from

time to time and is always necessary in the making of improvements to this important area. It is important that standards are required of our teachers because we want to know that our children are in good hands. In the odd case where a person is identified as having a criminal record, he or she ought to be removed from having contact with children. It is terrific that this will happen, and particularly so if the databases at a national level are linked, allowing the job to be done properly.

The bill also establishes a register of disciplinary actions for teachers, makes changes to the governance of VIT and introduces a scheme for the registration of early childhood teachers. The establishment of a register of disciplinary actions will involve the creation of a database specifically to record any disciplinary action applied to a teacher as distinct from simply having teachers on the registration list of VIT. That is important. I think it reflects the expectations of the community and of parents today, and we support that.

The VIT can make exceptions if it believes there is no benefit in publishing the name of an individual on that list, but as I understand it that has been the case in the past. The information is already available to employers via VIT, but the bill changes the way it is accessed, as it is intended to inform them more effectively. All of these changes are important, but in relation to the VIT council it is important to say that the King review in 2008 made some recommendations, including that we think about the practicality of using the Victorian Electoral Commission to conduct elections. As members on both sides of Parliament would be aware, Labor believes very strongly that the council needs to have broad representation, it needs to be inclusive and it needs to be at arm's length from the minister and government. In fact it provides a healthy check and balance in the relationship between the government, the executive and the VIT.

As I understand this change to the legislation, of course the minister will consider applications for membership of this board, but the minister does not necessarily have to make conclusive decisions. The minister could in fact appoint all of the members and not necessarily have broad representation on the board, as there should be, from the community, from teachers and so on. As I understand it the bill maintains a requirement for 12 council members, of whom the majority must be registered teachers. However, the bill alters the appointment process so that 11 members will be appointed by a ministerial nomination to the Governor in Council. The 12th member of the council will be the Secretary of the Department of Education and Early Childhood Development or the secretary's nominee.

The bill nominates a list of representative bodies that the minister need only consider in making the appointment to the VIT council, including government, Catholic and independent school representatives. I suggest that it is very important for the government to recognise that having representation from these bodies and having diversity on the council would be very important in establishing a good relationship with government and also a very healthy relationship with the organisations of early childhood teachers. Currently those positions are set and people must be elected according to the following categories: three from government schools, one from a specialist setting government school, one from the Catholic sector and one from the independent sector. The remaining six members are appointed by the minister, according to one chairperson who is a teacher or principal, one parent representative, two non-government employers and one from a tertiary institute that prepares people to be teachers. These changes mean that the representation would need only to be 'considered', and there is no requirement that the minister meet those recommendations.

It makes sense that there ought to be diversity in the representation in terms of the sectors within early childhood education and the skills that are required. It would be remiss of us not to insist that there has to be representation from sections of the community, in particular from early childhood teachers from minority backgrounds, with disabilities of whatever type or diverse abilities. Those representatives are important because they bring to the table important and very specialised skills and ought to be properly represented.

It is important to note the research that I understand was conducted by the Department of Education and Early Childhood Development in partnership with the Melbourne Institute of Applied Economic and Social Research. There are key findings from that research that many of us would be aware of as parents. I have four children; as I recollect two of them had the benefit of an early childhood education and two did not. I have yet to measure and make a comparison, but I will not do that on the record — —

Mr Herbert — What about yourself?

Mr LANGUILLER — Myself? I accept the interjection because I am one of those who did not have the privilege of early childhood education. In fact I did not have the privilege of education for a long time, properly speaking anyway, until I came to this country in 1970. I am very mindful of how important education is. I understand there are important benefits that can be

measured in terms of numeracy, literacy and other forms. Early childhood education, as everyone in this chamber would know, is important in cognitive and social terms. It would be remiss of me not to say that perhaps we could introduce a special chapter in which we educate children in how to become supporters of the Western Bulldogs, for example. That starts early, and it should be part of a special chapter.

Mr SOUTHWICK (Caulfield) — It is my pleasure to rise to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. I say at the outset that I am glad the opposition is also supporting this very important bill, which recognises the importance of our teaching profession and focuses particularly on our early childhood teachers. The state government is committed to the provision of high-quality early childhood education; it is something that is paramount in a young person's life.

There is a lot of evidence to indicate that the early years are absolutely important in the development of a child's life. In fact the first five years of a child's life create the foundation for them to accomplish in the key developmental advances in mind and body, and studies show that the cumulative development — 85 per cent of intellectual skills and personality — are reached by the age of five. The human brain develops more rapidly between birth and the age of five than at any subsequent time. We have seen evidence of that. In fact previous speakers have cited NAPLAN results as being illustrative of participation in early childhood education.

There is no question that it is important we bring a bill like this before the house today to recognise the valuable work of our early childhood teaching staff and to ensure that they are appropriately recognised as a professional group in their own right. It is important too that there is no differentiation between those who teach children in the early years and those who teach them in the primary and secondary years.

I focus my contribution today on the many schools in my electorate which are not only primary and secondary schools but also kinders or early childhood centres and provide a seamless transition from the early years onwards. These are schools such as Ripponlea Kinder and Ripponlea Primary School, which are located on the same campus; Caulfield South and Caulfield primary schools, which are in the same situation, where they have a kindergarten in one part of the school and a primary school in another part.

Until a new principal was appointed to Caulfield Primary School the kindergarten was ignored. The two parts of the school were quite separate and there was no correlation or activity between the two. The principal of the primary school then engaged with the kindergarten and got the kinder kids all ready to participate in some of the primary programs and there was a smooth transition. Now we have a school that is taking children in their early years all the way through to K-6. It is a perfect example of why teachers who are teaching in a kinder or early childhood centre should be recognised in the same way that teachers in a primary school are. That is what this bill does. It ensures that there is proper recognition of the qualifications and skills that early childhood teachers have just as there is for their colleagues who teach in primary and secondary schools.

There are also schools in the private sector such as Mount Scopus Memorial College and Leibler Yavneh College. Leibler Yavneh was privileged to receive a \$300 000 grant for a new campus. Principal Roy Steinman and I visited the site of the new campus just as the first sod was being turned; we are now about to open that campus. It is a school bursting at the seams, and the reason it is bursting at the seams is that it recognises the importance of the early years and it has a perfect transition all the way through. In Yavneh's case, the school goes from the kinder years all the way through to year 12, and it is achieving some excellent results and has excellent retention of students because of its commitment from the very beginning right the way through. Caulfield Grammar School is in the same situation. It recognises the importance of those early years, it invests in those early years and its teachers will be recognised with appropriate Victorian Institute of Teaching (VIT) recognition and registration under this new scheme. I am pleased that with this bill we are able to recognise teachers in early childhood education.

We have plenty of examples of kinders and primary schools, and we have some examples of early childhood centres that are stand-alone centres and put a lot of money and resources into professional development and recruit the very best for their teaching staff. The member for Bentleigh, who is in the chamber today, has just such a facility in her electorate — Buckets Early Learning Centre. I have to declare an interest in this centre in that a cousin of mine is the owner of it. I visited the facility with the member for Bentleigh to see what owner Paul Southwick has done to it. I have to say that the professionalisation of the centre, whether it is in the food, the state-of-the-art centre or the teaching support, is second to none. I am sure Paul and the team at Buckets will be very happy to

know that their teachers can now be appropriately recognised through this bill.

This bill also ensures that not only are our early childhood teachers to be appropriately registered but that they must fulfil the same criteria as other teachers do to be registered. If they are not doing that appropriately, the institute has certain powers to review their registration and, in some instances, conduct formal disciplinary proceedings against the teacher if they are not meeting the proper standards. It also provides the VIT with the powers to undertake police record checks on teachers and to publish the determinations of its formal hearing panels which hear disciplinary proceedings in regard to registered or formerly registered teachers.

The bill puts a formal process in place for these teachers. Parents will have the peace of mind of knowing that they are sending their kids to a properly and appropriately recognised centre that has formally recognised teachers who are teaching their kids with the appropriate skills, accreditation and recognition. It also allows for mandatory reporting requirements under the Children, Youth and Families Act 2005 for teachers to ensure that if there is a problem within the centre, it is appropriately reported. This is further to recommendations made in the Cummins report and ensures that we are protecting Victoria's vulnerable children. It is very important that we have mandatory reporting to protect those kids. This bill covers that as part of the mandatory reporting requirements.

One of the things opposition members mentioned they do not agree with us on is reform of the VIT council to bring the council appointment process in line with the modern regulatory practice by ensuring that we remove elected representatives and have members appointed by the Governor in Council on the recommendation of the minister. This was all done in response to the King review in March 2008, and it removes complexities, costs and most importantly potential conflicts of interest. It is not about appointing somebody because they have built up the votes and they are getting a tap on the shoulder; it is ensuring that we are appointing to this board people with appropriate skills. That gives the council further credibility.

Opposition members can rant, rave and carry on as they do, but at the end of the day we are delivering on this important issue. I am sure teaching staff, particularly in early childhood centres, will be very happy to know that this government, under the minister and the Premier, has delivered these reforms and that teachers are being recognised in the way they ought to be. It is a

very important step. I am glad those opposite are finally supporting it. They could have had a crack at it when they were in government, but they did not. I am glad they have got on board now that we are in government.

We are setting the scene, setting the target and ensuring that we have appropriately recognised teachers who are doing a wonderful job supporting all our kids. We are ensuring that kids have the best possible education in the early years so that they can take up other opportunities later in life. This is a great and important bill. It was a long time coming. Thankfully it is being delivered by the coalition government. I commend the bill to the house. I look forward to its passage through the Parliament and to getting these changes implemented as soon as possible.

Ms HALFPENNY (Thomastown) — I also rise to speak on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. This bill proposes amendments in a number of areas, and it also addresses a number of issues that were considered by the parliamentary inquiry into the criminal abuse of children by non-government and religious organisations. This legislation goes towards, among other things, looking at further protections for children by way of things like mandatory reporting and police checks.

I will go through a couple of aspects of this legislation. I turn first of all to the introduction of a registration system and the registration of early childhood teachers. At present early childhood teachers — that is, kindergarten teachers — are not registered under the Victorian Institute of Teaching (VIT). This bill provides for the registration of early childhood teachers, and it therefore gives some sort of additional professionalism to the profession. Those who teach our young children are part of a very important profession. In supporting professionalism this bill also provides a framework in which early childhood teachers will work in terms of registration. It provides codes of conduct and various ethical standards that will be enforced and determined by the Victorian Institute of Teaching. That regulation provides consistency, uniformity and support for the professional occupation of early childhood teaching. It is something that is probably well overdue.

As I mentioned before, within the registration system of early childhood teachers there are a number of aspects that relate to the protection of children from abuse. They include the requirement for comprehensive police checks, which teachers in primary and secondary schools are currently required to submit to, to be

undertaken. This bill also provides for the tightening up of those police checks for all teachers — early childhood, secondary or primary — in that it clarifies that police checks will be required within the state of Victoria and nationally. During the Family and Community Development Committee's inquiry into child abuse the Victorian Institute of Teaching raised this as something that was not clear, and this was also highlighted by the Cummins report. In terms of police checks the bill also provides for clearer guidelines in situations where a teacher does not agree or consent to the proper police checks and can be suspended.

A number of other speakers have mentioned this, but I want to repeat the fact: a large amount of research and evidence shows how important it is for children to have early childhood education, meaning education around the kindergarten year. It is important to children's academic development. Studies have shown that in many circumstances children who do not go to kindergarten lag well behind those who have attended kindergarten in terms of academic achievement. In some cases those children have not been able to make up the time; it often takes them a number of years to catch up to those children who have been to kindergarten.

The sad fact is that while these are the studies and that is the evidence, in the electorate of Thomastown something in the order of up to 40 per cent of children in some schools have not gone to kindergarten. This has created an enormous strain on the primary schools as well as having provided a terrible start to the academic lives of children who have missed out on early years of childhood learning. If I look at schools such as Fawkner, Thomastown West and Thomastown primary schools, I can see they are all schools with many children who did not go to kindergarten before they started school.

I commend Fawkner Primary School, which is trying to address this problem by agitating for a kindergarten to be located on its school grounds. I also commend Thomastown West Primary School, which in partnership with Whittlesea Community Connections and with the assistance of federal Labor government funding and Stockdale and Leggo, which donated a portable classroom, has developed a hub on the grounds of the school where siblings of school-aged children can go to learn and schoolchildren can attend homework clubs. Thomastown Primary School is also trying to combat the problem of low attendance rates at kindergarten by providing playgroups on school grounds and encouraging parents to send their children to local kindergartens.

This government has done nothing to support these schools or to look at the barriers to children going to kindergarten, just as it is not providing the necessary funds for schools such as Thomastown West or Lalor Gardens primary schools, which were half-built under Labor programs and then refused money under this Liberal government. In spite of that these schools struggle on. They do their best; in fact, they are doing great things with the limited resources they have, and they are making a real difference to the children of families who live in the Thomastown electorate. There have also been funding issues for secondary schools such as William Ruthven Secondary College.

Returning to the legislation and the issue around kindergartens, I cannot understand why we do not have some sort of comprehensive study or concerted effort by the government to look at why children are not going to kindergarten and the barriers that prevent children from doing so, so that we can increase the number of children going to kindergarten and therefore help children's prospects in terms of their educational abilities and achievements in the future.

The bill provides for mandatory reporting by early childhood teachers of suspected child abuse and neglect, as well as police checks of teachers, which is not required by current legislation, so there are child protection issues around the legislation. There is also provision for a register of disciplinary action whereby if early childhood, primary or secondary teachers are found to be guilty of misconduct or other offences, their names will be placed on a public register and sanctions imposed on them.

One of the issues in relation to the register, which came up in the Family and Community Development Committee inquiry into the handling of child abuse by religious and other non-government organisations, was the fact that the VIT often does not undertake these investigations but contracts them out, whether it is to the Catholic Education Office in relation to Catholic schools or the state education department in relation to state schools. If we are talking about a register under the responsibility of the VIT, it raises an issue as to how investigations would work where it does not conduct an investigation into an allegation of misconduct.

During the child abuse inquiry we heard evidence of cases where principals or teachers did not raise issues, whether it was about a priest or some other person in the school. They claimed that disciplinary action was taken against them as a result of any complaint, and because it was an internal investigation, where the Catholic Education Office or the state education

department was the investigating body, those organisations were not at arm's length from the investigation; there was not the same independence. That is just one issue raised in relation to a register of disciplinary action.

A third issue is the removal of elected members of the VIT council. Speakers on this side of the house have raised a lot of concerns about this; we certainly oppose the idea of getting rid of elected VIT council members as the council determines things such as codes and ethical standards for teachers. This aspect of the bill is undemocratic, just like the government's move-on, anti-protest legislation, and in our view it is really about trying to curtail debate and prevent other points of view, because we are talking about the council being appointed by the minister.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. The bill establishes a registration scheme for Victorian early childhood teachers based on the existing model whereby the Victorian Institute of Teaching (VIT) registers school teachers. The implementation date for the change is by 30 September 2015.

The bill also clarifies the powers of the VIT to undertake criminal record checks on teachers and to publish determinations of its formal panel hearings. It establishes a register of disciplinary action to create a public register of teachers who have been subjected to formal disciplinary proceedings and extends the mandatory reporting requirements under the Children, Youth and Families Act 2005 to registered childhood teachers. By doing so it implements some recommendations of the Cummins report.

The bill reforms the VIT council to bring the appointment process into line with modern, regulatory practice by removing elected members and having members appointed by the Governor in Council on the recommendation of the minister. These changes are being made in response to the King review and will remove current complexities, costs and the potential for conflicts of interest which arise from being a member of the council.

In my brief contribution I will focus on the value of preschool education and how this government has been delivering on preschool education in my electorate. It is well known how important it is to go to kinder. In my electorate a number of kindergartens have been

upgraded, including Pasadena Preschool Centre and Mildura South Kindergarten, and I will be attending its opening ceremony in a few weeks. One of the key terms of reference for the Robinvale Advancing Country Towns project was to look at the participation of children in preschool education in Robinvale. The success of this project is such that Robinvale has outgrown its existing kindergarten and is going to make a move to the current Robinvale P–12 College site. If we can achieve this, it will be something of an achievement for Robinvale.

When looking at this legislation, it is important to consider whether a school — whether it be a P–6, P–10 or P–12 — can become a K–6, K–10 or K–12 school, and whether to bring kindergartens on to existing school sites within an education environment. This bill takes us some of the way there. If a school moves from being a P–something to a K–something, we need to recognise that some teachers will need to register as being permitted to teach in an early childhood and a primary setting. This bill reduces the regulatory burden for those teachers and provides that information, testing and police checks can be used for both applications, thus reducing the financial burden on the applicant.

I have noticed that sometimes there is difficulty with having a kindergarten within the structure of an existing primary or secondary school. It may be a step-by-step process, but I suggest that in some rural areas the K–something model needs to be and should be considered as planning moves forward. The reality is that in many areas kindergarten enrolments are low, and the burden of running a kindergarten is enormous. As I have said before in many places, the toughest gig I have ever had was a year as a member of a kindergarten committee. When we are young, we may only be on the committee of a kindergarten for a year, and the other members are only there for a year as well. Generally there is a lot of money to raise and a lot of financial administration and responsibilities. Bringing kindergarten education into a mainstream education environment means that there is a need to have some experienced parents in a school council-type setting so that they can support what has to be done to make a kindergarten run properly. It also provides an opportunity to have a small kindergarten in a community with a small prep or foundation year. There are some opportunities to work within this structure to everyone's benefit by sustaining preschool education in smaller rural communities. However, in order to do that teachers need to operate in an appropriate environment. The VIT and others have a fair bit of work ahead of them, but at least this is a foundation to move in that direction.

Preschool education is a big responsibility, and many studies show the truth of that. A solid preschool education improves NAPLAN (national assessment program — literacy and numeracy) and other results as children move through their early primary years, and we need to encourage parents to have their children participate in preschool education. Some parents have indicated to me that in very small country towns some people do not avail their children of kindergarten or preschool education because those parents are afraid of the burden of being part of a 7 or 10-parent committee which is required to raise an enormous amount of money. I again refer to the foundations for a K–something model. With those words, I am very happy to commend this bill to the house, and I wish it a speedy passage.

Mr PERERA (Cranbourne) — I rise to make a brief contribution to the debate on the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014. As we all know, education is an investment for the future of our society — the best investment we can give to the next generation. Children in their early childhood years are very inquisitive and can learn very quickly, and therefore the transition to school is a critical stage of their lives. Early childhood learning lays the foundation for a smooth transition to primary school, and studies indicate that the ability to be educated is enhanced thereafter. A Council of Australian Governments agreement is in place to ensure that all children have access to high-quality early childhood education programs delivered by an appropriately qualified early childhood teacher in the year before formal schooling.

Key research findings on preschool education indicate that attendance at preschool has a significant and positive impact on later NAPLAN (national assessment program — literacy and numeracy) outcomes, particularly in the domain of numeracy, reading and spelling. The direct causal effects of preschool attendance are equivalent to between 10 and 20 NAPLAN points, or 15 to 20 weeks of schooling at the year 3 level, measurable after three years of attending preschool. Children whose preschool teacher had a diploma or degree in early childhood education or child care gained the most from attending preschool. The level and specialisation of preschool teacher qualifications is important. Children whose preschool teacher had only a certificate-level qualification in child care or early childhood teaching — or who had no relevant child-care qualifications — showed no significant benefit from attending preschool, therefore preschool has been shown to be an important part of a

child's education, and preschool teachers play an important role in early childhood education. The results support the conclusion that there are significant benefits to be gained from preschool teachers who are specifically trained in development-appropriate teaching practices for young people.

As we all know, members of the opposition will not oppose this bill. Hopefully it will improve early childhood education and enhance the status of teachers. This legislation builds upon the reforms brought into this place by the former government in 2007.

There are four main outcomes from the changes proposed in this bill. The bill clarifies the process of criminal record checks for teachers through the Victorian Institute of Teaching (VIT); establishes a register of disciplinary action for teachers; changes the governance of the Victorian Institute of Teaching; and introduces a scheme for registration for early childhood teachers by the VIT. The reforms come on top of the 2007 Brumby government reforms.

In 2007 the former Labor government brought the former Office of Children into the department of education, creating the Department of Education and Early Childhood Development. The new department was led by two ministers, their portfolios being education and early childhood development respectively. This initiative marks the beginning of a new era in the education and development of our children. Childhood development will give Victorian children the best possible start in life by streamlining the transition of children from kindergarten to prep. Linking early childhood services and school education recognises that children's development is a continuous process from birth to adulthood, and government services must reflect this to provide each child with the best opportunities.

The bill clarifies the meaning of 'criminal record checks' to encompass national and state criminal record checks, and also provides that registration of a teacher will be suspended if consent to the check or the fee is not provided. I am sure there will be opportunities to send reminder letters to teachers if they inadvertently forget to give their consent.

The establishment of a register of disciplinary action creates a database specifically to record any disciplinary action applied to a teacher, as distinct from simply being a registered teacher on the registration list of VIT. If the teacher is registered under the VIT, their record will follow them. This information is available to employers via the VIT; this changes the way it is

assessed and is intended to inform them more effectively. The bill maintains the requirement for 12 council members of the VIT, of whom the majority must be registered teachers.

However, the bill alters the appointment process so that 11 members will be appointed via ministerial nomination to the Governor in Council. The 12th member of the council will be the Secretary of the Department of Education and Early Childhood Development or the secretary's nominee. It nominates a list of representative bodies that the minister must consider in making appointments to the VIT council, including government school representatives, Catholic school representatives and independent school representatives.

The fourth point is fairly broadly supported. It brings in elements of mandatory reporting of child abuse by placing the same onus on early childhood teachers as already exists for schoolteachers. It also lends itself to further professionalism of the workforce. About 3800 Victorian early childhood teachers will have to report their suspicions of child abuse and neglect under the new laws, which respond to the Protecting Victoria's Vulnerable Children Inquiry.

The opposition is supportive of the measures to introduce registration of early childhood teachers to the VIT. This is good for both educational outcomes for children and for early childhood workers, so the opposition is not opposing the bill. However, the opposition has concerns about some elements of this bill, including the double dipping on registration fees for early childhood teachers and the issue of whether active service teachers will be adequately represented on the VIT council. We will seek to take this bill into committee in the Legislative Council. I will wind up there.

Mr HOWARD (Ballarat East) — I am pleased to add some comments in regard to this Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014, because the focus of this bill, as we have heard from other speakers, really relates to issues of early childhood education. As the minister said in his second-reading speech in regard to this aspect and as others have said, early childhood education is clearly very important. The ability of students as they start their education if they have had a quality preschool education or quality kindergarten education means that they are set in a much better situation in terms of their reading, spelling and numeracy skills and can progress well into school, and

of course this also extends to their socialisation to be ready for school.

This bill recognises preschool education or early childhood education as being important, and accordingly the teachers who do that important work in teaching in preschools and kindergartens should be registered through the Victorian Institute of Teaching, as are other teachers in the formal education field beyond early childhood development. I certainly want to pay my tribute to those teachers, because having worked with them for many years now I understand how hard their work is, or how hard they work. Not only do they have the role of supporting the children who are aged three or four as they go through their preschool education, they are also in a situation where they are generally the sole teacher. There are only one or two teachers in most of my kindergartens, and they have the responsibility of supporting their committee of management, which changes over often each year, as of course children only stay in kinder for one or two years. The teachers have a significant responsibility in trying to support the ongoing management of their kinders and supporting their committee members. I find that the majority of my kinder teachers are not employed full-time; they are only employed, and therefore paid, part-time, and that means they do not earn as much as their colleagues who are teachers in primary schools, where they are more likely than not employed full-time.

They do a great job. They often do not get the remuneration that their primary teacher colleagues do, and I want to pay tribute to them. Last week I was pleased to go to Scarsdale kindergarten to meet again with preschool teacher Monica Wain, whom I have met and worked with since before I was elected in the 1999 election. I found that she is still there doing a great job supporting her kids, but is also always prepared to share with me the issues that kinder teachers need to be supported with.

I generally support this bill before the house: the concept of registration does flow on sensibly. Of course, as other speakers have said, the opposition has concerns about the way in which this government is proposing to appoint the committee of the Victorian Institute of Teaching, and I hope it can still work without the democratic process that is being taken away, whereby 11 of the 12 appointments will be made by just the minister instead of allowing for a democratic process. We are concerned about that, but I wanted to pass on my appreciation of the work of early childhood teachers, and I generally support that part of this bill.

Debate adjourned on motion of Ms KAIROUZ.

Debate adjourned until later this day.

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

Introduction and first reading

Received from Council.

**Read first time on motion of Mr O'BRIEN
(Treasurer).**

GAME MANAGEMENT AUTHORITY BILL 2013

Second reading

**Debate resumed from 12 December 2013; motion of
Mr WALSH (Minister for Agriculture and Food
Security).**

Mr HELPER (Ripon) — It gives me a great deal of pleasure to rise to contribute to the debate on the Game Management Authority Bill 2013. At the outset I wish to acknowledge the significance of this sector not just to Victorian regional communities but to Victoria as a whole. There are 43 000 game licence holders in this state. According to the minister's second-reading speech, the sector contributes \$100 million to the Victorian economy.

As an aside, before entering this place I ran a service station in Newstead, which is within cooe of Cairn Curran Reservoir where, before the drought, the opening of duck season brought about a flurry of boat fuel sales for yours truly. If that constitutes a pecuniary interest, I hereby declare it. I no longer have any interest in that service station, so I think that would be a long bow to draw, but nevertheless let me be quite clear and open about it.

The opposition does not oppose the bill; indeed some opposition members actually support it to the extent that one draws a distinction between 'not opposing' and 'supporting'. It is a distinction I have always found perplexing in my close to 15 years in this place.

I turn to the minister's second-reading speech, in which he makes a significant point about the Game Management Authority (GMA) established by the bill and the separation of its role as a regulator and its role as a promoter of the industry. The speech states:

Consistent with good regulatory practice, I have ensured that the functions of the GMA do not conflict with each other — a good regulator cannot both regulate and promote the industry. As such, the GMA will promote sustainability and responsibility in game hunting; however, it will not have an explicit role in promoting the industry.

Observers of the second-reading speech may have formed the view that the minister has become a convert to good regulatory practice. That may be the case. It may be the case that a Nationals agriculture minister has become a convert to good regulatory practices. It is possible, but I dare say that in this case it is not what has driven the minister to draw on this particular distinction between regulatory and promotional functions. What is much more likely to be behind the minister's decision is the kerfuffle caused by his New South Wales colleagues late last year when they dismembered and abolished their Game Management Council on the basis that there had been some conflicts between the regulatory functions it performed and its promotional role for the sector.

Obviously the Minister for Agriculture and Food Security thought it appropriate. I guess I would have too if I had been the minister responsible and a fraternal government had just abolished a Game Management Council similar to one I was planning to set up; I would have found some way of drawing on the distinction between why a fraternal government had abolished a game management council just as I was about to set up a very similar organisation. That is very much an aside, but it does cause me to question how the GMA will separate its promotional function from its regulatory function, particularly in light of my previous quote from the minister's second-reading speech, which stated that 'the GMA will promote sustainability and responsibility in game hunting'. That bears a very close resemblance to promoting game hunting in this state.

I see absolutely nothing wrong with the promotion of game hunting in this state — indeed I think there should be a great deal more of it. Apart from the political furore unleashed by his New South Wales cousins, I find the minister's wish for the GMA not to be seen as a promoter of responsible game hunting in this state just a little bit perplexing.

Considering that this is a sector that is consistently and viciously attacked on ideological grounds, I do not understand why the Game Management Authority should not play a role in ensuring that the mistruths put forward by detractors of game shooting and game hunting in this state are counteracted and be out in the field promoting game management and game hunting as a responsible and well-managed pastime in this state. I do not know why the minister wishes to rob the authority of the opportunity to be a promoter of game hunting in this state.

I draw members' attention to clauses 46 and 47 of the bill. I commend the government on these clauses. They transit some of the responsibilities of protester

management — to be blunt about it — to the authority. That is good stuff. I believe it is a worthwhile thing to pursue a greater strengthening of protester management as part of game management in this state, and I applaud the minister for taking the initiative and drawing attention to this important activity through this set of amendments.

Having said those few words, I congratulate the minister on the overall thrust of the legislation. I draw members' attention to what I think might be a bit of an inconsistency in his zealous drive to become known as a minister with regulatory best practice in mind. I pointed that out at some length with regard to the minister's insistence that the GMA has no promotional function. I turn that around and argue that it is an opportunity lost for the Game Management Authority to be not only a responsible regulator but at the same time a responsible promoter of the sector as well.

For example, Victoria Police is a regulator of the laws of this state. At the same time it seems to be quite capable of being an advocate and promoter of responsible behaviour. We do not see a conflict there. Why should we see a conflict with the Game Management Authority when it comes to its role? I believe the GMA's role should include promotion of responsible hunting within the state.

I think the shooting fraternity in the state — the various associations and clubs — will broadly welcome the legislation, because it streamlines game management. That is of course a welcome outcome of the bill. I think the community as a whole will welcome the legislation, but undoubtedly there will be those who have a very strong ideological opposition to hunting and who wish to tell everybody else in the world that their ideological bent on life is the only bent we should all adhere to. I am sure the legislation will offend many of those people. So be it, and let us not lose any sleep over that.

With those few words, I note, as I indicated, that the opposition chooses not to oppose this legislation on the basis that the members of the now government took the commitment to the 2010 election as part of their election policies and that as such they arguably have a mandate to introduce the legislation. I thank the minister and no doubt the very hardworking staff of the department for the introduction of this legislation. I also thank the Acting Speaker for the terrific way this debate has been conducted in this chamber.

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

Dr SYKES (Benalla) — I rise to contribute to the debate on the Game Management Authority Bill 2013. I

commence by commending the coalition government for coming up with yet another common-sense approach to legislation, in this case in relation to game management. I am game if you are game, Deputy Speaker, to follow this through to the nth degree. The history is that prior to the 2010 election the coalition made a commitment to introduce an independent game management authority to ensure the responsible management of game, and equally importantly, the responsible management of game habitat so we could protect the environment, we could protect the interests of the hunters and we could ensure that the outcome would be of benefit to all.

This bill puts in place a Game Management Authority that will seek to achieve that. In conjunction with the introduction of a Game Management Authority will be a game management action plan. This is separate but related. That will mean we will have a coordinated and holistic approach to the management of game and habitat, and that will be to the benefit of all. As the previous speaker, the member for Ripon, mentioned, there are around 43 000 game licence holders, which is a significant proportion of our population. Often those people have an intergenerational interest in hunting game. The vast majority of them are responsible, caring people who have over generations chosen to hunt game, often for the consumption of that game. Our government has recognised this and has committed an extra \$8.2 million towards the management of game, which means that around \$17.6 million is available for game management over the next four-year period.

The purpose of the bill is to put in place a Game Management Authority that will regulate game hunting in Victoria. It will focus on compliance, investigation and discipline. That is the key responsibility and purpose of the bill — that is, to have in place an independent authority that will ensure the enforcement of the relevant legislation to ensure that the hunting of game is carried out in a responsible and ethical way. As the member for Ripon indicated, there was some discussion about a similar authority that has operated in New South Wales but found itself getting into difficulty, perhaps associated with integrity issues and also the potential conflict of seeking to promote the hunting of game at the same time as seeking to enforce the related legislation. I wish to make it absolutely clear that the system in place in Victoria will ensure that we have an authority of high and unquestioned integrity and with a mix of skills to ensure the appropriate management of our game.

The powers and functions of the Game Management Authority include its ability to make recommendations to the minister — and I highlight that the

recommendations are made to the minister. However, the minister retains the power to say yea or nay to each and every recommendation. Some of the recommendations that can be made relate to game hunting and game management; the control of pest animals; the declaring of public land open or closed to game hunting; the declaring of open or closed seasons and bag limits; and also the management of public and private land as it relates to game and their habitat. In addition to that, the Game Management Authority will have a research function whereby it can have a role in monitoring and conducting research and analysing the environmental, social and economic impacts of game hunting and game management. It is really an all-encompassing set of responsibilities, but critically the minister retains overall responsibility.

We have seen the application of some aspects of the Game Management Authority in recent times. For example, the coalition government has worked closely with some of the game organisations, such as the Australian Deer Association and Field and Game Australia, and has looked to work together with them to eradicate or control pest animals in certain environments. Most recently there has been some publicity about the use of sporting shooters and Australian Deer Association members in the first instance in the control of feral goats up in the Warby Ranges among other places, and in the second instance, the control of deer in the water catchments around Melbourne. These are good, logical uses of the skills and interests of hunters in having them work with government under government direction, in this case to achieve the removal of species that are causing problems in the numbers that exist in those environments.

In my role as parliamentary secretary assisting the Minister for Agriculture and Food Security and Minister for Water — and the many other hats he wears — I have been able to help him work with the hunters, and I have to say that I have been very impressed by their professionalism. For example, fellows like Russell Bates and Rod Drew from Field and Game Australia have been very professional in their approach and have worked well with us to achieve a responsible approach to hunting by their members. They adopt an educative approach, they are continuing to upskill people and encourage them to be responsible and sensitive to the animal welfare issues involved in hunting, and they generally do a damn good job.

Similarly, in the Australian Deer Association there are people such as Steve Garlick and many others who are very capable and have developed their own strategies for deer management. That is interesting because in

relation to deer one of the things we are moving towards is a coordinated deer management strategy as part of this overall broad approach to deer management, whereby we will define three areas. There will be a no-go zone for deer, an area where deer can be managed and hunted and perhaps at times the numbers targeted to reduce numbers there. Then around the perimeter of much of the state forest and national park there will be an area where it will be easier to control deer by enabling land-holders to do what is necessary to destroy deer and control them in a way that is friendly to their welfare.

We will have an overall approach to the management of deer, and it is going to involve the Australian Deer Association and could well involve Victorian Hound Hunters Inc. We have also been in discussions with Gamecon in developing these strategies because of the organisation's interest in the management not only of the game but very importantly of the habitat. It is absolutely critical for the wellbeing of our game that we have sustainable habitats. It is in the best interests of the game and therefore the game-hunting industry to preserve the overall habitat.

By working together we can achieve an outcome that will perpetuate the cultural right to hunt, whether it be deer or duck. We will put in place strategies to ensure that hunters are educated so that we have a responsible and caring culture, and we are working closely with the relevant organisations to achieve that. The Game Management Authority will have the ability to enforce compliance. If people fail to comply, the Game Management Authority will oversee the investigation, prosecution and discipline of those people.

I wish to commend the coalition government, the minister and the people involved in the agencies — Field and Game Australia, the Australian Deer Association, Victorian Hound Hunters and Gamecon — for working together. I also commend Roger Hallam for his work in bringing this legislation to fruition.

Mr KATOS (South Barwon) — I am pleased to rise to make a contribution in support of the Game Management Authority Bill 2013. It is amazing that those opposite have only one member speaking on this bill.

Honourable members interjecting.

Mr KATOS — It is very relevant. There are 43 000 hunters in Victoria and there is only one member of the opposition speaking on this important bill. I am sure that coalition members will be interested

in speaking on this bill. I know my Nationals colleagues will be very interested in this important bill. The coalition understands the importance of hunting in rural and regional Victoria and the economic benefit that it brings to Victoria. For example, duck season is starting this Saturday and a lot of money will be spent in local establishments in country towns, whether it be on ammunition, camping supplies, fuel or local accommodation. It is a huge spin-off for rural and regional Victoria, but I suppose we have a city-centric opposition which is interested in pandering to the Greens. That is why none of the members opposite want to speak on this very important bill.

The bill fulfils a 2010 election commitment to establish an independent game management authority to be a regulator, and that is important. As the member for Benalla stated, New South Wales got itself into problems because its regulator also tried to be the promoter. We do not want to go down that path. The regulator is obviously there to regulate the industry, not to promote it, and that is very important when it comes to the selection of the board's members, for example. We want to appoint a skills-based board, and when we say skills-based that does not necessarily mean we want recreational hunters. If anything, we probably do not want them because they would have a conflict of interest; they have a passion for hunting and they have certain beliefs.

It is better to have an independent board with members who have governance skills, financial skills, water management skills and environmental skills. These are the sorts of things we are looking for in board members. After all, the purpose of the board will be to promote sensible game management in Victoria and make recommendations on how to manage pest animals. Obviously it will also be looking at when seasons are declared open and closed, the setting of bag limits and how public and private land is managed.

It is important to remember that recreational hunters are the true conservationists. I have been a recreational hunter, I have gone out spotlighting and I have done all manner of shooting. It is something that I would like my children to do. My oldest son is 11 years old; he is not quite old enough but he is not far away. He is showing an interest in wanting to come shooting with me. That is something I would like to be able to preserve for the future. Whether the game be duck or quail, I would like my four sons to be able to go out and shoot.

However, to do that we need to have a proper game management authority where we preserve not only game numbers but also the habitat. Many hunting

groups, like Field and Game Australia and others, put a lot of effort into habitat conservation, whether it be preserving wetlands or preventing erosion et cetera. They really are the true conservationists. I want to be able to impart that to my children. As the member for Benalla said in his contribution, in a lot of parts of rural and regional Victoria hunting is a way of life and has been for several generations, not only for sport but also because you can take that game home and eat it. It is food on the table, which is very important. Obviously when it comes to hunting, duck or quail is a bit tastier than a fox. I do not think you would want to eat a fox, judging by its smell.

So obviously, with deer, there is that game side to hunting. The Acting Speaker, the member for Benalla, was correct when he said in his contribution that although deer are game animals they are becoming a problem in certain areas. More decisive management is needed in relation to deer, and the government is providing that in certain areas. The member for Seymour will say more about that in her contribution because that is happening in her neck of the woods. That is also very important.

The management of pest animals such as hares, rabbits, foxes, wild dogs and feral cats is also important, whether that be through the bounties that have been put on wild dogs and foxes or by harnessing the skills of recreational hunters, who enjoy their pursuit, to do the whole state a favour by eradicating these pest animals, which do untold damage to the environment.

Through the Game Management Authority we want to promote responsible hunting and improve access to hunting areas and facilities. It is important that the powers of the authority are enshrined in legislation. The authority will play an educational role for game hunters. For example, our duck season starts this Saturday, and the authority will provide education that will help hunters to properly identify a game duck from a protected duck or protected water fowl. The education may also be in relation to firearm safety. Although that issue strays a bit from the authority's main concern, which is game, it is also very important. The Game Management Authority will need to coordinate with Victoria Police, Parks Victoria and other government departments, because we want people to be out there doing the right thing, enjoying themselves and hunting in a safe manner. That safety aspect is very important. We do not want to see people injured. A gun is a dangerous device, and people need to use them in a proper manner.

As I said earlier, in a study that was done in 2007–08 it was determined that hunting brings approximately

\$100 million per year into Victoria's economy as a whole, and another study, which is not far from being completed, will give us more updated figures. Hunting provides a critical boost to country towns. The Game Management Authority will promote and further hunting activities in a proper way. I want my sons to be able to go out shooting and enjoy themselves.

The Game Management Authority will have research capabilities. It will research game, and that could be on closed seasons or all manner of things. The Game Management Authority will not have decision-making powers. Obviously it cannot make changes. It will make recommendations to the minister, and the minister can act on those. It is important that members of the authority have the right mix of skills so that the advice they provide to the minister is as good as the minister can get. It is important that members of the authority are at arm's length from the hunters themselves. You do not want to have a conflict of interest on the board. Obviously hunters will always want longer seasons and larger bag limits. In certain climatic conditions those things simply may not be possible. For example, if there is an extreme drought, duck numbers will be lower and you would have to have lower bag limits, and at times you would not have a season. Those are the sorts of things that the Game Management Authority will look at.

I am really pleased that the government is honouring its election commitment in bringing forward this bill, and I am more than happy to commend it to the house.

Ms McLEISH (Seymour) — It is with great pleasure that I rise to support the Game Management Authority Bill 2013, which was brought into this house by the Minister for Agriculture and Food Security in December last year. It is extremely pleasing to note that this is another pre-election commitment that is being fulfilled by the coalition government, and it is certainly very relevant to country Victoria. It is worth noting that on this side of the house we have a number of speakers willing to support this bill, but the opposition has been extremely light on it — it has only put up a lead speaker. Whilst I welcome the fact that the opposition is not opposing this bill, I am surprised by the fuss it made earlier in voting against the business program. Members opposite knew they were not going to oppose this bill, and they did not take that into account. Again, they have shown little regard for the people of country Victoria.

In talking about hunting we are talking about country areas — hunting is something that particularly pertains to those living in regional areas. The purpose of this bill today is to set up the Game Management Authority

(GMA) and establish it as an independent statutory authority. Its purposes are around the regulation of game hunting, and it is aimed at improving game management outcomes in Victoria. The bill makes amendments to the Wildlife Act 1975 to enable the Game Management Authority to perform regulatory functions under the act, and it makes a number of consequential amendments to that act as well as to the Conservation, Forests and Lands Act 1987. I appreciate that the lead speaker for the opposition, the member for Ripon, indicated that he was not going to oppose this bill. In fact, he said he supported the bill.

I want to talk about hunting and put it into context. I have talked about its prevalence among people who live in the country. It is not just a sport that is undertaken by country people, but it is predominantly in country areas that Victoria's cultural heritage has thrived and lived on. If we look back over hundreds of thousands of years we can see that hunting has been undertaken in this country by the Aboriginal community. The ways in which hunting is now conducted are slightly different, but it has been a means of providing food on the table for a very long time. These days hunting also has a strong recreational element, so it is very important that hunting be safe and controlled. We have some 43 000 game licence holders in Victoria. A number of those people will be based in our cities, but many are based in country areas. Hunting generates approximately \$100 million per year.

When this bill was brought in, the minister identified a couple of elements that are key to it. Last year the minister announced a Hunting and Game Management Action Plan, which was drafted by the Victorian Hunting Advisory Committee. This was about providing support and guidance for the long-term growth of the industry, but more specific to the legislation today, it was about the establishment of the Game Management Authority. To support these efforts, the 2013–14 budget included an allocation of \$8.2 million to bring the investment in this area to \$17.6 million in total in the next four years.

The Game Management Authority is a statutory authority, which means it is defined in legislation, like so many other organisations that we know quite well such as the Victorian WorkCover Authority, Consumer Affairs Victoria and the State Revenue Office Victoria, but also those that are more agriculturally based such as PrimeSafe and Dairy Food Safety Victoria.

The Game Management Authority will report to Parliament annually, and it will be independent. It will have a skills-based board, and this is extremely important for good governance. It is estimated that

there will be between five and nine members of the board, and they will be appointed by the minister, with the minister choosing members with appropriate knowledge and experience. The minister would aim to create a mix of skills that one has come to expect, certainly of boards that have been convened by coalition governments that have experience in various areas. So members may have experience in the areas of game and wildlife management or in wildlife biology or ecology. At the same time it is important that the authority has members who are skilled in the financial area and that it also has those with skills relating to legal systems and structures.

The Game Management Authority will incorporate functions currently undertaken by Game Victoria in the Department of Environment and Primary Industries (DEPI), and staff will be transferred across from DEPI with no losses. The bill outlines the objectives and powers of the Game Management Authority. It is extremely important that these get put on the table in the first place so it is very clear, because if you have role clarity, especially around roles and responsibilities within organisations, you set the organisation up for success in the first instance.

The key focus of the Game Management Authority will be regulation, and the functions will include compliance, investigatory functions and disciplinary functions, and, as I said, if you get this right at the outset, it sets the tone of the organisation and to a degree the culture of the organisation. If it is a strong, positive culture, you will give confidence to the industry and facilitate strong growth. It will be about promoting sustainability and responsibility in game hunting only; it will not be about the sport or organisation. It also will be involved in monitoring, conducting research and analysing the environmental, social, cultural and economic impacts. Operational plans and procedures will be outlined. There will be a focus on the sustainable harvest of game species and also on their humane treatment — to pick up the animal welfare component.

The GMA will be able to make recommendations to the minister with regard to game hunting, including control of pest animals, season length and bag limits. What is very important is that the Game Management Authority will ensure the sustainable use of game resources and deliver better public land and habitat management and broader conservation outcomes.

I will talk about a couple of other initiatives that fit very well within this framework — for example, with pest management we have the wild dog and fox bounty, which has been extremely successful. That has been a

win-win for both recreational shooters and farmers; to date we have had 243 000 fox scalps handed in, which is easily a couple of hundred thousand more than the former government had under its program. We have had 1000 wild dog pieces handed in so far as well. We can see that hunters have helped very much with pest management. More recently Parks Victoria announced that in parks across the Yarra and Dandenong ranges work is being done on containment and management of deer, which are causing a huge problem. That is something I hear a lot about in my electorate — that is, the number of deer is increasing and starting to have an impact on the environment.

One of the areas being looked at is in relation to the culling of deer, because they are doing some pretty severe damage to our environment. Waterways have been damaged. There is erosion. Forest floors are mud baths, and it is a real threat to the habitat of some species such as the lyrebird and the platypus. I know, for example, that some deer will be targeted in the Yellingbo Nature Conservation Reserve, and this is an area where there are Leadbeater's possums and helmeted honeyeaters. I have met with Friends of the Helmeted Honeyeater and have heard a lot of representations from people interested in Leadbeater's possums. Hunters will be authorised through this culling program to shoot and kill up to 220 deer at three of these parks near Melbourne, and that will help manage not just the habitat but also the threatened species.

This is the first time Parks Victoria has worked with the Australian Deer Association on the way this program will roll out, and the focus on public safety and animal welfare is prime. Many people in my electorate have been involved in hunting through recreational activity but also with pest management through the fox and wild dog bounty. As I have mentioned, the Australian Deer Association is working with Parks Victoria, but Field and Game Australia has also been involved with the overall hunting framework. Field and Game Australia is based in Seymour, and the CEO, Rod Drew, takes a very responsible approach. If somebody visits the Seymour offices of Field and Game Australia they will see by what is in the office that it has a very strong focus on the environment and on conservation.

The establishment of the Game Management Authority will do well to help regulate our game hunting activities in Victoria. It will improve the outcomes in that area, whether it be for deer or ducks, and will also help with pest management and conservation of some of our threatened species. I commend the bill.

Mr WELLER (Rodney) — It gives me great pleasure to rise this evening to speak on the Game Management Authority Bill 2013, and I make it quite clear that I am a member of the Pine Grove Field and Game Club. The bill is about establishing the Game Management Authority (GMA), and I was very pleased to hear the member for Ripon indicate that the opposition would be supporting the bill. He also acknowledged that the government had taken the policy to the 2010 election. This is another of our promised policies that will have been implemented when the bill finally passes. We are getting on with the job of delivering on what we have promised.

As previous speakers have said, there are some 43 000 licence-holders in Victoria, and the industry creates about \$100 million of economic activity across Victoria. It is very important in rural and regional areas such as Rodney where I come from, and right across the state going all the way from Bairnsdale to Mildura. It is right across the state.

Related jobs are in a wide range of industries, particularly the service stations, suppliers of shooting equipment, camping suppliers and sporting goods stores. They all benefit from this activity. Another benefit of these 43 000 hunters is the effect they have while working with people on feral animals. As we heard from the previous speaker, the member for Seymour, some 243 000 foxes have been shot because of the government's bounty on foxes. The hunters have been out there hunting foxes and have reduced the fox population. They have shot 243 000 foxes, but of course foxes are not the only sort of vermin in this state. We have goats, pigs and deer as well.

People in here may well be surprised, but there have been sightings of deer in the Barmah National Park. We need to have hunters because they help eradicate these animals. I look forward to working with government agencies on determining ways that hunters can go on organised shoots to help reduce the vermin in parks.

One of the hallmarks of this government has been its consultation. The Minister for Agriculture and Food Security has had the Victorian Hunting Advisory Committee, chaired by Roger Hallam, do some research on what this committee should do and establish a plan of action. That has been a hallmark of both the Baillieu and Napthine-Ryan governments in that they have consulted and worked with the interested parties in this area.

My electorate is home to a very controversial area, Richardsons Lagoon game reserve. As the name suggests, it is a game reserve. Some of the people in the

area believe duck shooting should not take place on it. I work very closely with Rod Drew from Field and Game Australia. He comes up and goes around the camp sites the night before the season opens, and he explains to the shooters that they have to do the right thing. Those shooters do do the right thing. In the last two years we have not had any issues there. The rangers and the police have been there, but there has been no confrontation. There have been no reports of any bad behaviour. Field and Game Australia works well with its members, encouraging them to do the right thing.

I move now to some of the details of the bill. Will this just be a government-funded hunting organisation that also regulates gaming? No, it will not be. It will be a body that regulates gaming. It will not be there to promote hunting; it will be there to regulate it and lead hunters to a good outcome for the hunting fraternity and Victoria.

What will happen to the staff who are currently at Game Victoria? They will transfer to the GMA. It will be a very smooth transition, and there will be no loss of jobs. Will the Game Management Authority have a role in managing wildlife other than game? No, it will manage and regulate game; that will be its whole and sole role.

I have always been one for responsible budgets. Where is the money for this authority going to come from? Anyone who paid attention to last year's budget would have noticed that it was in there. It was in the 2013–14 state budget. The government allocated an additional \$8.2 million in the state budget over four years to establish and operate the Game Management Authority. The government has been very responsible in that it has put up the money to run this authority very well. We in government have done that — and we are putting more money in than we collect from licences — because we understand the economic activity that hunting drives across the state. The \$100 million in economic activity it drives right across the state is very important to our local economies. I have small townships in my electorate, including Barmah. There is only one store in Barmah, but the proprietors look forward to the duck season opening because the shooters come through and spend money there. The same is true of the likes of Gunbower and Cohuna. They are river towns, and they also have lakes that are home to a few of these ducks and game animals that can be shot at appropriate levels. With those brief comments, I commend the bill to the house.

Mr BULL (Gippsland East) — It is a pleasure to rise to speak on the Game Management Authority Bill 2013. This government is delivering on its commitment

to improve the effectiveness of game management and promote responsibility in game hunting in this state. I am sure that members of the house will recognise that hunting, and in particular recreational game hunting, is an important part of Victoria's heritage, particularly in rural and regional Victoria. In my electorate of Gippsland East we have a variety of hunting practices that take place. It has become a way of life in a lot of our rural and regional communities.

Many people are involved in the duck season and also in deer hunting and other forms of hunting, including the hunting of pest animals like wild dogs. The member for Rodney was talking about the fox bounty. In my neck of the woods that bounty relates to wild dogs as well, which are a scourge on our community. Foxes and rabbits are also commonly hunted. As we have heard from previous speakers, including the members for Rodney and Seymour, this government's very popular wild dog and fox bounty has resulted in the killing of 243 000 foxes. I think the latest update, as of tonight, is 243 012. More importantly we have also had over 1000 wild dog pelts handed in.

In the area of wild dogs this bounty that was introduced by our minister, originally at \$50 a head and then doubled to \$100 per head, has been a great support for the trapping and baiting programs that go on within the Department of Environment and Primary Industries, particularly on the fringe of where private freehold land meets state forests or national parks. These dogs cause untold damage, particularly to our sheep farming communities, and this wild dog bounty has been a great support to the control measures that are undertaken by the department.

Generations of Victorian families have passed down the traditions and methods of hunting, often as part of broader experiences of enjoying camping and the great outdoors. Today there are more than 43 000 game licence holders in Victoria. The game hunting industry is estimated to generate around \$100 million of direct and indirect economic activity in this state on an annual basis. There are many people, often city based, who simply do not understand this. They press the send button on generic emails, telling us to ban hunting, ban rodeos and ban all sorts of things that we actually enjoy in the bush and which are part of our way of life. The same people pop up time and again, driving us crazy with these sorts of things.

The economic benefits of hunting are well known in country areas. With the growth in the popularity of game hunting, as well as the opportunity to enhance the contribution of hunters to game and pest management outcomes, as outlined in the bill, it is the right time for

government to provide a clearer strategic direction to the hunting fraternity. In October last year the minister announced the development of a hunting and game management action plan to support and guide the long-term growth of this very important industry for rural and regional Victoria. This government is committed to ensuring that action is taken to enhance legislative, regulatory, institutional and service delivery outcomes for hunting and game management in Victoria, but it cannot be achieved by government alone. We need all stakeholders involved. It needs to be a partnership approach, and it has to obviously include government agencies in this field, hunting organisations and also business interests that have an involvement in this sector. Input is required right across the gamut of agencies and businesses involved.

As a result of the hunting and game management plan a number of workshops were held in the last quarter of last year, which were led by the Honourable Roger Hallam, who as we have heard is the chair of the Victorian Hunting Advisory Committee. The key recommendation of that committee was to provide a clearer strategic direction for the future and get input about what will become the Game Management Authority. As we heard from the member for Rodney, the 2013–14 state budget provided an allocation of \$8.2 million over four years to set up this authority. It will regulate game hunting and improve game management outcomes in Victoria. I have great pleasure in commending this bill to the house.

Mr McCURDY (Murray Valley) — I am also delighted to rise and speak on the Game Management Authority Bill 2013. The bill establishes an independent statutory authority and provides for how the Game Management Authority will be controlled, resourced and held to account, which includes the nature of the relationship between the Game Management Authority, the minister and obviously the Parliament. The Game Management Authority will be directly accountable for administrative licensing and compliance. Currently this role is undertaken by Game Victoria. The Game Management Authority will monitor and analyse the environmental, social, cultural and economic impacts of game hunting. It will also work with public land managers to improve the management of public land and facilities on public land where hunting is permitted.

The authority will also influence game management outcomes through making recommendations to relevant ministers on the control of pest animals and the management of public and private land as it relates to game and their habitat. As we heard earlier, many other speakers, particularly from The Nationals, have all sorts of game in their electorates, including foxes, pigs and

deer. In the Murray Valley it is quite limited, but when the electoral boundaries redistribution takes place there might be more game hunting and habitat up in my electorate.

Mr Bull — And a few dogs.

Mr McCURDY — There are certainly a few wild dogs up in that region too. A practical outcome of this bill, which the minister has looked forward to implementing, will be to ensure that board members of the Game Management Authority have the appropriate skills, knowledge and experience to assist the authority to carry out its functions and achieve its objectives. Those skills will obviously include legal practice, finance and accounting, and animal welfare is a very important aspect. The establishment of this independent Game Management Authority was a key 2010 coalition election commitment, and the government is very pleased to present it here tonight. The authority will improve services for game hunters across Victoria and better coordinate resources from the government. The bill is about the sustainable use of game resources, and it will deliver better public land habitat management and broader conservation outcomes. We are talking about balance; we are talking about the environment and sustainability.

The authority will provide better services to the industry by supporting jobs and investment in the sector. This is particularly important for regional areas of Victoria, like the Murray Valley, where there are significant local economic benefits from hunting activities. The Game Management Authority will work with public land managers to improve the management of public land and the facilities on public land where hunting is permitted. The authority also has the capacity to make recommendations to the minister about game hunting and game management, the control of pest animals, declaring public land open or closed to game hunting, declaring open and closed seasons and of course declaring bag limits, and we have heard from other speakers about the duck season. These functions will complement the Game Management Authority's research function, whereby it will be able to monitor, conduct research into and analyse the environmental, social and economic impacts of game hunting. Again, we are talking about a holistic approach, which is very important. The authority will represent the interests of our communities and maintain balance in the environment as well.

The government will certainly retain responsibility for developing hunting and game management policy, legislation and regulation. The bill is not about handing over those policy powers at all. The coalition

government recently announced that it will be producing a hunting and game management action plan. That action plan is a whole-of-government initiative to provide a strategic direction for hunting and game management across the state. That action plan will be delivered by a range of agencies, including the Department of Environment and Primary Industries, Victoria Police and Parks Victoria.

Obviously the authority will be established through this legislation, and that demonstrates the Victorian government's commitment to game hunting and its importance to the Victorian community. We heard earlier tonight that game hunting generates up to \$100 million in economic benefits to Victoria, and as I said, that is mainly in regional areas. We are very grateful for that economic benefit, and we need it to continue. But it is also a win-win for our communities because we can get rid of some of the vermin in our forests and parks at the same time as enabling game hunters to keep their pastime and hobby.

I could go into the terms of the authorised officers, but the house has heard about that from other speakers earlier tonight. I will conclude by saying that the transition from Game Victoria to the Game Management Authority will commence in Melbourne, but the authority will move out to regional offices located strategically across Victoria. I commend this bill to the house.

Debate adjourned on motion of Ms KAIROUZ (Kororoit).

Debate adjourned until later this day.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2014

Second reading

Debate resumed from 6 February; motion of Mr CLARK (Attorney-General).

Mr PAKULA (Lyndhurst) — It gives me pleasure to rise to speak on the Victorian Civil and Administrative Tribunal Amendment Bill 2014, and to indicate that the opposition will not be opposing the bill. Having said that, there are some matters in the bill which opposition members are especially concerned about, and as a consequence we will be moving a reasoned amendment, which I will come back to later in my contribution. In addition, if the bill passes this place unamended, then opposition members will move amendments in the other place.

The bill contains a number of uncontroversial and relatively common-sense changes. It seeks to amend the Victorian Civil and Administrative Tribunal Act 1998 to enable the Victorian Civil and Administrative Tribunal (VCAT) to ask an original decision-maker to reconsider its decision so that when VCAT exercises its review function, rather than simply being able to confirm or alternatively overturn a decision, the tribunal will be able to send the decision back to the original decision-maker, which in most cases would be at the local government level, and give that organisation or decision-maker the opportunity to reconsider its decision. This process will enable VCAT to make further orders in relation to fees, about which I will make some further comments.

The bill also gives powers to the tribunal to remove any 'unnecessary party' from such proceedings. That is the part of the bill that we are most concerned about — that is, the ability of VCAT to possibly arbitrarily remove a joint party from any proceedings. The bill also provides for a new regime for expert witnesses and their evidence to be enacted and it provides a range of other minor amendments.

It is worthwhile to reflect on the purposes of VCAT, why it was created and the role it plays in the administration of our justice system. Like some of its predecessor organisations, VCAT has always been about providing Victorians with low-cost, accessible and efficient justice. Basically it has been about ensuring that in a range of administrative justice areas ordinary members of the community are able to have their matters dealt with without having to go to enormous expense, without having to commit enormous amounts of time or resources and without having to engage high-priced legal counsel. It is about providing people with a low-cost, accessible and efficient alternative within the justice system, and creating an independent tribunal which allows disputes to be resolved.

VCAT comprises three divisions — civil, administrative and human rights. The civil division deals principally with disputes relating to consumer matters, such as matters in regard to residential disputes, tenancy disputes, building disputes and the like. The human rights division deals with matters to do with discrimination and guardian disputes and it is the division in which decisions of government are able to be reviewed, which is a very important function. It is in this division that planning, WorkChoices, Transport Accident Commission and freedom-of-information matters can be resolved. Like a number of members, I have been fortunate enough to be at VCAT to try to

prise open documents of this incredibly secretive government.

Mr Delahunty — You know that's not true. You were in the previous government. You know how it works.

Mr PAKULA — Let me say to the Minister for Sport and Recreation, that I think it is now well understood.

Mr Watt — It's disorderly to take up interjections.

Mr PAKULA — Then I won't take up yours. It is now well understood that in regard to the FOI regime, despite the expansive commitments made by the then Baillieu opposition in the lead-up to the 2010 election, the performance of this government in openness, transparency and accountability has been utterly deplorable. In fact there would probably not be an area of government administration where the gap between rhetoric and reality has been as great.

Mr Delahunty — Just look up the annual reports.

The ACTING SPEAKER (Dr Sykes) — Order! I am sure the member for Lyndhurst will be coming back to the bill in a moment.

Mr Delahunty interjected.

Mr PAKULA — I am coming back to the bill but, as you can hear, Acting Speaker, the Minister for Sport and Recreation is providing a valedictory address from the table, and I am labouring under extreme provocation. But let me say that there has not been as big a gap between rhetoric and reality as that which exists in regard to freedom of information.

I return to the bill before the house and some of the matters contained within it. As I indicated, when exercising its review jurisdiction as a consequence of the changes that are being proposed by this bill, VCAT will be able to invite an original decision-maker to reconsider the original decision it has made. There is some risk that that will simply lead to matters bouncing back and forth between local government and VCAT, particularly if a local government body reaffirms its original decision. Then the matter will end up at VCAT again. For example, if a local council rejects a planning decision or a planning proposal and the rejection is taken to VCAT, then the council might be able, upon order from VCAT, to consider a varied proposal or a formal resolution of the matter before it finally proceeds through VCAT. Whilst there is some risk that that provision will lead to a game of ping-pong, it is more likely that it will provide resolution in more areas

than it will not, and in those circumstances opposition members think it is a sensible amendment.

In regard to fees, at the moment VCAT can make some costs orders. This bill extends that power in regard to fees and creates a presumption that fees incurred in bringing a dispute to VCAT will be reimbursed to the successful party from the pocket of the unsuccessful party. Fees are originally paid only by an applicant, so the bill will presumably create an opportunity for those fees to be reimbursed. In that respect, opposition members say that this provision appears to be a belated recognition by the government that when it jacked up fees in 2013 it put VCAT and VCAT justice out of the reach of a lot of people.

To refresh the memories of members of the house, in early 2013 there was an announcement that the fee for lodgement of small claims over faulty goods would go up from \$38 to \$160, that planning applications would attract an additional \$1000 fee and that cases heard over more than one day would attract a fee of \$1800. The opposition was very critical of those changes at the time; we said that that would put access to VCAT out of reach of many people. The Attorney-General had the audacity to blame those fee increases on the former government because, he said, we had not put them up by enough when we were in government. It was the first time I can recall a former government being criticised by a new minister for the fact that it had not increased taxes and charges by enough. The change before the house may in limited circumstances allow at least some of those applicants who have been hit by increased fees some relief in the event that they are successful in their case.

One of the other changes is in new section 60A, which provides that VCAT might order that a party to a proceeding cease to be a party to that proceeding if VCAT thinks that the party's interests are no longer affected by the proceedings and that they are no longer a necessary party to the proceedings. That is a very significant power granted to VCAT. The risk is that it denies certain people the right to be heard. There are numerous examples one could think of or contemplate where the rights of applicants, particularly joint applicants, might be removed as a consequence of this legislation being passed, particularly if VCAT thinks that party is not close enough to the issues at hand. Again, I will return to this, but that is a provision that the opposition is most concerned about.

With regard to expert witnesses, this bill defines an expert witness as a person who has specialised knowledge based on the person's study or experience. That effectively mimics the procedure in civil cases

before other courts, and if the intent of it is to effectively limit expert evidence to that which is reasonably required to resolve a proceeding, then in those circumstances the opposition takes no issue with that. The bill also includes a range of other relatively uncontroversial and minor amendments regarding the delegation of duties from the registrar to appropriately qualified staff. In the circumstances a bill of this nature ought to make those kinds of changes if in the views of those presiding over the tribunal they are administratively necessary for the smooth functioning of the tribunal.

We in the Labor Party have always supported VCAT as a cost-effective, accessible, efficient service for those members of the community who are seeking speedy justice, speedy restitution and an efficient hearing of their matters. We think providing VCAT with the power to award the cost of the application to a successful applicant is a recognition of the fact that the fee hike went too far. There are no doubt a number of people who have been deterred from lodging applications before VCAT as a consequence of the fee hike. That may well have been the point of the fee hike, but we do not think that price ought to be used to deny Victorians access to a tribunal that was created for the very purpose of giving them low-cost, efficient and speedy access to justice.

In regard to section 60A, I indicated at the outset of my contribution that the opposition would propose a reasoned amendment. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until stakeholders have been appropriately consulted to address concerns, including those about appeal rights and delays and any impacts on small parties and objectors, in relation to the tribunal's proposed new power to order that a person cease to be a party to a proceeding'.

As I have indicated, we are very concerned about this power being given to VCAT to remove what would be deemed an unnecessary party to a proceeding. The act at the moment sets out who can be a party to VCAT proceedings. The tribunal can order that a person be joined as a party if the tribunal considers that the person ought to be bound by or have the benefit of an order of the tribunal in a proceeding, or that the person's interests are affected by the proceeding, or for any other reason it is desirable that the person be joined as a party, but the tribunal does not have an express power to remove a party once they are joined. Currently a party can remove themselves, but they cannot be forcibly removed.

Honourable members interjecting.

Mr PAKULA — I have no doubt that government members can express the Attorney-General's view for him, rather than his bellowing across the chamber.

We do not think this provision is useful, worthwhile or fair. We do not believe there is any right for a party to appeal the decision to be removed from proceedings. We think that additional disputation can be caused by the fact that a party to the proceedings can apply to have another competing party removed. We think this could lead to a disproportionate impact on smaller parties and objectors. We do not want to see developers knocking smaller parties and community groups that might object to their plans out of these matters as a consequence of this power being provided.

We are more than happy to hear from the Attorney-General or from any other government speaker about the particulars of this proposed change as to whether there are appeal rights or whether proceedings will be tied up by parties attempting to knock out other parties. We have moved a reasoned amendment because we think further work needs to be done, and as I have indicated, we reserve the right to also move amendments in the other place.

With those words, I reiterate that the balance of the bill is not objectionable to the opposition. There are some changes made by it that are worthwhile, but we think the additional power being given to the tribunal to remove parties once they have been joined is unwise; we do not support that provision. Given the process of the house, we have moved a reasoned amendment in order to deal with that and we reserve our right to move amendments in the Legislative Council.

Mr NEWTON-BROWN (Pahran) — I have been caught on the hop a little, as the member for Lyndhurst has pulled up 10 minutes short; however, I will do my best. The Victorian Civil and Administrative Tribunal Amendment Bill 2014 amends the Victorian Civil and Administrative Tribunal Act 1998 to enhance the powers and efficiency of the tribunal and to enact a new regime for expert witnesses and expert evidence. The act will commence on 1 February 2015 unless proclaimed earlier.

The key reforms can be summarised in four points. Firstly, the bill enables the Victorian Civil and Administrative Tribunal (VCAT) to invite an original decision-maker to reconsider its decision. Secondly, it enables VCAT to make an order in relation to fees, separate from its power to award costs. Thirdly, it introduces a legislative scheme for VCAT in relation to expert witnesses and their evidence. Fourthly, it provides a range of mechanical and technical

amendments to improve VCAT's ability to manage proceedings.

A key plank of achieving these reforms is the creation of the position of a principal registrar, who will perform various functions. This will lead to greater efficiency. It will enable VCAT to make rules where certain functions can be performed by a principal registrar. Currently VCAT makes a duty member available for the purposes of making minor orders such as for adjournments or extensions of time and consent orders. Empowering the principal registrar to perform these functions will improve the overall efficacy and smooth running of VCAT. The bill provides that the VCAT rules may include rules with respect to the functions of the tribunal that may be performed by the principal registrar. Not all functions will be able to be performed by the principal registrar. For example, the principal registrar will not be able to make orders finally disposing of a proceeding unless all parties agree to such actions.

The new delegation power will also be in place, which will minimise the need for members to make low-level orders about documents and requests from parties where a request is appropriate for determination by a registrar or an appropriately qualified member of staff.

A number of functions are proposed to be performed by the principal registrar. These include making procedural or unopposed final orders, and orders for consent adjournments, grants of leave to withdraw proceedings, change of venue and requests for telephone conferences and similar lower level administrative orders. The new rule-making power ensures that the making of procedural and unopposed final orders may be performed by the principal registrar, and it will be sufficiently flexible to take account of evolving practices, which will no doubt occur when this legislation passes.

In regard to safeguards with respect to the delegation of these powers, the VCAT rules must specify whether the principal registrar may delegate the function. The rules may also specify the person or class of persons to whom that power can be delegated. Not all functions will be capable of being delegated. For example, it will not be possible to make any orders finally disposing of a proceeding unless there is the consent of all parties.

VCAT will be empowered to invite an original decision-maker, such as a local council, to reconsider its decision, and that is a very significant part of the bill. It is anticipated that this will enable disputes to be resolved in a much more expeditious and less costly manner than would otherwise be the case. Presently, the

effectiveness of the alternative dispute resolution (ADR) process is limited in cases where there are multiple parties and it is not possible to identify a single agreed outcome. In such cases, the usual ADR process may elicit information that the original decision-maker was not aware of. Currently that additional information cannot be referred back to the original decision-maker for them to reconsider the original decision. Under the proposed legislation that information will be provided to the original decision-maker, such as a local council, which can then reconsider the original decision. In addition, VCAT will be able to invite the decision-maker to reconsider a decision potentially during the course of a hearing. It is anticipated that in most cases such an invitation will be made in the early stages of the alternative dispute resolution process. However, it is foreseeable that it could also be made during the course of a hearing. It is anticipated that such an action may help to bring matters to a close in a far more expeditious manner.

Some concerns have been expressed that this new system may delay proceedings. I am advised that this is not the case. If people take up the opportunity to have a matter reconsidered, it is not going to affect the proceeding's priority in the list. VCAT may invite an original decision-maker to reconsider its decision at any point in the proceeding without the matter losing its priority in the list.

The bill also introduces a power for VCAT to remove parties from proceedings. I note the member for Lyndhurst signalled an objection to this and circulated an amendment. I have not had time to review the amendment, but it appears that the concerns he raises are not justified in that the bill introduces a new power that VCAT may order that a person cease to be a party to a proceeding at VCAT if it considers that the person's interests are no longer affected by the proceeding and also where the person is not a proper or necessary party to a proceeding, whether or not they were originally.

The clear intent of the legislation is that mechanisms will be enabled so that parties can be removed when they should not have been a party in the first place. That is a very important power for the tribunal to have to ensure the smooth operation of the list. There may be situations where a party no longer wants to be a party to a proceeding, and in such circumstances it is wholly appropriate there be a mechanism for such a party to be removed in a simple and expeditious manner.

The bill introduces a fee reimbursement presumption which will also be significant for parties. The presumption is that either the whole or a portion of the

VCAT fees will be met by an unsuccessful party in certain types of proceedings. These types of proceedings include small consumer claims, owners corporation matters and domestic builders and residential tenancies disputes. This presumption will remove a disincentive for applicants with valid claims to seek justice at VCAT and will also encourage those taken to VCAT — for example, suppliers — to resolve their disputes where the consumer has a valid claim. Again this will assist VCAT in fulfilling its task of quickly and cheaply providing justice for all. The presumption is also intended to encourage a party likely to be found at fault to seek to resolve a dispute in the early stages.

The bill also introduces a general discretion for VCAT to make an order that a party pay or reimburse another party for fees. The VCAT act is currently silent about orders in relation to fees. Generally fees are recoverable if VCAT makes an order for costs. This legislation creates a distinction whereby VCAT may deal with fees separately from costs. This is another significant improvement of the legislation. In conclusion, this is yet another plank in the legislative reform program of this government. It is aimed at reducing costs and improving the efficacy of the VCAT list, and I commend the bill to the house.

Mr McGuire (Broadmeadows) — Labor supports the Victorian Civil and Administrative Tribunal (VCAT) as a cost-effective and efficient mechanism for enabling an accessible and efficient service for Victorians to get speedy justice and restitution. As the member for Lyndhurst, the lead speaker for the opposition, stated, Labor will not be opposing this bill but has moved a reasoned amendment on some issues that have raised concern. We think that with our amendment the legislation can be improved and the provision of justice to all people will be better served.

Providing VCAT with the power to award the cost of application fees to the successful party is a concession that the government's fee hike at VCAT failed. This measure is being introduced as it seems to have come to light that many people are prohibited from proceeding to VCAT based on costs. Labor strongly believes that no-one should be denied access to our justice system. This is really the point of tension that has been raised by the opposition in good faith in order for the government to reassess this matter during the debate in this house and to take on board the arguments that are being proposed. Labor will also reserve the right to make further amendments in the upper house if need be. By and large, however, the legislation is non-controversial and is an attempt to provide a better and improved system.

In January 2013 the government proposed large increases to application fees. This is the nub of the matter that Labor wants to address. Among a number of different organisations and community groups, the Labor Party raised concerns that Victorians would be priced out of gaining access to VCAT. In response to the public outcry the government made minor concessions, but large fee rises have still been applied. This bill proposes a backdown measure, if you like, as the government seems to have realised that many people have been prohibited from proceeding to VCAT based on costs. Labor strongly believes that no-one should be denied access to our justice system. That is at the heart of the philosophical and principle-based debate here.

This bill proposes to amend the Victorian Civil and Administrative Tribunal Act 1998 to give an express power to VCAT to remove unnecessary parties from a proceeding. Currently the act sets out who can be a party to VCAT proceedings, including the applicant and the maker of the decision being reviewed. Further, the tribunal can order that a person be joined as a party, firstly, if the tribunal considers that the person ought to be bound by or have the benefit of an order of the tribunal in the proceedings; secondly, if the person's interests are affected by the proceeding; or thirdly, for any other reason that it is desirable that the person be joined as a party. The tribunal does not have an express power to remove a party once they have been joined. Obviously a party can remove themselves or discontinue at any time, that is their choice.

The bill proposes new section 60A, which provides that the tribunal may order, on its own initiative or on the application of a party, that a person cease to be a party to the proceedings if the tribunal considers that the person's interests are not or are no longer affected by the proceedings or the person is not a proper or necessary party to a proceeding whether or not the person was one originally. There does not appear to be any right for a party to appeal the decision to be removed from the proceeding, and this is of concern. Given that a party to the proceeding can apply to remove another competing party, this could lead to additional disputation. This is another issue to be weighed and measured. There may be a disproportionate impact on smaller parties and objectors, and this is where we are trying to get a better balance in this bill — on the competing rights and the competing powers between people who are able to voice their view in a democratic society as against those who have deeper pockets and may be able to shut others out of the debate. These are the fine balances the Labor Party is asking the government to reassess in this debate.

The opposition seeks from the government particulars over the intention of this new section. Are there any appeal rights? Will this change create delays as parties tie up proceedings by attempting to knock other parties out of the tribunal? These considerations are why we have moved the reasoned amendment — so that the question of how best to deal with this issue can be looked at. I want to reaffirm that we will reserve our rights to make further amendments in the other house if these considerations are not weighed and measured in a way we believe will provide a better, balanced bill and a better result for all parties.

In summing up — and I think I will make a succinct contribution, as did the lead speaker for the Labor Party — this is not a controversial bill. Among its key measures is a provision to enable VCAT, when exercising its review jurisdiction, to invite the original decision-maker to reconsider the decision, which seems a fair enough proposition, and to enable VCAT to make an order in relation to fees. I have gone through the arguments concerning fees and how that matter should be assessed.

The bill gives further power to the tribunal to remove an unnecessary party from proceedings. We have raised the issue that we think needs to be looked at regarding balance and possible unintended consequences there. It also enacts a new regime for expert witnesses and their evidence. Once again, that does not appear to be a matter of great contention. In fact, it just seems to comply with the way expert witnesses are treated in other jurisdictions. The bill also provides a range of minor amendments, including the delegation of certain tasks. Again, they are largely perfunctory and administrative and are not in dispute.

With those points I seek that the government respond to the issues that are being raised in good faith by the opposition and address the particulars of the reasoned amendment. As I have said, the opposition will reserve its right to move further amendments in the upper house, depending on how the debate plays out. The bottom line is that I think there is goodwill across the aisle to have a good outcome that is in the best interests of Victorians so that the system can remain an effective and efficient one that deals with different issues.

As the member for Broadmeadows I know it has been of advantage that VCAT now sits in the Hume Global Learning Centre in Broadmeadows. It is a good proposition to take such administrative bodies out of the centre of the city and put them in other locations, particularly in the north where there has always been a lack of government services. That has been an effective proposition. I would argue for more relocation of

services to places like Broadmeadows, particularly in the current situation with unemployment. A better positioning of services at regional hubs and centres will be a good way of providing new jobs and different career paths so that there are white-collar as well as blue-collar jobs. As the member for Broadmeadows, that is something I wanted to add to my contribution.

As far as this bill and its particulars are concerned, I think we could get a better and fairer result and provide greater equity and accessibility for people if these positions were considered by the Attorney-General and if the government could make some amendments to get the balance right. At the end of the day I think that is what Victorians want from both sides of politics — for partisanship to be put to one side where there are issues where the parties are largely in agreement and there is some finetuning around the edges, particularly on principles of access and the ability to effect a decision so that one side does not ride roughshod over the other and we can say that this is a system that has taken into account the full debate and various sides of the arguments. At the end we have a better result for all Victorians.

Mr GIDLEY (Mount Waverley) — I rise to make a contribution to debate on the Victorian Civil and Administrative Tribunal Amendment Bill 2014. I note that the bill amends the Victorian Civil and Administrative Tribunal Act 1998 to enhance the powers and efficiency of the tribunal and enact a new regime for expert witnesses and expert evidence. It is with those primary goals that the objectives of the bill are fairly clear.

I note that the bill will enable the Victorian Civil and Administrative Tribunal (VCAT) when exercising its review jurisdiction to invite an original decision-maker to reconsider a decision. The bill will also enable VCAT to make an order in relation to fees, separate from its power to award costs. It will introduce a legislative scheme for VCAT in relation to expert witnesses and their evidence, and it will provide a range of mechanical and technical amendments to improve VCAT's ability to manage proceedings. As I said, the aims and objectives of those provisions indicate that there is the capacity to have a more efficient and effective system than is there at the moment.

The bill introduces new rule-making powers which will enhance the efficiency of VCAT by enabling it to make rules providing for certain functions to be performed by the principal registrar. In turn, the principal registrar will be able, in appropriate cases, to delegate certain functions that the rules specify may be delegated. Currently VCAT makes a duty member available, if I

could put it like that, for the purposes of making orders such as those relating to adjournments, extensions of time and consent orders. Empowering the principal registrar to perform those functions will improve VCAT's operational efficiency. That is important when seeking to ensure that VCAT is operating in an efficient and effective manner.

The bill provides that the VCAT rules may include rules for or with respect to the functions of the tribunal that may be performed by the tribunal constituted by the principal registrar. As I said, that is very much aimed at improving the efficiency and effectiveness of VCAT but also at ensuring it is running in a sensible manner. As has been noted in the chamber, costs of proceedings are one factor that can impact not only on people's ability to seek access to VCAT but also on the general view of the government's commitment to trying to reduce the costs of business and other aspects in our state.

In looking at ways in which we can as a government seek to reduce costs in proceedings yet ensure that proceedings are able to continue, I turn my attention to the provisions of the bill that provide for the invitation to reconsider. Empowering VCAT to bring a decision-maker back into the process, which the bill does, will provide an additional mechanism to assist in the resolution of matters before VCAT. Presently, a proceeding may only be resolved during the alternative dispute resolution (ADR) process with the agreement of all parties. Accordingly the alternative dispute resolution process effectiveness is limited where there are a large number of parties, each with different interests, so that it is just not possible to identify a single agreed outcome.

In such cases it is common for the alternative dispute resolution processes to elicit information and views that were not available to the primary decision-maker. For example, as the process is gone through it might be considered that the views of a party or parties on a matter may not have been available to the primary decision-maker, whether that be because they had not been stated clearly enough or because there may have been a further development in those views.

Providing the mechanism for VCAT to invite a decision-maker to reconsider its decision at any point during a VCAT proceeding would facilitate early resolution of proceedings by ensuring the primary decision-maker is apprised of areas of compromise or agreement between some or all of those affected by that decision. The primary decision-maker is then able to modify its decision accordingly, based on information that may well have come out through the further ADR

process. It is anticipated that even where universal agreement is not achieved through dispute resolution — and that is often the case — the proposed invitation to reconsider would support the alternative dispute resolution processes by reflecting areas of compromise that would satisfy some or all of the parties in some or all of the aspects.

That is important to note because if this particular provision of the bill enables a situation where VCAT can invite the primary decision-maker to reconsider, there is the potential to limit costs by reducing the length of the proceedings and focusing on where there is common ground. Ideally that in itself will assist not only in reducing costs but also in improving access to VCAT by other parties. As I said, that is certainly an important part of the bill.

I note that as well as the provision to invite the primary decision-maker to reconsider there are also aspects of the bill which provide for expert evidence. The bill introduces a number of provisions to assist VCAT to manage expert evidence and to reduce the costs and delays that can arise from the use of detailed evidence from multiple experts. The provisions are modelled on the expert advice provisions that apply to the courts under the Civil Procedure Act 2010 but have been modified to suit the tribunal context. The objectives of these provisions are to enhance the case management powers of the tribunal in relation to expert evidence procedures, to restrict expert evidence to that which is reasonably required to resolve a proceeding and to emphasise the paramount duty of an expert witness to the tribunal.

Therefore in implementing those provisions of the bill it is hoped and anticipated that the system of expert evidence will in itself not only provide good-quality, reliable expert evidence which is relevant to proceedings before VCAT but also reduce the cost of undertaking matters, particularly in relation to reducing the delays which can arise from the use of detailed evidence from multiple experts. If those delays can be reduced and quality expert evidence is still available, the matters can be heard and resolved sooner and there is likely to be a reduction in costs. If you put that together with the invitation to reconsider and the other aspects of the bill that I have detailed to the house, it is very clear that the key objectives of enhancing the powers and efficiencies of the tribunal are represented and reflected throughout the bill.

Again, it comes back to the government's aim and ambition to ensure that where possible there are additional efficiency measures which will lead to a reduction in the cost of proceedings undertaken at

VCAT. As I said, whether it is a resident or business in Glen Waverley or Mount Waverley in my electorate or a resident or business somewhere else in the state seeking to access VCAT for a planning matter or another issue, the capacity to put downward pressure on the cost, to improve efficiency and to retain the quality of the proceedings before VCAT are all positive measures. This government is again demonstrating its commitment to improving access to our justice system and to doing everything it can to reduce costs for Victorians. I wish the bill a speedy passage through the house.

Mr LIM (Clayton) — I am pleased to contribute to the discussion on the Victorian Civil and Administrative Tribunal Amendment Bill 2014. The bill will amend the Victorian Civil and Administrative Tribunal Act 1998 to enable the tribunal to invite the original decision-maker to reconsider their decision when it is under review. The bill will also create a rebuttable presumption that either the whole or a portion of the Victorian Civil and Administrative Tribunal (VCAT) fees incurred in bringing a dispute before VCAT will be met by the unsuccessful party in certain categories of disputes.

The bill will allow the tribunal to make an order in relation to fees separately from its power to award costs. There will be a legislative scheme in relation to expert witnesses and their evidence, which is modelled on the provisions in the Civil Procedure Act 2010. The bill will also empower VCAT to remove a party from a proceeding if they are no longer a proper or necessary party. Other minor and technical amendments are proposed to improve the tribunal's ability to manage proceedings, about which I will not comment.

The proposal that the bill will allow an original decision-maker to reconsider their judgement is made with particular reference to planning disputes. Often the parties involved in a planning dispute will have made progress after the original decision. In light of the progress made, it may be more practical for the original decision-maker, who is already familiar with the particulars of the case, to vary their decision or substitute their decision in a way that is more acceptable to both parties. This procedure will be more efficient. It will allow a member of the tribunal who is already familiar with the case to more readily make proposals or orders to the parties. The parties may also take comfort from the idea that the member has a greater level of affinity with their case. This process is similar to that employed by the State Administrative Tribunal in Western Australia.

The bill will also create the presumption that the unsuccessful party in a VCAT dispute will be liable to pay VCAT costs. This proposal is in line with the notion that innocent victims should not need to bear costs in the process of pursuing the damages they are entitled to. It will also further encourage parties to settle, as the probable unsuccessful party will look to avoid this extra cost. VCAT will have the discretion to order fees having regard to whether a party was successful in the proceedings, the nature of the issues in the proceedings and the conduct of the parties. Innocent parties generally suffer distress and hardship before they make an application to VCAT. Whilst the costs to apply to VCAT for a hearing may not be as large as the costs to engage lawyers for a prolonged period or enter cases in various other courts, the costs are not insignificant. This will mean that the costs to enter into a VCAT proceeding may no longer be a deterrent to innocent parties who are experiencing financial hardship and who would otherwise not pursue their legal rights.

The bill makes amendments with regard to expert witnesses. An expert witness is defined in VCAT's practice note on expert evidence as:

A person with specialised knowledge, skill, education, qualification, experience, and/or training in a particular field who provides evidence to the tribunal by written report and/or being called as a witness, where a specialist opinion is required on a particular issue within the scope of his or her expertise.

The amendments will simplify the act to reflect the different types of proceedings that VCAT manages.

In relation to expert witnesses, I would like to recommend that the definition of an expert witness in VCAT's practice note on expert evidence be refined to reflect the importance of the expert witness in a proceeding, the importance of a party getting a suitable witness with experience dealing with VCAT and possibly recommendations or examples of what an expert witness may look like for a particular type of proceeding. The current definition is too broad. It may mislead parties who have no legal representation, and it may result in them enlisting the help of somebody who they consider to be an expert witness, but who, despite all their good intentions, is unable to fully help the party due to their inexperience in dealing with VCAT proceedings.

There will be some gains in processes and efficiency with regards to administration and operation, particularly for regional areas. The bill delegates certain functions to qualified staff so that local registrars and staff will have the authority to make decisions that may

have previously required documents to be processed in Melbourne.

The bill enhances the administration of VCAT by providing it with the ability to remove a party from a proceeding if they are deemed to be not necessary or not a proper party to the dispute. The bill enables the principal registrar to certify non-monetary orders as appropriate for filing in the Supreme Court. The amendments in the bill refine the administration of VCAT processes, which will come as a welcome relief to innocent parties feeling the financial strain of legal costs. However, I express the concern that the bill allows for the removal of third parties in certain circumstances.

Clause 9 inserts new section 60A, which provides that the tribunal may order, on its own initiative or on the application of a party, that a person cease to be a party to a proceeding if the tribunal considers that the person's interests are not, or are no longer, affected by the proceeding, or if the person is not a proper or necessary party to a proceeding, whether or not they were one originally. I would like further clarification regarding the effect of this proposal. I am concerned that, for example, a developer may claim that an objector is not close enough to the proceeding.

I commend the bill to the house, pending the opposition's right to make an amendment to it in the Legislative Council.

Mr McCURDY (Murray Valley) — I am delighted to rise to make a contribution to the debate on the Victorian Civil and Administrative Tribunal Amendment Bill 2014. The bill amends the Victorian Civil and Administrative Tribunal Act 1998 to enhance the powers and efficiency of the tribunal and to enact a new regime for expert witnesses and expert evidence. It is anticipated that, if passed, the act will commence on 1 February 2015.

The bill provides four key reforms: it will enable the Victorian Civil and Administrative Tribunal (VCAT), when exercising its review jurisdiction, to invite an original decision-maker to reconsider their decision; it will enable VCAT to make an order in relation to fees, separate from its power to award costs; it will introduce a legislative scheme for VCAT in relation to expert witnesses and their evidence; and it will provide a range of mechanical and technical amendments to improve VCAT's ability to manage proceedings. The bill will apply to all proceedings that take place from the date of its commencement.

Currently VCAT makes a duty member available for the purpose of making certain orders, such as those relating to adjournments, extensions of time and consent orders. Empowering the principal registrar to perform those functions will improve VCAT's operational efficiency. The new rule-making power will enhance the efficiency of VCAT by allowing it to make rules providing for certain functions to be performed by the principal registrar. In turn, in appropriate cases, the principal registrar will be able to delegate certain functions. Not all of the functions of the tribunal will be able to be performed by the principal registrar. For example, the bill provides that the rules will not provide for the principal registrar to make any orders finally disposing of a proceeding other than those orders made with the consent of all parties to the proceeding. In addition, the rules committee must consider whether a function is of a kind that should be performed by one or more members rather than by the principal registrar. That sounds pretty logical to me.

The bill provides that certain VCAT rules may be performed by the principal registrar. The new delegation power will enable the principal registrar to delegate these powers under the new rules to appropriately qualified staff. This will minimise the need for members to make low-level orders about documents and requests from parties where a request is appropriate for determination by a registrar or an appropriately qualified member of staff. The bill spells out that the VCAT rules may specify the person or class of person to whom that function may be delegated.

I turn now to clause 8 which inserts new section 51A and makes provisions relating to the tribunal inviting a decision-maker to reconsider their decision. The bill empowers VCAT to bring the decision-maker back into the process and provides an additional mechanism to assist in that resolution. Currently a proceeding may only be resolved during the alternative dispute resolution (ADR) process with the agreement of all parties. As such, the effectiveness of ADR may be somewhat limited. When there is a large number of parties, each will have a different barrow to push and different personal interests and it will not always be possible to identify a single agreed outcome. In such cases, it is common practice for the ADR process to extract information and views that were not available to the primary decision-maker.

Providing the mechanisms for VCAT to invite a decision-maker to reconsider their decision at any point during a VCAT proceeding will facilitate an early resolution of proceedings, and the primary decision-maker will then be able to modify their decision accordingly. It is anticipated that even where

universal agreement is not achieved through alternative dispute resolution, the proposed invitation to reconsider will support the ADR processes by reflecting areas of compromise that will satisfy some or all parties in some of those respects. Again, we are talking about practical outcomes and the types of outcomes that VCAT was originally created for — lower cost individual outcomes without lengthy time or cost delays.

In terms of delaying proceedings, the bill provides that an invitation to reconsider will, as far as possible, not affect a proceeding's priority, unless of course all parties agree, ensuring that proceedings take no longer to be finally determined as a result of that reconsideration process. So it is important, if we are to get practical outcomes, that all parties agree to that. It is important that the invitation to reconsider does not alter or limit the existing role of the parties that influence the decision of an original decision-maker in the first instance.

The member issuing the invitation to reconsider will be aware of those parties who were involved in that original decision. It is anticipated that where alternative dispute resolution processes are undertaken for a VCAT decision-maker to reconsider, the parties will be actively involved in that mediation process. This is endorsing further communication to achieve better outcomes earlier in the process. If the mediator is a non-member mediator, they will inform a VCAT member of the outcome of the alternative dispute resolution process, who will then execute the invitation to reconsider.

The bill introduces a new power that VCAT may order on its own initiative or on application that a person cease to be a party to a proceeding if VCAT considers that the person's interests are no longer affected by the proceeding or the person is no longer a proper or necessary party to a proceeding. They may have been a party to the proceeding in the first instance but are not so any further. The new power to remove parties may include an order as to any other matters that VCAT considers appropriate. This allows VCAT to make an order dispensing with services where parties have indicated they do not wish to participate in the proceedings and to make directions as to how decisions of the tribunal under this provision are recorded on VCAT's electronic systems.

In relation to fees, it is presumed that either the whole or a portion of the VCAT fees will be met by the unsuccessful party in certain types of proceedings. These proceedings are usually small consumer claims and matters relating to owners corporations, domestic buildings and residential tenancies. The presumption

will remove a disincentive for applicants — for example, consumers with valid claims to seek justice at VCAT. It will also encourage those who are taken to VCAT to resolve a dispute where the consumer has a valid claim. That presumption is also intended to encourage a party likely to be found at fault to seek to resolve that dispute earlier, thus avoiding or reducing the time and costs incurred by a party with a legitimate claim.

In the brief amount of time I have available to me I will also touch on expert evidence. The bill introduces a number of provisions to assist VCAT to manage expert evidence and reduce costs — which is very important — and delays that can result from the use of multiple and detailed expert evidence. These provisions are modelled on the expert evidence provisions that apply to the courts under the Civil Procedure Act 2010 and have been modified to suit the tribunal context. The objectives of the provisions are to enhance the case management powers of the tribunal in relation to expert evidence at proceedings and to restrict expert evidence to that evidence which is reasonably required to resolve a proceeding and to emphasise the paramount duty of an expert witness to the tribunal. Currently VCAT has a comprehensive power to give any directions under section 80 that it considers appropriate in relation to expert evidence in a proceeding, and the bill makes it clear that VCAT has the power to give appropriate directions and impose reasonable limits in actively managing and controlling expert evidence.

With that I commend this bill to the house and sincerely hope the opposition will support where we are headed with these appropriate changes to VCAT. I wish this a speedy passage through the house.

Mr PERERA (Cranbourne) — I wish to make a short contribution to the debate on the Victorian Civil and Administrative Tribunal Amendment Bill 2014. This bill seeks to amend the Victorian Civil and Administrative Tribunal Act 1998 to enable the Victorian Civil and Administrative Tribunal (VCAT) when exercising its review jurisdiction to invite an original decision-maker to reconsider the decision, to make an order in relation to fees, to give further power to remove an unnecessary party from the proceedings, to enact a new regime for expert witnesses and their evidence, and to provide a range of minor amendments including delegation of certain tasks.

VCAT was established to provide Victorians with a low-cost, accessible, efficient and independent tribunal for dispute resolution. However, in January 2013 this government proposed large increases to the application fees. Labor, along with many other organisations and

groups, raised serious concerns that Victorians would be priced out of accessing VCAT. In response to the public outcry, the government made minor concessions but large fee rises were still applied. According to those changes VCAT expects to collect an extra \$22 million over the next three years from proposed fee increases and new charges. The cost of lodging a basic small claim against a trader over faulty goods will more than triple from \$38 to \$160 under the planned changes. This is likely to affect about 8000 people a year. If the new system were implemented, as many as 3000 ordinary planning applications a year would attract a \$1000 fee, up from \$322. Some tribunal cases will be sluggish with new hearing fees of at least \$360 a day, and many people will pay up to \$300 a day for mediation, which is currently free. Complex cases heard over more than one day by more than one VCAT member will attract a new \$1800-a-day fee after the first day.

Currently VCAT can make a costs order against parties. This bill intends to extend that power to fees and create a presumption that VCAT fees incurred in bringing a dispute to VCAT will be reimbursed to the successful party from the pocket of the unsuccessful party. I personally believe this is fair and that it will encourage people who believe they are on the right side of the law to go to VCAT so they will not be out of pocket if they win the case. VCAT may order that a person cease to be a party to a proceeding if it thinks the person's interests are not affected by proceedings or are no longer affected by proceedings or that they are not a necessary party to the proceedings. Giving VCAT this level of powers is very scary. This is a large power with which to provide a VCAT member, and it may see some people denied the right to be heard as they may be subject to review by a VCAT member not close enough to the issue.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Mount Ridley P-12 College

Ms BEATTIE (Yuroke) — I rise to raise an urgent matter for the Minister for Education, and it concerns stage 5 funding for the Mount Ridley P-12 College. Members will be aware that this morning a petition was tabled with some 254 valid signatures on it, but it also had another 300 signatures on it that were invalid. The reason those signatures were invalid is that they came

from students at the college who did not put down their addresses. The students at the college were sufficiently concerned about their own education that they filled in a petition.

For the benefit of the house, I will tell members about the Mount Ridley college. Mount Ridley is a P-12 college. It was opened in 2009. It was built by the Labor government, and many stages were completed. Because it is in a growth area the number of students at the college has grown to 1700. The answer to the problem of student numbers that this government has come up with is to put seven portables on the site, each with two classrooms — a total of 14 portable classrooms — in a P-12 college that was only opened in 2009. It is estimated that some 400 more students will be in those portables by the end of next year, when the school has its first year 12. At the moment the college only goes to year 11.

My urgent matter is for the Minister for Education. I call on him to provide funding for stage 5 of Mount Ridley college. I acknowledge that the college is in a safe seat. However, students in the north of Melbourne deserve a great education, like the students in any other area of the state.

Mr R. Smith interjected.

Ms BEATTIE — The Minister for Environment and Climate Change can bleat all he likes, but people in my area know that this government is discriminating against children in the north of Melbourne. The fact that they are in a new school which was opened in 2009 but already has 1700 students in portable classrooms is a disgrace. I call on the minister to provide funding for stage 5.

Monash Volunteer Resource Centre

Mr GIDLEY (Mount Waverley) — My adjournment matter tonight is for the Minister for Community Services. The action that I seek is for the minister to visit the Waverley area and meet with staff and volunteers at the Monash Volunteer Resource Centre to discuss ideas for improvements that could be made to the volunteer sector in Victoria. The Monash Volunteer Resource Centre has been supporting the community of Monash since 1985 by connecting volunteers with opportunities in community organisations.

I note that each year more than 1600 volunteers are placed in over 400 community service organisations by the centre. The organisation provides a range of services for the frail aged and people with disabilities

and their carers, including a safety register to regularly check on members of the community who may feel isolated. That helps not only those members of our community but also their loved ones, who might be wondering how they are going. The centre also manages CrimCheck, a web-based police checking service for community organisations, again providing the community with an assurance and a safeguard that the people who are participating in community organisations where appropriate have that police check.

The organisation's mission statement reads:

We partner with the community in the pursuit, provision and growth of volunteering opportunities and social support. We provide a sense of social interaction and safety for vulnerable members of the community. Our services belong to local residents and enhance lifestyles.

During this parliamentary term I have enjoyed the opportunity to meet with volunteers at the Monash Volunteer Resource Centre and receive their feedback on a range of matters, including ways in which the state government may improve the way it meets the needs of the volunteer sector. Given the important role volunteers undertake in the community, I am always keen for government to take up opportunities to listen to key stakeholders in the volunteer sector. There are so many vital services and activities that exist only as a result of the roles volunteers undertake in our community and which simply would not exist without such volunteers — whether that be Meals on Wheels, Neighbourhood Watch, RSLs or other activities and services. That is why I take this opportunity to acknowledge the volunteers in the city of Monash and the tremendous work of the Monash Volunteer Resource Centre. I look forward to the minister meeting with representatives of the centre at some stage in the future.

Boral Western Landfill

Ms KAIROUZ (Kororoit) — I rise this evening to raise a matter with the Minister for Environment and Climate Change, who is currently at the table. The action I seek is for the minister to ensure that the Environment Protection Authority Victoria (EPA) does its job and properly follows up on odour complaints from residents, identifies the source of the odour in and around the landfill site operated by Boral Recycling Pty Ltd in Deer Park and reports back to the community. For many years residents in Deer Park, Derrimut, Burnside, Caroline Springs and surrounding suburbs have been exposed to a smell which emanates from the Boral Western Landfill site in Deer Park. Many residents were unaware of the origin of the smell, believing that it was due to neighbours fertilising their

gardens or the development works that typify the growth area in which they live.

For those members who may be unfamiliar with the matter, Boral has sought to expand the landfill site by the equivalent of over 100 MCGs. This proposal for expansion is currently before the Melton City Council. The site is in the middle of the urban growth boundary, an area earmarked for future residential development and an area utterly unsuitable for such a mammoth tip.

At a recent community meeting I hosted, which was attended by over 400 residents, the issue of the odour levels received much attention. It was only through this gathering that stories were able to be shared, and a disturbingly consistent picture of the EPA's response was painted time and again. Many people have reported odour incidents to the EPA but received no response or follow-up. Others have had to insist upon being given reference numbers, with EPA operators being unwilling to provide them. And others still, when calling back to follow up on a report, have found that their reference numbers do not exist in the system, which indicates that they had never been properly lodged. Some complainants have been told by the EPA that the organisation must receive three or more complaints within 24 hours in order for a complaint to be registered.

All this paints a disturbing picture of neglect and incompetence at the EPA, the authority charged with ensuring that pollution levels remain safe for all Victorians. The EPA's five-year plan commits it to reducing the number of disturbances from odour pollution for Victorian families, though it hardly seems committed to this if the experience of residents in my electorate is anything to go by. My office has collected scores of EPA report reference numbers in the past fortnight from residents concerned about the authority's inaction. The EPA is failing the communities of Deer Park, Derrimut, Burnside and Caroline Springs. The EPA is not doing the job it has been tasked with. I call again on the minister to investigate the matter and ensure that the EPA investigates, identifies and takes the necessary steps to eliminate the source of the odour problems in and around the Boral Western Landfill site.

Mordialloc Creek

Ms WREFORD (Mordialloc) — I wish to raise a matter for the Minister for Ports. The action that I seek is for the minister to visit Mordialloc Creek and talk to the Mordialloc Creek Community group about an infrastructure issue that the group faces which results from the 11 years of neglect under Labor. Mordialloc Creek is a little jewel in the crown that is Port Phillip

Bay. It is a fantastic natural asset for the community. It is an inlet that allows small boats, mainly recreational craft, to enter and exit the bay safely. It is extremely popular with the community, particularly with families. It is a great place to hire a boat with the kids and take a look around the bay.

Under Labor, however, it was totally neglected and left in a mess. Despite the fact that the creek is in a tight marginal seat, Labor did little to improve or maintain it during its 11 wasteful years in office. When I came along as a candidate in 2010, Labor's legacy could be seen: hundreds of boats were stuck in mud. Boats being stuck in mud is the nautical equivalent of an economy bound up in red tape. I set to work immediately with my neighbouring candidate, now the member for Carrum, and our shadow ministers to ensure that we got a commitment to get the creek fixed. In a sure and clear sign of the change in government we went from seeing horrible neglect, the community being taken for granted and boats stuck in mud to a program of action, which included having the creek dredged. A \$6 million commitment to fix the creek was delivered swiftly, and today boats are able to use a magnificent body of water without being bogged in the mud.

It was not just the silting that Labor allowed to become a problem. Mordialloc Creek Community has been quite patient, dealing with one issue with a time. Certainly the build-up of mud and silt was its no. 1 priority, and it is very pleased that we have listened and have delivered on our promise to fix it. There are some other issues that need to be taken care of at the creek after those 11 neglectful years under Labor. Mordialloc Creek Community has a new no. 1 issue, and it is quite important and worthy of the minister's consideration. While I am not going to tell Labor what the issue is, it is fair to say that it is the result of those 11 years of neglect under the former government. I hope the minister can come and meet with the group and take a look at the issue for himself. I look forward to a positive response.

Tourism Greater Geelong and the Bellarine

Mr EREN (Lara) — I wish to raise an urgent matter for the attention of the Minister for Tourism and Major Events. The action I seek from the minister is that she recognise and support Tourism Greater Geelong and the Bellarine as a regional tourism board. As the minister is aware, the initial review of tourism structures for Geelong and the Bellarine, a Lightfoot report, was undertaken by Tourism Victoria in 2010. This report recommended a stand-alone regional tourism board for Geelong and the Bellarine. This

important advice has unfortunately fallen on deaf ears; the minister is not listening to it.

It is becoming very obvious that this government does not recognise or appreciate Geelong and what Geelong has to offer. This government needs to realise that, given the current decline in the manufacturing sector, which is a drain on the spending power of the region, the tourism sector in Geelong needs to be nurtured and supported. The tourism industry in Geelong and Bellarine has enormous potential and generates economic returns and employment to the area as well as contributing close to a billion dollars each year to the economy, which promotes and facilitates economic activity in the region. In light of recent job losses that have occurred in Geelong, tourism should be a part of government strategy to create jobs.

It has been highlighted to me by stakeholders that Geelong and Bellarine are destinations in their own right, and the Napthine government needs to understand that. The experiences and product mix we have in the region are very different from the Great Ocean Road experience. They are unique in their own right and are not necessarily associated. The Great Ocean Road is recognised for its beautiful natural environment, which attracts certain types of tourists, and that is great. The Greater Geelong and Bellarine region, however, has fabulous local food and wine and lots of events, including cycling and golf. It also has the waterfront, cruise shipping opportunities and bay activities as well as cultural aspects. The list goes on and on. The member for Bellarine is sitting here and totally agrees with me. This government needs to realise that this represents very different tourism opportunities and experiences and that there is no sense in trying to bundle it all up together as this may decrease the potential of the area.

I do not think it is good enough to have the mentality that 10 regional tourism boards are too many. Why is it that the Mornington Peninsula is recognised as a board — which is fine; I do not have any objection to that — and yet Geelong and the Bellarine organisation is not? Geelong has not received any recognition from this state government in terms of tourism, yet it is in the top three visitor destinations within the state. The government claims that regional tourism is a priority, yet Geelong, which is Victoria's second-largest city, is not considered a stand-alone regional tourism board. In light of job losses that are occurring in regional Victoria, an urgent review of the tourism boards needs to occur, and the Geelong and the Bellarine organisation needs to be recognised as a stand-alone board by the government. The action I seek from the minister is that she formally recognise and give support

to Tourism Greater Geelong and the Bellarine as a regional tourism board in its own right so that Geelong can reach its full potential in relation to jobs and tourism.

Elite athlete travel grants

Mr BULL (Gippsland East) — I raise a matter for the attention of the Minister for Sport and Recreation, who I see has just entered the chamber. The action I seek is that the minister offer support to one of this country's best athletes, Charlotte McShane, from my electorate of Gippsland East. Charlotte is a champion in the true sense of the word. She is the current holder of the world under-23 triathlon title following a stirring win in London late last year when she beat off two Canadian opponents in the final stages of the event. Having myself competed in a corporate triathlon last weekend over only a fraction of the course on which Charlotte competes, I have a newfound respect for her ability and stamina. I am aware that Charlotte has been in serious training in recent weeks, which is a bit more than I have been doing. She is training to compete in the International Triathlon Union elite series in Spain and Korea later this year. She has an application in for the elite athlete travel grant program. I did not quite qualify for that.

Charlotte is a great role model for our younger athletes. She not only possesses incredible ability in her chosen sport but she is also a level-headed and humble person from whom many of our professional athletes could learn. Some might say her ability on the track and in competition is not her greatest asset. Her quiet demeanour, good sense of humour and pleasant, friendly nature, along with her great passion to succeed, make her a terrific role model for our young sportsmen and women.

I must also mention the East Gippsland Sports Foundation, which has played a great role in assisting a number of our young athletes on their journey, including Charlotte. The elite athlete travel grant program is a great initiative of our current minister, and many of our up-and-coming young athletes have benefited from it. It is certainly the envy of many other states. I happened to be chatting to a young elite athlete, Shannon O'Dempsey, from Queensland last weekend. She said she was an up-and-comer in the heptathlon events — I think she is ranked in the top five in the country — and that she wishes they had a program like this in Queensland.

This program supports a lot of local athletes to go to the next level. They often compete on the international stage and that gives them an opportunity to excel at

their chosen sport. I therefore ask the minister to give very strong consideration to assisting Charlotte with a bit of financial support as she goes on to conquer the world in her chosen sport.

Ocean Grove Park

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Environment and Climate Change, and the action I seek is that the minister intervene urgently to safeguard the future of the Ocean Grove Park. The park is a highly valued community asset. It is managed by the volunteer Ocean Grove Park committee and owned by the Trust for Nature. Community members have raised their concerns with me about the proposed transfer of control of the park from the Trust for Nature to the City of Greater Geelong. There appears to be no justification for this quite dramatic move. The park was under threat of being sold off during the late 1990s. It was only through overwhelming community reaction to the proposed sale that the park was protected and ultimately purchased with taxpayer funds and the current ownership and management arrangements put in place. This was designed to ensure that this park remained a community-owned and run asset into perpetuity. This arrangement is now in doubt, with pressure for the land to be transferred to the City of Greater Geelong and limited resources to ensure its maintenance and protection into the future.

Since the park was purchased for the community, the Ocean Grove Park committee has undertaken the work to maintain and beautify this park. Its members have done a wonderful job managing and caring for the park, giving generously of their time, enthusiasm and expertise. However, the members of the committee are all volunteers and the ongoing maintenance and care of the park is a big undertaking. The volunteers do a remarkable job, but the demands of year-round maintenance are increasingly putting pressure on all those involved. To safeguard the future of the park for the community, additional resources need to be committed to assist the committee and Trust for Nature to cover the costs involved in the day-to-day management of the park. With the appropriate resources and the security of the current arrangements, with the Trust for Nature being the owner, the committee will be able to continue to care for the park for the benefit of the local community and the many visitors to Ocean Grove and the region. Again, I urge the minister to intervene to reassure the community that the current arrangements, supported with appropriate resources, will continue to protect the future of this much-loved local asset.

Ashburton shopping precinct speed limit

Mr WATT (Burwood) — My adjournment matter is directed to the Minister for Roads. The action I seek is for the minister to institute a 40-kilometre-per-hour zone along the Ashburton shopping precinct in High Street, Ashburton. High Street runs eastwards through my electorate of Burwood through the Ashburton shopping precinct and continues across Warrigal Road where it becomes High Street Road. The Ashburton shopping centre has a truly magnificent village atmosphere that begins just before the newly redeveloped Ashburton library and Ashburton Community Centre, which received significant funding from this government, and ends at St Michael's Parish School, with Ashburton Primary School less than 100 metres away down Carol Road. The area also includes the newly redeveloped and manned Ashburton police station along with the Ashburton train station.

In this area High Street is a 60-kilometre-per-hour zone, with a school zone at the eastern end of the shopping precinct. During the school pick-up and drop-off hours children and parents from St Michael's Parish School and Ashburton Primary School use High Street as their main route home. Unfortunately the 40-kilometre-per-hour zone is too short and is limited to the hours of 8.00 a.m. until 9.30 a.m. and from 2.30 p.m. until 4.00 p.m. Monday to Friday during school terms.

The increased vehicular traffic that travels east and west through this precinct, combined with the increasing numbers of pedestrians that utilise the local amenities, has resulted in what can best be described as a very considerable safety issue. This was highlighted in July last year with the death of a 90-year-old woman who was struck by a truck whilst attempting to use the pedestrian crossing at the shopping precinct. I understand the truck continued on its way, oblivious to what had ensued. I extend my deepest sympathies to the woman's family as well as to the truck driver, who was undoubtedly traumatised by the event. The truck driver was subsequently not charged over the hit-and-run because he did not realise the accident had occurred.

The call for a change to the speed limit through the shopping precinct is something that has been raised by the local traders for years but was obviously not given the serious consideration it deserved by the former government or the former member. I have consulted with local constituents and traders, and I understand the need for change in order to provide for the safe management of vehicles and people through the Ashburton shopping precinct. Once again I call upon the Minister for Roads to assist in the implementation

of a 40-kilometre-per-hour zone through the Ashburton shopping strip on High Street to improve safety for local residents.

City of Greater Geelong planning zones

Mr TREZISE (Geelong) — I raise an issue on tonight's adjournment for the Minister for Planning, and the action I am seeking is for the minister to listen to and act on the concerns of Geelong residents who are worried and will be affected by the implementation of proposed new residential zones within their local neighbourhoods. For the information of the house, under the City of Greater Geelong's amendment C300, council is currently seeking affected residents' views on the government's proposed new residential zones because they may be implemented in their areas. Essentially these areas in my electorate focus on the inner suburbs of Geelong West, Newtown, Manifold Heights and surrounds as well as parts of Belmont in the current electorate of South Barwon.

As the local member I have had ongoing discussions and meetings in the last few months with a number of residents groups fighting these proposals. One of these groups is based around West Geelong and another group is very active in the Newtown area. For example, West Geelong residents are extremely concerned about the implementation of proposed zones in what is essentially a neighbourhood dominated by Victorian, Edwardian and Federation-style homes built from the 1860s through to the early 1900s. Geelong West is very much based around beautifully restored heritage homes, and residents are concerned about the character and ambience of their neighbourhood. They are concerned that the new residential growth zone will mean the construction of buildings of up to 10 metres in height with 70 per cent site coverage. This of course will apply in other areas, as I said, like Newtown and Belmont.

The concerns of residents are well and truly justified. Only last weekend I had a look at a home that a friend of mine is contemplating buying in Geelong West. Part of that person's concern is a vacant block of land directly across a narrow street from his property. Given the proposed residential growth zones, questions are being asked about what can be built on that small parcel of land. There are many such parcels of land all around Geelong West and Newtown, not to mention occupied land that could easily be bought up and existing structures knocked down by developers.

Residents are concerned not only about the character of their neighbourhoods and the ambience of their surrounds but also about the value of their properties. Revaluation is of grave concern to people who have a

lifetime's investment tied up in their homes. They are concerned that their homes could possibly be overshadowed by 10-metre-high buildings. This is of grave concern to the residents in Geelong West, Newtown, Belmont and surrounds, so I call on the minister to ensure that, as we move through this process, residents' concerns are not only listened to but acted upon.

Abraham OT Services

Ms MILLER (Bentleigh) — I direct my request to the Minister for Health, the Honourable David Davis. The action I seek is for the minister to visit Abraham OT Services in Moorabbin to view its newly opened premises, which will provide occupational therapy to clients who have suffered neurological damage.

Abraham OT Services is a life-changing rehabilitation service based in Moorabbin and exists to assist members of the community who have suffered a stroke, spinal cord injuries, acquired brain injuries, cerebral palsy or other neurological problems. A community-based practice, Abraham OT Services boasts state-of-the-art computer-based rehabilitation devices. Research has shown that these devices can assist recovery regardless of any time lapses between the initial injury or damage and the start date of rehabilitation.

Residents across the Bentleigh electorate will benefit from this new rehabilitation service as sessions are undertaken in a client's home environment. It is a privilege to welcome this small business to the community as it will provide life-changing rehabilitation to individuals in our community who have been injured or who have experienced a stroke which has drastically altered their day-to-day life.

Staff members of Abraham OT Services work closely with each client's treatment team in order to ensure that they are provided with the best possible care. Each occupational therapist has extensive experience within the occupational therapy field, and they have varied specialties, which enables a variety of services to be provided and each session to be specialised to address an individual's needs. The service offers constraint-induced movement therapy, a form of rehabilitation therapy which has the potential to improve a person's function in their arms and legs following a stroke, brain injury or multiple sclerosis by increasing the use of their affected extremity. It has been proven to work on patients with chronic side effects after a brain injury.

In addition to rehabilitation, Abraham OT Services can also assist with home modifications, career training and other home safety assessments. This service will be in high demand in our community. Having toured the facility on its grand opening day last week, I have been able to utilise some of the equipment to experience firsthand how this technology will benefit members of my community who will rely on it for recovery.

Vicki Abraham, the owner of the company, is a proud Moorabbin resident who is supporting the Bentleigh community by opening her facility locally, and I am proud to support small local businesses. Last year Ms Abraham was awarded a George Alexander Foundation fellowship through the International Specialised Skills Institute. She travelled to Germany and Austria to observe how those countries were using the machines in their hospitals and clinics. Ms Abraham is currently finishing her report for the fellowship; however, she felt that it was unfair for Australians to miss out on this treatment, so she decided to open her clinic to offer computer-assisted therapy to clients. I invite the minister to visit this fantastic facility to meet the staff and tour the newly opened premises in Moorabbin to see how this facility supports individuals and the local community of the Bentleigh electorate.

Responses

Mr DIXON (Minister for Education) — The member for Yuroke requested consideration of funding for stage 5 of Mount Ridley P-12 College. I have been out to the school. It is good to see that the students have taken part in democracy by signing a petition, and I look forward to responding to it right now. The member raises this issue at an opportune time because obviously the government is considering the budget at the moment, and I will certainly take into consideration the needs of that school community. I understand the concerns and the population pressures there, and that certainly will be taken into consideration as we finish off our budget deliberations. I was going to leave it at that, but the member made a couple of points which I will briefly respond to.

Mr R. Smith — Disparaging comments.

Mr DIXON — Not quite disparaging — one was. The member recognises that the school is located in a safe seat, but that certainly does not count against it as far as this government is concerned. Probably my favourite example of that is in the safe seat of Werribee, which is now called —

Mr R. Smith — It is now called Derrimut.

Mr DIXON — No, it is not Derrimut, but it is in the Werribee area, which is I know is a seat — —

An honourable member — It's Tarneit.

Mr DIXON — Tarneit. That's right. There the former Galvin Park Secondary College, now Wyndham Central College, was neglected by the previous government to the extent that it had to be rebuilt. That school is in a very safe Labor seat, and it was this coalition government and not the Labor government which spent \$14 million repairing the school which was so neglected by the previous government. Members of this government saw that school and could not stand by and watch its neglect. I can assure the member for Yuroke that such issues are managed regardless of whether a school is in a safe Labor seat or a marginal seat. This government's building projects are based on the needs of the community and the needs of a school.

I must also say that the north of Melbourne has not been neglected, as the member asserted. For example, just this year Hazel Glen College opened in Doreen. The last time I looked the school was in the northern suburbs. Not only is there a brand-new school there but the government has already purchased adjacent land for a secondary college. We are looking after the north, the west, the east and the south. We are looking after the whole state, because it is the needs of the community that direct how we spend our resources and answer the needs of those school communities. I thank the member for raising the issue; it will certainly be considered as part of our budgetary discussions this year.

Mr DELAHUNTY (Minister for Sport and Recreation) — The member for Gippsland East raised a matter for my attention. As we all know, the member for Gippsland East is a great supporter of sport and recreation in his electorate and is always looking for ways in which he can help maximise sports participation and development opportunities there. Tonight he spoke about how in London Charlotte McShane, a champion athlete, won the 2013 London International Triathlon Union (ITU) Under-23 Women's World Championships. The member also spoke about the fact that he has been in a little triathlon in Gippsland. I see that he has been involved in it with Senator Bridget McKenzie and the federal member for Gippsland, Darren Chester. The member for Gippsland East told me that they swam for 350 metres, rode a bike for 8 kilometres and then ran for 3 kilometres. They probably had to call a taxi after all that, but they did a great job.

The member said that Charlotte McShane is an elite athlete and a great role model who inspires others to get

involved in her great sport. As you know, Deputy Speaker, the government has a program to support elite athletes to reach their potential. The member has asked me to help improve travel accessibility for athletes like Charlotte McShane so they can train and compete. This can be achieved through the provision of travel assistance — flights, accommodation and that type of thing.

I am proud to say that the coalition government is providing elite athletes with travel grants of up to \$2000 to assist Victorian athletes to travel to compete at national championships, or in this case international events, as the member highlighted. These grants are important as they assist high-performing Victorian athletes with travel costs to national competitions. Government members want to see these athletes maximise and reach their potential. Over the years the member has been a very strong supporter of sport in his area, and I know he is involved with various clubs. I am sure he will be pleased to hear that under the elite athlete travel program the government is able to support Ms Charlotte McShane with \$2000, the maximum grant, to assist her to travel to Spain and Korea to compete in the ITU elite triathlon series. Again this government is supporting local athletes and local organisations, and travel assistance is just one of the many ways in which the Victorian coalition government is ensuring that even more Victorians get their chance to play sport and get active more often.

Mr MULDER (Minister for Roads) — The member for Burwood has raised an issue with me in relation to the provision of a 40-kilometre-per-hour speed zone for the Ashburton shopping precinct on High Street. I think all members would be aware that through the course of 2013 Victoria recorded its lowest road toll on record. We have currently stepped above that, unfortunately, but I can assure everyone here that as the chair of the ministerial road safety council and on behalf of all agencies we are working overtime to make sure we can drag that back, because we certainly look forward to producing a record low road toll in 2014.

In relation to the member's request, as he would be aware, *Victoria's Road Safety Action Plan 2013–2016* highlights the issue he raised in terms of implementing the outcomes of Victoria's speed limit review. We went to the Victorian public and asked people what they thought about road safety issues and what they would like us as a government to address. As a result of that we gave a commitment that we would gradually phase out 90 and 70-kilometre-per-hour speed zones, remove frequent speed limit changes over short distances and reduce sign clutter on busy roads. We also promised that drivers would see fewer speed zones, which will

reduce potential confusion and help people drive to the speed limit. I think it is important that people are not confused, particularly when they are driving around areas where there is high pedestrian traffic.

On top of that, of course, we spoke about using 40-kilometre-per-hour speed zones to improve pedestrian and cyclist safety; this is about developing guidelines to enable greater use of 40-kilometre speed zones where and when the risk of pedestrian and cycling crashes is high. The member for Burwood has indicated to us that Ashburton shopping precinct is one of those areas where he believes there is a great risk in terms of pedestrian safety. High Street is a key east–west arterial road that links Warrigal Road in Ashburton to St Kilda Road in Melbourne, and we have ensured that \$1 billion will be allocated to the safer road infrastructure program over 10 years, which is an increase of more than 30 per cent on the previous program. A lot of that will be directed towards improving pedestrian safety, particularly in areas where you have high pedestrian movement and a mixture of traffic as well. The investment is a centrepiece of the government’s road safety strategy, and this year alone \$102 million is being spent on 94 road safety projects across Victoria.

As I say, we have carried out our speed limit review, and as a result we are progressively implementing the outcomes of that review. Subsequently, projects such as 40-kilometre speed zone changes could be funded under the safer road infrastructure program, and on behalf of the very hardworking member for Burwood — who represents his electorate at every opportunity to get outcomes for it — I am going to seek advice from VicRoads and get back to his request for a 40-kilometre speed zone for High Street, Ashburton. We have been rolling a number of these out over a period of time, and we are getting fantastic results. The community is now calling for this review, particularly around areas of high pedestrian activity, and I congratulate and thank the member for Burwood for bringing this matter to my attention. I look forward to getting back to him in the hopefully not-too-distant future in terms of what we can do for High Street, Ashburton.

Ms WOOLDRIDGE (Minister for Community Services) — I am very pleased to respond to the member for Mount Waverley on his important adjournment matter this evening. I congratulate the member on his broad engagement with the community sector. Much of that sector has volunteers in critical roles that they fulfil within those organisations. I know he has been very engaged in and very involved with the community organisations in his electorate, particularly

the Monash Volunteer Resource Centre; he has met with its members and has had discussions with me over the past few years.

To give a broader context, the Victorian government absolutely celebrates the role that volunteers play in our community. More than 1.5 million Victorians volunteer their time across a wide range of areas, including emergency services — very relevant at the moment — health, welfare, environment and sports. Core funding for the volunteer resource centres has historically been provided by the commonwealth government through its volunteer management programs, but I understand there is a review under way currently, so there are decisions still to be made about the future of this commonwealth funding.

While the Victorian government has not provided core funding to volunteer resource centres, it often has provided time-limited project funding in different instances. The Monash Volunteer Resource Centre is funded by the Department of Health under home and community care (HACC) funding. It does some very important work, as was outlined by the member for Mount Waverley, in areas like volunteer coordination, running groups for HACC-eligible people, training and transport, and other important work. I understand from my discussions with the member for Mount Waverley that the organisation has a number of ideas in relation to broader volunteer support. I think these are very important discussions to be had, and I would welcome the opportunity to sit down in Mount Waverley with members of the volunteer resource centre and the member for Mount Waverley to have these discussions and also to take the opportunity to acknowledge and recognise the very important work that it does in the Mount Waverley community.

Mr HODGETT (Minister for Ports) — I rise to respond to an adjournment matter raised by the member for Mordialloc. The member raised with me a concern her local community has about some local marine infrastructure, and I would be happy to visit with the member to look at it. The coalition government is proud of its support for local marine infrastructure after — as the member pointed out — 11 years of neglect. The government is working long and hard to improve assets and facilities in and around our marine infrastructure assets. We understand the importance of recreational boating and fishing to the Victorian economy. We also understand the importance of investing in vital marine infrastructure facilities, navigational aids, dredging et cetera in and around our bays and waterways.

The government has funded a number of projects at Mordialloc. We have undertaken a review of the

Mordialloc Creek wave baffles. We have funded undergoing maintenance of the Mordialloc pier, and we have completed a feasibility study for it. We committed to the full and proper dredging of Mordialloc Creek during the last election campaign. This \$6 million project has been funded and completed. It took a coalition government to do this, and we were thrilled to have done so. As Minister for Ports I believe it is important to meet with people in the community to hear firsthand their feedback and concerns relating to these issues. I would be delighted to join the member for Mordialloc to meet with the Mordialloc Creek community group. I look forward to visiting her electorate in the not-too-distant future.

Mr R. SMITH (Minister for Environment and Climate Change) — In responding to the member for Bellarine, I firstly place on the record my thanks to her for raising the issue with me prior to the adjournment debate this evening. She asked me to intervene in a proposed transfer of Ocean Grove Park from the Trust for Nature to the City of Greater Geelong. I will look into that matter and give her some feedback. In raising her matter the member for Bellarine mentioned the volunteers who work in this particular area. I take this opportunity to place on the record my thanks to all the volunteers who do so much work right across this state in managing various bits of public land. They work tirelessly and for little personal gain. They have a great interest in their communities. I place on the record my thanks to them.

The member for Kororoit raised an issue regarding odour complaints in the Deer Park area. When we came to government there were a lot of these issues, particularly in the south-east. These issues have failed to be resolved for some time. In the past the government of the day did not pay much attention to these issues or take many steps to understand or sympathise with local residents. It certainly did not work with industry to get results. Over the last couple of years we have worked very closely with industry in the south-east and we have considerably reduced odour complaints. The Environment Protection Authority Victoria (EPA) has focused very strongly on working with the community and industry to make sure we get that cooperation and to help industry understand what the community's concerns are and to become a better neighbour.

The member mentioned the EPA's five-year plan, which is about getting better outcomes for our environment and improving the authority's performance. The government is committed to working with the EPA to ensure that we get these great outcomes. I will have the EPA look at the complaints in

Deer Park about odours that are allegedly coming from the Boral landfill site. It would help me greatly if the member for Kororoit could pass on the reference numbers given to her by her constituents. We will then be able to fully target those complaints. I would be very happy to take the reference numbers from the member at any time. I will get back to her to ensure that we resolve this issue, as we have resolved similar issues in other parts of metropolitan Melbourne.

On other matters, the member for Lara raised a matter for the Minister for Tourism and Major Events asking the minister to recognise Tourism Greater Geelong and the Bellarine as a regional tourism board.

The member for Geelong raised a matter the Minister for Planning with regard to local residents' views on the implementation of new residential zones in the Geelong area.

The member for Bentleigh raised a matter for the Minister for Health requesting that he visit Abraham OT Services. I will ensure that that request is passed on to the minister.

The DEPUTY SPEAKER — Order! The house stands adjourned until tomorrow.

House adjourned 10.45 p.m.

