

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 24 June 2014

(Extract from book 9)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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(from 17 March 2014)

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Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
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Cabinet Secretary	Mrs I. Peulich, MLC

Legislative Assembly committees

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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.

Joint committees

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

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

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

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

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

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

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

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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.

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

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

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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

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

Deputy Speaker:

Mr P. WELLER (from 4 February 2014)

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

Acting Speakers:

Mr Angus, Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Languiller, Mr McCurdy, Mr McGuire, Mr McIntosh, Ms McLeish, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Ms Ryall, Dr Sykes and Mr Thompson. (to 2 April 2014)

Mr Angus, Mr Blackwood, Mr Burgess, Mr Crisp, Mr McCurdy, Mr McIntosh, Ms McLeish, Mr Morris, Ms Ryall, Dr Sykes and Mr Thompson. (from 3 April 2014)

Leader of the Parliamentary Liberal Party and Premier:

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

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

Deputy Leader of the Parliamentary Liberal Party:

The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

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Beattie, Ms Elizabeth Jean	Yuroke	ALP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
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Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Naphtine, Dr Denis Vincent	South-West Coast	LP
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Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
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Hennessy, Ms Jill	Altona	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Tilley, Mr William John	Benambra	LP
Hodgett, Mr David John	Kilsyth	LP	Trezise, Mr Ian Douglas	Geelong	ALP
Holding, Mr Timothy James ³	Lyndhurst	ALP	Victoria, Ms Heidi	Bayswater	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Hulls, Mr Rob Justin ⁴	Niddrie	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
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Kairouz, Ms Marlene	Kororoit	ALP	Weller, Mr Paul	Rodney	Nats
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Katos, Mr Andrew	South Barwon	LP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wynne, Mr Richard William	Richmond	ALP

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, 24 June 2014

The SPEAKER (Hon. Christine Fyffe) took the chair at 2.06 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

Ambulance services

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the fact that last night police in Bacchus Marsh were forced to drive a psychiatric patient who had seriously self-harmed to hospital after waiting more than an hour for an ambulance to arrive. I ask: in light of this shocking incident, will the Premier finally acknowledge that Victoria's ambulance system is in crisis?

Dr NAPTHINE (Premier) — I thank the honourable member for his question. Can I advise the house that since we have come to government and in this year's budget we have provided an extra 465 paramedics. There are an extra over 28 000 additional shifts for Ambulance Victoria since we have come to power, and Ambulance Victoria has a record budget of \$696.5 million. This is a significant increase in funding for Ambulance Victoria, a significant increase in the number of paramedics for Ambulance Victoria to deploy and a significant increase in the number of additional shifts.

I am advised, with regard to the case referred to by the Leader of the Opposition, that this is a very sensitive case involving the welfare of a 38-year-old woman with very complex psychological issues. I thank the police officers involved in the case for responding promptly to the welfare of this woman. I am advised that police officers rang Emergency Services Telecommunications Authority call-takers about 7.50 on 23 June, requesting an ambulance in the Bacchus Marsh area — the Pentland Hills area, to be exact — for a woman who had self-harmed while being transported in the back of a divisional van.

Based on the information provided by the police and the severity of the woman's bleeding, the case was identified as code 2 — that is, not requiring a code 1 urgent response.

Honourable members interjecting.

Dr NAPTHINE — Ambulance Victoria advises that there were a number of ambulances in the area at the time that were on code 1 warnings, so they could only respond to code 1 emergency cases, and indeed there were three ambulances in the area that could have

responded to that case. Ambulance Victoria is now investigating why these ambulances were not dispatched, why the case was designated as code 2, not code 1 — —

Honourable members interjecting.

The SPEAKER — Order! I ask members to cease interjecting.

Dr NAPTHINE — I am advised that the police were transporting the woman and took her to Ballarat, where she was appropriately treated in hospital. This is a serious case. We thank the police for their work. We also understand that in this case there were adequate ambulance resources available in the area. There was an issue regarding the classification of the case, and this is being investigated by Ambulance Victoria. We have a situation which is of concern; it is a situation where the woman was taken to the hospital and treated appropriately.

Ms Thomson interjected.

The SPEAKER — Order! The member for Footscray!

Dr NAPTHINE — Ambulance Victoria will be investigating the classification of the case and why the ambulance resources which were available were not utilised.

Budget initiatives

Ms RYALL (Mitcham) — My question is to the Premier. How is the coalition government building a better Victoria by reducing cost burdens on Victorian families and businesses?

Dr NAPTHINE (Premier) — I thank the honourable member for Mitcham for her interest in reducing costs and the cost of living for Victorian families and businesses. The best way any government can assist Victorian families and Victorian businesses is to deliver strong economic management, to deliver a AAA budget which has surpluses now and into the future, to deliver a budget that has record funding for health, education and community safety, and to assist those in our community in the most need.

It is also helpful to Victorian businesses and families if that budget is able to fund vital infrastructure that improves public transport, reduces congestion, and improves transport and business productivity. In addition to these good budget outcomes under the coalition government in Victoria, I am pleased to advise the house that from 1 July Victorian businesses will

benefit from a cut in payroll tax to 4.85 per cent, saving businesses \$234 million over the next four years.

I am also pleased to advise the house that last week I announced that as from 1 July the average WorkCover premium in Victoria will be cut by a further 2 per cent. This is on top of the 3 per cent reduction in WorkCover premiums in 2012. I was able to announce last week that Victorian businesses can also gain a further 5 per cent cut in their WorkCover premiums if they pay the full 12-month premium by 1 August. That is potentially another 5 per cent cut in premiums on top of the 2 per cent and on top of the 3 per cent.

On 1 July you will see an abolition of stamp duty on life insurance policies. Also, from 1 July many Victorian households will benefit from our policy of fairer water bills, which will deliver \$1 billion worth of savings across Victoria. Melbourne households will benefit from savings of \$100 per year for the next four years. In relation to Wannon Water, I announced on Friday that households in Warrnambool, Portland and Port Fairy in my electorate would receive a benefit of \$70 a year in savings on their water bills. In relation to Barwon Water, households in Geelong and Colac will receive an average of \$80 a year in savings over the next four years, and in relation to Central Highlands Water, in the Ballarat region, they will receive a saving of \$50 a year.

Last year, after many years of failure by the Labor government to deliver a fairer, more equitable fire services levy, it was delivered by a coalition government. It also delivered a reduction in premium payments for most Victorian families and businesses. There are further reductions from 1 July to the fire services levy for most Victorians. For the first time under this government eligible concession holders will get a \$50 a year concession on the fire services levy. From 1 September there will be an increase in the stamp duty concession for first home buyers from 40 per cent to 50 per cent. From 1 January next year there will be free trams in Docklands and the CBD, and people travelling from zone 2 into zone 1 will only pay the zone 1 fare. The coalition government is delivering lower costs for families and lower costs for Victorian businesses.

Ambulance services

Mr MERLINO (Monbulk) — My question is to the Premier. I refer the Premier to the case of a 91-year-old from Lilydale who fell off a veranda on Sunday and was forced to wait in pain for over an hour with a suspected fractured hip along with back, shoulder and ankle injuries before an ambulance arrived, and I ask: is

this not more than just an issue of concern? Is this not a crisis in Victoria's ambulance system?

Dr NAPTHINE (Premier) — As I outlined in my previous answer, the 2014–15 budget for Ambulance Victoria is a record \$696.5 million. That is an increase of over 23 per cent since the coalition came to office. It is an increase of 5 per cent on last year's budget — —

Ms Thomson interjected.

The SPEAKER — Order! The member for Footscray has already been warned.

Dr NAPTHINE — Since coming to government the coalition has recruited and employed an additional 465 paramedics. That is an increase of nearly 20 per cent since we came to government. There are an extra 193 paramedics in the metropolitan area, 44 in Loddon Mallee, 65 in Hume, 77 in Gippsland, 36 in the Grampians and 50 in the Barwon-south western region. There are an additional 28 598 shifts. There are more ambulances, more ambulance officers and more resources.

Additionally, there are more mobile intensive care ambulance single-responder units around regional and rural Victoria, and there have been upgrades to a number of ambulance stations, including significant work to improve cardiac response. Of course in this year's budget we also announced \$550 million for a new 10-year contract for our air ambulances. Whether you are looking at ambulance equipment, whether you are looking at ambulance stations, whether you are looking at the number of paramedics, whether you are looking at the funding of ambulance services, you see that our government is giving Ambulance Victoria the resources it needs to deliver ambulance services to the people of Victoria.

International Mining and Resources Conference

Mr WELLER (Rodney) — My question is to the Minister for State Development. How is the Victorian coalition government driving economic opportunities and jobs growth by positioning the state at the forefront of expanding global industries?

Mr RYAN (Minister for State Development) — I am very pleased to have that very appropriate question from the member for Rodney, because the coalition government is taking every advantage of global trends by positioning Victoria — —

Ms Allan interjected.

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

Mr RYAN — No-one else is listening to her; I would not worry, Speaker. We are positioning Victoria to capitalise on our existing and growing strengths and to drive economic growth. Later this year, Victoria will be hosting IMARC, which is the International Mining and Resources Conference. It will position our state as a global hub for the mining industry. It will be held from 22 to 26 September this year, and it will see global leaders in the mining and mining services sectors, foreign governments and the finance sector coming together in an event which —

Honourable members interjecting.

Mr RYAN — This will be the fourth cornerstone conference on the global mining calendar, along with Mining Indaba in South Africa, the Prospectors and Developers Association of Canada and EXPOMIN in Chile.

As the house is no doubt aware, the mining equipment, technology and services sector, known as METS, contributes about \$90 billion to the Australian economy and about \$17 billion to the Victorian economy. A recent survey undertaken by the peak body, Austmine, of 860 equipment, technology and services companies found that they employ about 360 000 Australians, and 76 per cent of these companies reported that the number of employees in their company increased or remained the same over the last 12 months. They are big players in the economy of Australia and certainly within Victoria.

IMARC will create opportunities for all these businesses to connect with new markets and to build their own businesses. One such example is the Ballarat-based company Gekko Systems, which I had the great pleasure to visit last Thursday when I was in the fair city of Ballarat. Gekko is a great company, a local company established in Avoca in 1996 by Sandy Gray and Elizabeth Lewis-Gray. It now employs about 120 people. Those numbers flex with whatever contractual opportunities are available to the company from time to time.

It is a great local company. Over the past 18 years it has grown to become a global company. It has particular specialist activity in what is termed gravity separation, which enables those who are involved in that sector to obtain much better productivity from ore bodies such as gold, for example. It is but one example of a local company doing very well that will feature large in the activities of this international mining conference.

At the conference there will be 120 speakers and 25 keynote speakers. There will be 18 major sponsors, including the resource heavyweights BHP Billiton and Orica. There will be 45 exhibitors, with a very substantial number of exhibitor spaces already filled. The number of tickets sold at the moment indicates that we will have in excess of 2000 people visiting Melbourne and Victoria for the purposes of this very significant conference. We are looking not only to the development of IMARC in the latter part of this year but also to the growth of the mining sector in all its representative forms in the state of Victoria. This great conference will be another of the wonderful events Victoria will be hosting in the course of this year.

Ambulance services

Ms DUNCAN (Macedon) — My question is to the Premier. I refer to a 75-year-old woman from Sunbury who last night had to wait 25 minutes after suffering a stroke for a code 1 ambulance to arrive, and I ask: in light of this shocking incident, will the Premier acknowledge finally that Victoria's ambulance system is in crisis?

Dr NAPTHINE (Premier) — I thank the honourable member for her question. I can advise the house —

Ms Thomson interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Footscray

The SPEAKER — Order! The member for Footscray will leave the chamber for one hour under standing order 124.

The member for Footscray withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Ambulance services

Questions resumed.

Dr NAPTHINE (Premier) — I can advise the house that in the 2014–15 budget we provided a record amount of funding for health services and that included a record amount of funding for ambulance services. We provide the resources for Ambulance Victoria. In the budget just handed down there was \$696.5 million for Ambulance Victoria, and indeed there has been a

23.4 per cent increase in funding for Ambulance Victoria since we have come to government. That is a significant increase in funding, well above CPI and indeed well above population growth. We have also provided 465 additional paramedics, which is almost a 20 per cent increase in paramedics since we have come to government, and we have provided additional resources in terms of mobile intensive care ambulance single responder units.

Mr Andrews — On a point of order, Speaker, this is, I think, the third question. The answer is no different for each and every one, no matter what the specifics of the question are — —

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

Mr Andrews — The point of order is that the question related to outcomes — a very poor outcome for one patient. The question related to outcomes — —

Honourable members interjecting.

Mr Andrews — I would not have thought there was anything funny about this.

The SPEAKER — Order! Government members and the member for Bendigo East!

Mr Andrews — This is a very serious matter, Speaker. It is a specific case that highlights very poor outcomes for that patient and across the system. That is what the question is about. I will not repeat the details, but it is not about inputs from government; it is about outcomes for real Victorians who are suffering under this crisis, and that is what the Premier ought to be drawn to.

Ms Asher — On the point of order, Speaker, the opposition has asked three questions, as the Leader of the Opposition said, and in all three cases, while a specific case was raised initially, the question asked of the Premier has been fundamentally the same. The question related broadly to Victoria's ambulance system. In fact the words 'Victoria's ambulance system' have been used in all three questions. I put to you that the Premier is being completely and utterly relevant to the question that he has been asked.

Mr Merlino — On the point of order, Speaker, that was a complete reinterpretation of the question by the manager of government business. This was a very specific question.

The SPEAKER — Order! The member should make his point without repeating the whole question.

Mr Merlino — I will not repeat the question. This was a very narrow question. The family of this woman deserves an answer.

Honourable members interjecting.

The SPEAKER — Order! I ask the member to stop.

Mr Merlino — They are busier fighting amongst themselves than dealing with the — —

The SPEAKER — Order! Points of order will be heard in silence, even points of order that stray from the way in which points of order should be taken. I do not uphold the point of order. The Premier was being relevant to the question that was asked.

Dr NAPHTHINE — As I was outlining, the resources we supply to Ambulance Victoria are a significant improvement on those at the time when we came to government — more money, more staff, more ambulances. In the 2013–14 budget we have provided \$21.9 million for a cardiac initiative, including the rollout of thrombolytic drugs. What this has done is add to Ambulance Victoria's record as one of the best performers in the world in terms of responding to cardiac arrests and cardiac issues across the state.

We have seen in the recent health data of March 2013 that the outcome with respect to ambulance transfer times has been a 9.7 per cent improvement in ambulance transfer times. We are seeing improved performance in terms of ambulance transfer times, and we are seeing improved performance in terms of cardiac outcomes because Ambulance Victoria has record budgets, more staff, more ambulance stations, more ambulances, more mobile intensive care ambulance paramedics — —

Ms Duncan — The point of order I raise, Speaker, is in regard to relevance. This is a constituent of mine from Sunbury. The Premier's advice to her would be of cold comfort. He is debating the question; he is not giving a specific response to my constituent, who did not have a cardiac arrest but had a stroke.

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

Dr NAPHTHINE — In summation, under this government Ambulance Victoria has more budget, more paramedics and more ambulances. It has additional resources. With respect to the individual case last night, I will have that matter investigated and get back to the honourable member.

Crime prevention strategies

Mr SOUTHWICK (Caulfield) — My question is to the Attorney-General. How is the coalition government building a safer and better Victoria by cracking down on crime gangs and drug traffickers?

Mr CLARK (Attorney-General) — I thank the honourable member for Caulfield for his question. Drug traffickers are purveyors of death and misery, and those who are behind the large-scale distribution of ice and other drugs across this state need to be hit hard. That is why I am pleased to be able to inform the house that this week the government will be introducing legislation that provides that not only will such drug traffickers go to jail for a long time but also that they will lose almost everything they own, whether lawfully acquired or not. There will be no need to prove that the offender's property came from the proceeds of crime or was used to commit a crime.

These new forfeiture provisions will be on top of the average 14-year jail terms offenders will face under the baseline legislation currently before the Parliament. An order restricting the use or disposal of an accused's property will be able to be obtained at the time they are charged and will remain in place until the outcome of their trial or until the charges are withdrawn. Forfeiture will apply not only to assets in the offender's own name but also to assets that have been put in the name of family members or associates.

These laws will send a very strong message to these drug offenders: if you own it, you will lose it. Unlike the scheme that we inherited from the previous government, it will not take teams of lawyers and accountants to prove that assets came from the proceeds of crime. Unfortunately under the scheme we inherited, too often the Mr Bigs were able to get away with it. Under these new laws every cent they own will be lost, save for little more than their clothes and household effects.

Honourable members interjecting.

The SPEAKER — Order! The member for Macedon will cease interjecting in that manner. The level of conversation is far too high; it is disorderly and discourteous to the member on his feet.

Mr CLARK — The legislation we are — —

Mr Donnellan interjected.

The SPEAKER — Order! The member for Narre Warren North! That interjection was discourteous to the Chair.

Mr CLARK — The legislation we are introducing will also include further measures to tackle criminal bikie and similar gangs who are involved in drug trafficking and other crimes. A court will be able to make an order to ban these gangs or restrict their operations where a gang or its members are engaged in any offences punishable by five years or more imprisonment and an order is necessary or desirable to protect community safety or prevent a threat to public order.

These laws will also stop gang members escaping the law by quitting one gang and patching over to another, as we have seen happen in Queensland in recent times. Restrictions will apply to gang members even if they quit a gang, and if two or more members from a declared organisation join another gang, their new gang will automatically be deemed to be involved in serious criminal activity without need for further evidence.

Individuals subject to control orders will also be banned from ownership of firearms, and any other members of declared organisations will be presumed not to be fit and proper persons able to hold firearms. On top of that, the legislation will strengthen the powers of the chief examiner to conduct compulsory examinations of persons who are believed to have information about organised crime gang offences.

The coalition government introduced Victoria's first anti-bikie gang laws after the previous government refused to do so. We are now moving to strengthen those laws even further. We are picking up on a growing body of experience interstate — in Queensland and other jurisdictions — as well as drawing on a growing body of Victoria Police experience in tackling these crimes. Unlike the Labor government, a coalition government is not going to allow Victoria to become the soft underbelly of bikie gang crime in Victoria. The laws we are going to be introducing to the house are a further demonstration that this government is committed to strong action to tackle criminal bikie gangs, drug traffickers and other purveyors of misery and death around this state.

Ambulance services

Mr NARDELLA (Melton) — My question is to the Premier. I refer to an incident last night when paramedics were called to a collision between a truck and a car in Melton. Paramedics attended to two patients, both requiring stretcher spinal immobilisation. After calling for a second ambulance these paramedics were told, and I quote, 'We have no crews available in metro west' — —

An honourable member — The whole of metro west?

Mr NARDELLA — The whole of metro west, and that they should transport the patients — these were patients requiring stretcher spinal immobilisation — sitting up in the front seat of their ambulance, and I ask: in light of this shocking incident, will the Premier acknowledge that Victoria's ambulance system is in crisis?

Dr NAPHTHINE (Premier) — I thank the honourable member for his question. To put this answer into context let me once again outline the resources provided to Ambulance Victoria. The context is that the budget for Ambulance Victoria in this year's budget is \$696.5 million, which is a record level of funding. There has been a 23.4 per cent increase in funding since we came to government. There are 465 additional paramedics, there are 28 598 more shifts and Ambulance Victoria does a terrific job in responding to over 725 000 emergency responses each and every year.

With respect to the issue raised by the honourable member for Melton, we will certainly have Ambulance Victoria investigate it. I am not sure whether it is the same accident that I have information about, which suggests a call was made at 8.06 for a 31-year-old female in a car crash at Hoppers crossing. The closest ambulance was dispatched from Melton.

Honourable members interjecting.

Dr NAPHTHINE — That is why I said I am not sure whether it is the same one; we will investigate it. Given the similarity — this accident involved two people and was in the same fundamental region the member referred to — I am not sure, because some of the information we have received in the past through these matters has not been as accurate as one would be led to believe. This was an accident at 8.06 involving a 31-year-old female in a car crash at Hoppers Crossing. The closest ambulance was dispatched from Melton, 23 kilometres away. It was cancelled a minute later when an ambulance from Hoppers Crossing became available.

The second patient was identified as requiring assistance at 8.29 p.m. The patient was stable and did not require an emergency response. Had the patient been critical, a crew from code 1 would have been dispatched from 8 kilometres away. The second ambulance arrived from Caroline Springs. The patient was conscious, alert and in a stable condition. Ambulance Victoria advises that both patients were in a

stable condition when transported to hospital. I am not sure whether that is the incident that the member referred to. If that is the case, it shows that the outcome for patients has been a positive outcome and that the ambulances have responded to the requests made for them on the basis of the information provided.

The point I make is that Ambulance Victoria responds to over 725 000 incidents each and every year, and under our government it now has additional funding to respond to those incidents, it has additional paramedics to respond to those incidents, it has additional ambulances to respond to those incidents and it has additional training and equipment to respond to emergency calls that are made to it.

School bullying

Mr MORRIS (Mornington) — My question is to the Minister for Education. How is the coalition government building a safer and better Victoria by helping to reduce bullying in schools?

Mr DIXON (Minister for Education) — I thank the member for Mornington for his question. Bullying and intolerance are issues that affect all Victorians. Whether it be in the classroom, the community or the workplace, bullying should not be tolerated by any Victorian. Our role as a government is to support our schools and teachers and to spread the strong message that bullying is not to be tolerated under any circumstance.

We are getting on with building safer and more respectful learning and working environments. To that end last week I was pleased to announce another round of Bully Stoppers grants for our schools, with \$450 000 now available through these ongoing grants. The member for Bundoora said that these grants had finished and that we were not funding these programs. We are committed to stopping bullying and to funding programs that really make a difference.

In the first two rounds of Bully Stoppers we have contributed \$750 000 to 187 schools. It is so important that we allow young people to get that message across to other young people. Young people understand the issues. Young people know the media; they know the messages and the words that other young people will listen to. That is why these grants have been so well supported by so many of our schools, four of which are in the member for Mornington's electorate. We are seeing young people developing apps, holding forums and writing songs. There have been a whole range of media out there to get that very important message across to all their peers.

On top of that we have a range of other activities. We have held a range of competitions which have attracted more than 1600 entries. Approximately 120 000 people have seen our Bully Stoppers ad on YouTube. Hundreds of thousands of people have seen the advertisements on TV and in the print media. Our Bully Stoppers website has had 167 000 hits. In the third round of grants we are concentrating on getting the message across that cyberbullying is not on and nor is bystander behaviour — that is, watching bullying and letting people get away with it. You have to make a stand and lend a hand.

I am also pleased to tell the house that four out of five government and non-government schools have signed up to the eSmart anti-cyberbullying program, which is a real credit to all the schools in Victoria. The Premier and I have partnered with the AFL's One Team, One Goal — Celebrating Diversity program, which is about stamping out racial intolerance and bullying on our sporting fields. Our School Focused Youth Service is working on connecting local government and community organisations in our schools. We also have partnerships with Deakin University and Melbourne University. Our headspace partnership is delivering the SAFEminds program to tackle student mental health issues. The School-Wide Positive Behaviour Support program is now in 220 schools, and we now have 800 primary schools with welfare officers.

Right across government we are working against bullying. I encourage all members to promote the important message of: make a stand and lend a hand. We should not tolerate bullying in any way, shape or form, whether it be at school, in the community or, most importantly, in the workplace.

Ambulance services

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Given that no ambulance branch response time data has been publicly released since December 2012, I ask: will the Premier now stop boasting and bragging and finally release all ambulance response time data from 2013 so that all Victorians can see for themselves the true extent of the ambulance crisis that this Premier has presided over?

Dr NAPTHINE (Premier) — I thank the honourable member for his question. Under this government Ambulance Victoria is getting the resources it needs and it deserves to deliver ambulance services across the state. We inherited a situation where the ambulance service in our state was facing significant challenges and difficulties because of a botched merger between Rural Ambulance Victoria and

the Metropolitan Ambulance Service — botched by the previous government and botched by the previous minister, who absolutely let Victorians down by not managing a proper merger between Rural Ambulance Victoria and the Metropolitan Ambulance Service.

We inherited that situation. We also inherited a situation where there was an increasing demand for ambulance services across the state, and that is why we responded and responded positively. We responded with a record budget for Ambulance Victoria. We responded by recruiting 465 additional paramedics. We responded by providing more ambulances. We responded by providing more ambulance stations. We responded by rolling out 10 mobile intensive care ambulance paramedic single-responder units across the state. We responded by — —

Mr Andrews — On a point of order, Speaker, this is the fifth time now that we have heard this answer. The question did not relate to alleged investments. The question related to data and the public release of that data. This answer is — —

An honourable member interjected.

The SPEAKER — Order! Points of order will be heard in silence. The member for Bentleigh knows that very well.

Mr Andrews — The question was about the government and whether the Premier would release the data — data that has not been released since the end of 2012. That is what the answer should be confined to.

Ms Asher — On the point of order, Speaker, whilst it is accurate that part of the question related to data, the subsequent part of the question related to the ambulance system overall, and the Premier is being relevant to the question that was asked.

Mr Merlino — On the point of order, Speaker, again the Leader of the House is reinterpreting the question. The preamble related to data. The question related to data. If the Premier does not have the courage to answer the question, he should sit down.

The SPEAKER — Order! The Premier still has 2 minutes and 35 seconds, and members of the house know very well that I cannot direct a minister or the Premier in how they answer a question.

Dr NAPTHINE — As I was outlining, in direct response to the question about ambulance services in Victoria I was responding on how we are fixing the ambulance services, how we are fixing the problem we

inherited from the Labor government — the botched merger between — —

Honourable members interjecting.

The SPEAKER — Order! The Premier to continue.

Dr NAPHTHINE — That is why in this year's budget we are proud of providing \$550 million for a new 10-year air ambulance service contract, and we are proud of providing additional funding for the cardiac initiative. What that has shown is that cardiac survival rates in regional Victoria have doubled in recent years — doubled in recent years. That is a positive outcome for regional and rural Victoria. I would also say we are rolling out RefCom across Victoria — —

Mr Andrews — On a point of order, Speaker, on relevance, the Premier cannot quote selectively some outcomes he believes are better off and ignore answering the question, which is about all the outcomes and all the data, which has been hidden from the Victorian community since the end of 2012. That is what the question related to, and I ask you to remind the Premier of his obligations to be relevant to the question that was asked.

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

Mr Noonan interjected.

The SPEAKER — Order! The member for Williamstown knows very well that when the Speaker is speaking, he is not to interject.

Dr NAPHTHINE — I was talking about the rollout of RefCom across the state, which will significantly improve our ambulance responses. With respect to the data, let me say that ambulance transfer times in March 2014, which are reported in our health data, show a 9.7 per cent improvement on the previous year. Indeed the ambulance transfer times, to the best of my recollection, were never published under the previous Minister for Health and the previous government.

Honourable members interjecting.

The SPEAKER — Order! Government members!

Dr NAPHTHINE — They would not publish ambulance transfer times. We are not afraid of publishing ambulance transfer times, and we are not afraid — —

Honourable members interjecting.

The SPEAKER — Order! I do not know who that was, but the government member will cease interjecting.

Dr NAPHTHINE — As I say, to the best of my recollection, ambulance transfer times were not published under the previous government. It kept them hidden from the people of Victoria. We are publishing that information, and we are improving those transfer times. We are publishing data, we are providing more resources, we are providing more funding, we are providing more paramedics, we are providing more ambulance stations, we are providing more ambulances, we are funding the air ambulances, and we are delivering better outcomes in terms of cardiac results. We are seeing a significant improvement in outcomes and a significant reduction in ambulance transfer times. That is what we are doing to improve our ambulance system in this state.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Minister for Ports

The SPEAKER — Order! The Minister for Ports can leave the chamber for half an hour.

Minister for Ports withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Public transport initiatives

Mr KATOS (South Barwon) — My question is to the Minister for Public Transport. How is the coalition government building a better Victoria by investing in public transport projects which provide better services for commuters?

Ms Allan interjected.

The SPEAKER — Order! Does the member for Bendigo East wish to answer the question?

Ms Allan — Yes!

The SPEAKER — Order! I ask the member to desist.

Mr MULDER (Minister for Public Transport) — I thank the member for South Barwon for his question and for all the great, hard work he does in the South

Barwon community, delivering the Grovedale railway station in Waurn Ponds for his community, delivering on that duplication of Pioneer Road and representing the coalition government to a really great degree in that broader Geelong community. He has fought for every single project that has been delivered in the Geelong community, and he is doing a great job.

As members would be aware, \$24 billion — that has to be a record! — has been allocated in infrastructure spending. Of course that includes the Murray Basin rail project, the \$100 million in funding for maintenance and operations on the regional rail link project, the passing loop on the Ballarat line and an upgrade to the Ballan railway station. The passing loop and station upgrade will improve punctuality and reliability.

Last Tuesday I joined Liberal members representing Northern Victoria Region in the Council, Wendy Lovell and Amanda Millar, to inspect works on the \$7.7 million Epsom station project. When it is completed in 2014 it will be the first time in 40 years that trains will have been seen at the Epsom railway station. Of course Bendigo is growing rapidly; we know that. Whether it be the Ravenswood interchange, whether it be protective services officers, whether it is Epsom station or whether it be upgrades at Eaglehawk station to take more trains, the coalition government is making great investments in that community. As I said at the time, any city that is building a new railway station is a growing city. It is growing under a coalition government.

Honourable members interjecting.

Mr MULDER — I made the announcement recently of \$7.3 million to improve accessibility at the Geelong railway station. This is very important given that the national disability insurance scheme headquarters are going into Geelong. There will be a new pedestrian overpass, new lifts and stairs, ramps at the north end of the station, upgraded toilets, parking and ticketing, as well as counters and drinking fountains for people who want to use that station.

There has been a fantastic response in the *Geelong Advertiser* — a great paper that really advocates strongly for its community. One article states:

The state government's \$7.3 million development has been met with widespread support from the community, as works to provide easy and safe universal access to all platforms and station facilities by early 2015 kicked off yesterday.

The *Geelong Advertiser* first reported the problem in 2005 and campaigned for change ...

Back as far as 2005! So the question remains: what were members of the former government, including the members for Bellarine, Geelong and Lara, doing for the six years from 2005? What were they doing? They were pushing for fairy lights on the West Gate Bridge!

Honourable members interjecting.

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

Mr MULDER — I will quote now from an editorial published in the *Geelong Advertiser*. It states:

Today is a momentous day in Geelong's history, and one that hasn't come soon enough.

This community — and this newspaper — has been campaigning for a decade for improvements to disability access at Geelong railway station.

It is a coalition government that is delivering it. In the last week the government has announced \$65 million for a new train stabling facility at Calder Park for trains that run along the Sunbury line. Yesterday I was at Anderson Road to open up the second Anderson Road grade separation project — a project fully funded by a coalition government. It is a project that was announced with no money by the former government, and a project that is being delivered by the coalition government for the western suburbs and for the people of regional Victoria.

WATER BILL 2014

Introduction and first reading

Mr WALSH (Minister for Water) — I move:

That I have leave to bring in a bill for an act to re-enact, with amendments, the law relating to water in Victoria, to repeal the Water Act 1989 and the Water Industry Act 1994, to consequentially amend other acts and for other purposes.

Mr FOLEY (Albert Park) — I ask the minister for a brief explanation of the bill.

Mr WALSH (Minister for Water) — The bill I am introducing is very similar to the consultation draft that was circulated earlier this year for the community to give feedback on.

Motion agreed to.

Read first time.

**COURTS LEGISLATION
MISCELLANEOUS AMENDMENTS
BILL 2014**

Introduction and first reading

Mr CLARK (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Supreme Court Act 1986, the County Court Act 1958, the Magistrates' Court Act 1989, the Coroners Act 2008, the Children, Youth and Families Act 2005, the Victorian Civil and Administrative Tribunal Act 1998, the Victims of Crime Assistance Act 1996, the Court Security Act 1980 and the Interpretation of Legislation Act 1984, to make consequential amendments to other acts and for other purposes.

Mr PAKULA (Lyndhurst) — I ask the Attorney-General to provide a brief explanation of the bill to the house.

Mr CLARK (Attorney-General) — This bill, entitled the Courts Legislation Miscellaneous Amendments Bill 2014, will make a range of improvements and give additional support to the operation of Victoria's court system and the Victorian Civil and Administrative Tribunal including, amongst other things, in relation to civil appeals, strengthening the role and basis of appointment of judicial registrars, and facilitating changes to the basis of service for Victorian Civil and Administrative Tribunal members.

Motion agreed to.

Read first time.

**CRIMINAL ORGANISATIONS CONTROL
AND OTHER ACTS AMENDMENT
BILL 2014**

Introduction and first reading

Mr CLARK (Attorney-General) introduced a bill for an act to amend the Confiscation Act 1997, the Criminal Organisations Control Act 2012, the Criminal Procedure Act 2009, the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, the Major Crime (Investigative Powers) Act 2004 and the Sentencing Act 1991, to make consequential and miscellaneous amendments to other acts and for other purposes.

Read first time.

JUDICIAL ENTITLEMENTS BILL 2014

Introduction and first reading

Mr CLARK (Attorney-General) — I move:

That I have leave to bring in a bill for an act to modernise the processes and structures for determining salaries, allowances and conditions of service for judicial officers, to repeal the Judicial Salaries Act 2004 and the Judicial Remuneration Tribunal Act 1995, to make consequential and miscellaneous amendments to other acts and for other purposes.

Mr PAKULA (Lyndhurst) — I ask for a brief explanation of the bill.

Mr CLARK (Attorney-General) — The principal purpose of this bill is to replace the Judicial Remuneration Tribunal with a Judicial Entitlements Tribunal.

Motion agreed to.

Read first time.

POWERS OF ATTORNEY BILL 2014

Introduction and first reading

Mr CLARK (Attorney-General) — I move:

That I have leave to bring in a bill for an act to consolidate certain aspects of the law as to powers of attorney and to otherwise provide for powers of attorney, to provide for matters to do with supportive attorneys, to repeal parts XI and XIA of the Instruments Act 1958 and division 5A of part 4 of the Guardianship and Administration Act 1986, to make related amendments to those and other acts and for other purposes.

Mr PAKULA (Lyndhurst) — I ask the Attorney-General for a brief explanation of the bill.

Mr CLARK (Attorney-General) — The principal purpose of this bill is to reform the law relating to powers of attorney, in many respects in line with the recommendations of the parliamentary Law Reform Committee's report and also drawing on aspects of the Victorian Law Reform Commission's report in relation to guardianship.

Motion agreed to.

Read first time.

**JUSTICE LEGISLATION AMENDMENT
(FIREARMS 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 the Firearms Act 1996, the Control of Weapons Act 1990, the Sex Offenders Registration Act 2004 and the Drugs, Poisons and Controlled Substances Act 1981 and for other purposes.

Mr FOLEY (Albert Park) — I ask the minister to provide a brief explanation of the bill.

Mr WELLS (Minister for Police and Emergency Services) — This bill will further crack down on illegal firearms, especially in the area of trafficking and manufacturing, and will also provide for better management in regard to sex offenders registration.

Motion agreed to.

Read first time.

DISABILITY AMENDMENT BILL 2014

Introduction and first reading

Ms WOOLDRIDGE (Minister for Disability Services and Reform) — I move:

That I have leave to bring in a bill for an act to amend the Disability Act 2006 to enable residents detained in a residential treatment facility to be subject to electronic monitoring at certain times and in certain circumstances, to amend the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and the Surveillance Devices Act 1999 and for other purposes.

Mr WYNNE (Richmond) — Can I get a brief explanation of this bill from the minister?

Ms WOOLDRIDGE (Minister for Disability Services and Reform) — Yes. This bill enables the electronic monitoring of residents at a disability forensic specialist treatment facility in certain circumstances.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 1 to 3 and 9 to 18 will be removed from the notice paper unless members wishing their motion to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Cardinia Shire Council

To the Legislative Assembly of Victoria:

The petition of residents of Cardinia and the state of Victoria draws to the attention of the house the concerns regarding the Cardinia Shire Council management and level of debt. The ongoing mismanagement of council funds, programs and finances is creating an ongoing concern for residents.

The petitioners believe without government intervention the current council administration will raise debt to unmanageable levels rendering the council insolvent.

The petitioners therefore request that the Legislative Assembly of Victoria intervene in the Cardinia Shire Council to sack the current council and the management and put in place administrators.

By Mr BATTIN (Gembrook) (371 signatures).

Princes Freeway, Berwick, noise barriers

To the Legislative Assembly of Victoria:

The petition of the residents of Woodlands Park Village, 72 Kangan Drive, Berwick, draws to the attention of the house our concern regarding the traffic noise from the Princes Freeway and the impact that this is having on the residents in our village. Our village is situated on the north side of the freeway between Clyde Road and Soldiers Road, Berwick.

The problem became even more obvious when noise reduction barriers were erected on the south side of the freeway causing the noise to bounce back into our village.

The increase in traffic in the past two years has been substantial and traffic noise levels have been measured, and it has been proven that the noise level objectives set by VicRoads are exceeded and the anticipated increase in traffic over the coming years will continue to add to the problem.

Many residents are suffering from the effects of the noise generated from the freeway traffic, ranging from mild annoyance to some extreme cases where residents have experienced a significant impact on their health.

Our recent approaches to Casey council and VicRoads for assistance have been unsuccessful, with both parties claiming the other is responsible.

The petitioners therefore request that the Legislative Assembly of Victoria support the allocation of funds that will

enable VicRoads to install noise reduction barriers on the north side of the freeway, adjacent to our village and for a distance of approximately 600 metres.

By Mr BATTIN (Gembrook) (293 signatures).

Health practitioner abortion referral

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws the attention of the house to:

consider the case of Dr Mark Hobart who has been subjected to a Star Chamber inquiry by the Medical Board of Victoria and AHPRA because he was unable to refer a patient to another registered health-care professional whom he knew would not have a conscientious objection to aborting a 19-week-old, healthy baby because it was a girl.

The petitioners therefore request that the Legislative Assembly of Victoria:

protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children. No Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral.

By Mr MORRIS (Mornington) (50 signatures).

Barmah forest brumbies

To the Legislative Assembly of Victoria:

We the undersigned residents of Victoria bring to the attention of the Legislative Assembly of Victoria our concerns with any proposed removal of the Barmah heritage brumbies from the Barmah National Park. The petitioners therefore request:

1. that any actions to remove the Barmah forest brumbies cease immediately.
2. that Barmah brumbies are allowed to remain in the Barmah National Park to continue their 150-year contribution to conserve biological diversity in the forest.

By Mr WELLER (Rodney) (2603 signatures).

Tabled.

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Regulations and legislative instruments review

Mr GIDLEY (Mount Waverley), by leave, presented 2013 report, together with appendices.

Tabled.

Ordered to be printed.

Alert Digest No. 8

Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 8 of 2014* on:

- Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014**
- Melbourne Market Authority Amendment Bill 2014**
- Privacy and Data Protection Bill 2014**
- Public Records Amendment Bill 2014**
- Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2014**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2014 under s 303

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 30 (*Gazette G24, 12 June 2014*)

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

- Alpine — GC12
- Bass Coast — C141
- Baw Baw — C105
- Bayside — C106
- Benalla — GC12
- Boroondara — C190
- Casey — C194, C195
- Central Goldfields — GC8

Colac Otway — C79
 Corangamite — GC10
 East Gippsland — C118
 Gannawarra — GC8
 Glenelg — GC10
 Golden Plains — GC11
 Hepburn — GC11
 Hindmarsh — GC11
 Hobsons Bay — GC9
 Horsham — GC11
 Hume — GC9
 Indigo — GC12
 Macedon Ranges — GC8
 Manningham — C105
 Mansfield — GC12
 Maroondah — C93
 Melbourne — C229, GC9
 Mildura — GC8
 Mitchell — GC9
 Moira — GC12
 Monash — C119
 Mount Alexander — GC8
 Moyne — C59
 Murrindindi — GC12
 Northern Grampians — GC11
 Pyrenees — GC11
 Queenscliffe — C26
 South Gippsland — C98
 Stonnington — C187
 Strathbogie — GC12
 Surf Coast — C94
 Towong — C30, GC12
 Wangaratta — C53
 Warrnambool — C76, C92
 Wellington — C91
 Wodonga — GC12

Wyndham — GC9

Yarra Ranges — C126, C134

Yarriambiack — GC11

Statutory Rules under the following Acts:

Building Act 1993 — SR 51

Drugs, Poisons and Controlled Substances Act 1981 — SR 50

Forests Acts 1958 — SR 52

Freedom of Information Act 1982 — SR 49

Subordinate Legislation Act 1994 —

Documents under s 15 in relation to Statutory Rules 49, 50, 51, 52

Documents under s 16B in relation to the:

Building Act 1993 — Amendment to the determination that specifies areas are designated bushfire-prone areas

Education and Training Reform Act 2006 — Ministerial Order No. 765

Water Act 1989 — By-law No. 1/2014 Waterways Protection — North Central Catchment Management Authority.

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

Environment Protection and Sustainability Victoria Amendment Act 2014 — Sections 14(2), 15(1), 17, 18, 24, 30 and 32 — 30 June 2014 (*Gazette S178, 10 June 2014*); ss 14(1), 14(3), 14(4), 14(5), 15(2), 16, 19, 20, 21, 31 and Part 4 — 1 August 2014 (*Gazette S188, 17 June 2014*)

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 — Section 16 — 1 July 2014 (*Gazette S188, 17 June 2014*)

Transport Legislation Amendment (Further Taxi Reform and Other Matters) Act 2014 — Sections 4 to 21, 25 to 31, Divisions 4 and 5 of Part 2, ss 42 to 44, 54 to 58 and Division 2 of Part 5 — 30 June 2014 (*Gazette S188, 17 June 2014*).

ROYAL ASSENT

Messages read advising royal assent on 17 June to:

Appropriation (2014–2015) Bill 2014 (*Presented to the Governor by the Speaker*)

Appropriation (Parliament 2014–2015) Bill 2014 (*Presented to the Governor by the Speaker*)

Building a Better Victoria (State Tax and Other Legislation Amendment) Bill 2014

Justice Legislation Amendment Bill 2014

Vexatious Proceedings Bill 2014
Witness Protection Amendment Bill 2014.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

**Freedom of Information and Victorian
 Inspectorate Acts Amendment Bill 2014**
Privacy and Data Protection Bill 2014.

BUSINESS OF THE HOUSE

Standing orders

Ms ASHER (Minister for Innovation) — By leave, I move:

That so much of standing orders be suspended so as to allow ministers' second-reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into *Hansard*.

Motion agreed to.

Program

Ms ASHER (Minister for Innovation) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 26 June 2014:

Corrections Amendment (Smoke-Free Prisons) Bill 2014

Crime Statistics Bill 2014

Energy Legislation Amendment (Customer Metering Protections and Other Matters) Bill 2014

Local Government (Brimbank City Council) Amendment Bill 2014

Native Vegetation Credit Market Bill 2014

Road Safety Amendment Bill 2014

Sentencing Amendment (Baseline Sentences) Bill 2014

Water Amendment (Flood Mitigation) Bill 2014.

As members can see, there are eight bills on the government business program, which is not a particularly large number for the last sitting week of a session. As all members would be aware, the Crime Statistics Bill 2014 was of enormous interest to the house last week. In fact we had 28 speakers on the bill, 23 of whom were from the Labor Party. There was more than a day's debate on the bill, so in sensible terms we have seven bills before the house this week, which I do not believe is onerous.

As the house will have seen from the number of notices, we have nine second-reading speeches for the lower house this week. I thank the opposition for allowing a suspension of standing orders to incorporate the second-reading speeches into *Hansard*, thereby saving 200 minutes of debate. I think everyone will be relieved that we are not doing this either in government business time or on Thursday at 4 o'clock after the government business program. I think that is something that is worthwhile pursuing. This week we will debate the opposition's matter of public importance. That is the agenda.

On a personal note, I know the opposition frequently does not wish to support the government business program — and I understand that — but Thursday 26 June is my birthday. I have indicated to my husband that I do not require a diamond bracelet; in fact I am after something else in terms of the government's administration of the Parliament and this state. The opposition has asked for a consideration-in-detail stage on the Native Vegetation Credit Market Bill 2014, and the government is happy to grant that in the interests of cooperation. If we can have an orderly transmission of business throughout the week, that will be my birthday present. With those few words, I support the government business program.

Ms ALLAN (Bendigo East) — I would like to ask the house to wish the Leader of the House many happy returns for Thursday, and it requires full disclosure of the details of the significant milestone she will reach on that day. Every birthday is significant, particularly when some of us, like the Leader of the House and me, have celebrated a few of them in this place over the years — but I digress.

I wish to make a few comments about the government business program that the Leader of the House has put to the Parliament today. As she has indicated, there are 8 bills on the program and a further 13 bills have been introduced. On my count there are another 18 bills on the notice paper, so what we are seeing is a rush to the finish line from a government that has sat around for three and a half years. It has been a government in crisis for all that time, and if its members are not fighting with The Nationals, as we have seen from the revelation of the tapes today, they are fighting amongst themselves. The government is now desperate and grasping to get to the finish line to show that it has achieved something during the last four years. Certainly the people of Victoria will be the judge of what they think the government has achieved. What we know this week, and what we will see in the coming five weeks of the parliamentary session, is a government desperate to

race to the finish line. This week is the start of the agenda that is being pushed.

I want to make some other comments about the program, because the opposition has some concerns about it. The first is that the Assisted Reproductive Treatment Further Amendment Bill 2013 is on the notice paper. We have raised this in the house previously, particularly my colleagues the members for Brunswick and Ivanhoe, who would like to see that bill brought forward sooner rather than later. We understood it would be brought forward this week, because the Leader of the House told us it would be coming forward this week.

We were therefore very disappointed to see that it was not put on the program for this week. I would go as far as to say that there was an undertaking given by the Leader of the House. It is not there this week, and that causes us some concern. My colleagues will have more to say about that in a moment. We hope this is something that will come forward in future weeks and will not be a bill that is buried in the depths of the notice paper, which already has a number of bills on it.

The second bill that is not on the program this week is the Building Legislation Amendment Bill 2014, which we know has been infamously pulled from the program because the Minister for Planning and the government have absolutely botched its introduction. There has been outrage from the sector, and it has now been pulled altogether from the program. Whilst the government is desperate to race to the finish line, in its desperation it is still botching the rollout of its own programs and its own legislation, and it cannot even get the introduction of its own bills into this Parliament right.

I will make some comments on the undertaking given by the Leader of the House to have a consideration-in-detail stage on the Native Vegetation Credit Market Bill 2014. We are very pleased that the government has agreed to the opposition's request for a consideration-in-detail stage. We thank the government for that. We look forward to there being a reasonable amount of time set aside for that. We have had some informal discussions about the debate on late Thursday morning and flowing on to after question time to allow a significant period of time for the opposition to scrutinise this bill. We look forward to that opportunity on Thursday — another rare opportunity to take a bill into the consideration-in-detail stage.

Finally, is not the incorporation of second-reading speeches a great reform in the house? It is a great reform that has been pushed by the opposition. We

pushed and pushed. You would almost think it is the Labor Party that is in coalition with The Nationals. You would think that we are looking after the interests of The Nationals! We are the ones who want to help them get out the door on 4 o'clock on a Thursday afternoon. We are the ones who are better friends to The Nationals. We are not going to dud them in the seat of Euroa like the Liberal Party has done. We are certainly very pleased that the incorporation of second-reading speeches has been agreed to again this week. That means we will have a whopping 200 minutes of additional time for debate. Instead of the time being chewed up by second-reading speeches being laboriously read out to the Parliament by ministers, it is going to mean more active and vigorous debate on the floor of the Parliament, and that is a good thing.

With those few comments, I am very pleased to say that the opposition will be supporting the government business program this week.

Mr TILLEY (Benambra) — I rise in support of the motion on the government business program moved by the Leader of the House. It is great to hear that the opposition is also supporting the government business program. We have eight bills. As the Leader of the House has already articulated so succinctly, one of them was significantly debated during the last sitting week and the other seven are very important to the state of Victoria. We have created the time to debate these very important bills according to the terms of our agreement. I look forward to the Opposition Whip, the Leader of the House and the manager of opposition business continuing to negotiate to see that we get plenty of time for significant debate on those important bills for the state of Victoria. On that note, I think we should get down to business and ensure that the business of the house continues vigorously throughout this week.

Ms GARRETT (Brunswick) — I would like to add my best wishes to the Leader of the House on her birthday this week. I am sure she does not need a diamond bracelet. I would suggest that every week in this house has been sprinkled with diamonds for the government!

On a very serious note, while we talk about birthdays, a number of people in a very significant group celebrate their birthdays year in, year out not knowing and desperately wanting to know who their biological fathers are. Birthdays are a time when we reflect on where we have come from, the circumstances of our entering this world and our family ties. A group of people in Victoria are celebrating those milestones not knowing a cornerstone of their heritage. We on the

opposition side of the house reiterate our deep concern about this government's refusal to bring on for debate legislation about the rights of donor-conceived people to know their heritage.

I want to once again put on the record in this house the background to this matter. We have spoken on this regularly, and we have had the Law Reform Committee look at this issue over two Parliaments. On 15 September 2010 an interim report was tabled and a final report was presented to Parliament on 28 March 2012. This cross-party committee that included the member for Prahran and the now Minister for Small Business was unanimous in its recommendations. The committee heard from dozens of witnesses, people who believed that the rights of donor-conceived people to know their genetic heritage outweighed the rights of donors to remain anonymous and that the fair and just approach was to change the legislative regime to allow those people born through donor conception pre-1998 to have identifying information about their father. Included in that report were protections in the form of contact vetoes and also a very strong recommendation — —

The SPEAKER — Order! I ask the member to return to the business program.

Ms GARRETT — I am. Included in that report was a very strong recommendation that records should be protected. I understand and appreciate the house's indulgence on this. I ask for that indulgence because a significant group of Victorians are observing this debate and have observed this issue progress over many years. They are watching us today and would like the Parliament to deal with this issue with the solemnity it deserves. We are not opposing the government business program per se. In May of this year the member for Ivanhoe and I were putting on the record our very strong concerns that the government was refusing to bring this matter on for debate. The bill has languished on the notice paper for months. There is a group of Victorians for whom this is a significant and fundamental issue about their lives. Quite frankly, by not bringing this issue forward to be discussed, this government is not giving that group of people the respect they deserve.

As the house knows, the Labor opposition introduced a private members bill in the Legislative Council which gave effect to the unanimous recommendations of the committee report and only to those recommendations. It went no further. It kept faith with that report. The government of course did not allow debate of that private members bill to take place in any way, shape or form.

Once again we are in the Legislative Assembly dealing with the fundamental rights of Victorians who have appealed to this place to remedy injustice and to ensure that we do not have three different classes of people in Victoria but that all people who have been born by way of donor conception are treated equally under the law — —

The DEPUTY SPEAKER — Order! I ask the member to come back to the motion before the house.

Ms GARRETT — I note your insistence, Deputy Speaker, and as I said, I have appreciated the house's indulgence on this matter. I call on this government again to bring this legislation on at the first available opportunity. Let this place of democracy have the debate about the rights of people in our community and ensure that those rights are heard.

Mr DELAHUNTY (Lowan) — On behalf of The Nationals I rise to say that we are supporting the government business program. I was pleased to hear the member for Bendigo East also say that the Labor opposition is supporting the program. I get a little bit nervous when those on the other side of the chamber say they will do things and then change their minds. I heard the member for Brunswick say the opposition is not opposing the program, so I am interested to see what the next speaker is going to get up and say. We have eight bills before us this week. It is a very common-sense and workable business program. I have been in this place for over 15 years, and I saw the previous Labor government put forward eight or nine bills in a week.

As members know, comments have been made by members of the opposition about the fact that we have achieved a lot, and I have to say I totally agree with that. We have achieved a surplus budget, which Labor governments do not know too much about. We have \$27 billion worth of infrastructure funding. We have really done well — —

The DEPUTY SPEAKER — Order! I ask the member for Lowan to come back to the motion before the house.

Mr DELAHUNTY — Thank you, Deputy Speaker. I could not but comment on a few of the comments made in relation to the program we have in front of us.

We have eight very important bills before us, but from The Nationals' point of view we are particularly interested in the Water Amendment (Flood Mitigation) Bill 2014, which will obviously get some discussion; the Road Safety Amendment Bill 2014; and the Local Government (Brimbank City Council) Amendment Bill

2014, with which the member for Shepparton had a lot of involvement, as has the new Minister for Local Government. I also want to talk about the Corrections Amendment (Smoke-Free Prisons) Bill 2014. We all want to make sure we have a safe environment to work in, and in that regard this is an important bill to be debated here this week.

We heard some words about botching things up. The only botching that has been going on has been by the Labor Party in relation to its preselection process — —

The DEPUTY SPEAKER — Order! The member for Lowan will come back to the motion.

Mr DELAHUNTY — We have seen leadership being shown on this side of the house. We are incorporating second-reading speeches into *Hansard*, which will give us more time for debate, as we saw in the last sitting week in relation to the Crime Statistics Bill 2014, when nearly 30 members had the opportunity to speak. Again, this is a common-sense, manageable and very workable program. I was pleased to hear the lead speaker for the opposition say that the opposition will support the government business program. I also support it.

Mr CARBINES (Ivanhoe) — I rise to express my disappointment with the government business program. In particular I would like to reflect on two bills that are on the notice paper that the government has not chosen to consider more fully as part of its program for debate this week, one of those being the Building Legislation Amendment Bill 2014. I note in this week's *Age* the disappointment expressed by the Victorian community that we are not debating that bill, and I quote in particular from the headline of an article in the *Age* of 22 June: 'The Napthine government has backed away from key building reforms designed to better protect home owners'. I express my genuine disappointment that the government has not included this bill, which is currently languishing on the notice paper, in the government business program for this week.

I revisit the matters that the member for Brunswick has raised today and that she and I have raised in previous sitting weeks in debate on the government business program, which relate to a bill that has again languished on the Legislative Assembly notice paper since December 2013, when the government, to its credit, brought forward the Assisted Reproductive Treatment Further Amendment Bill 2013 for debate in this house. That followed the March 2012 cross-party report of the Law Reform Committee that had 30 unanimous recommendations which led to this bill coming before the Parliament. The bill seeks in large part to change the

law in relation to access to information for the donor-conceived community. We had to wait until August 2013 for a government response to that March 2012 report.

Then late last year the government voted down a private members bill in the Legislative Council in relation to this matter. However, to its credit it indicated through the Minister for Health that it would bring forward legislation to be considered and debated in this place. That bill, as I said, has been on the notice paper since December 2013. We are approaching the break, which means this Parliament will not resume until August, and we are getting further away from an opportunity to debate this bill as part of the government business program. This is a critical matter for the people in the community who have put their faith in all elected members of this Parliament to debate and discuss the matter and the unanimous recommendations of the Law Reform Committee, which included the work of both the member for Prahran and of course the Minister for Energy and Resources, who is the member for Morwell.

As I said, we have now been waiting since 2012. The stakeholders have been treated quite poorly, because when we raised these matters in the business program debate in the last sitting week there was a broad commitment given by the manager of government business that they would be taken on board and debated in the context in which they had been raised, cheap political point-scoring and putting aside people's personal or political interests, to try to get the debate moving in relation to these matters.

The government continues to claim that it has the capacity to run this Parliament and to implement its agenda. Part of its legislative agenda is to debate bills on the notice paper and one of those bills, which has been sitting there since December 2013, is the Assisted Reproductive Treatment Further Amendment Bill 2013. If the government feels strongly that it has the capacity to debate these matters and that its bill is better than the private members bill proposed by the Labor Party, then let us have that discussion, let us have that debate for the people of Victoria. It is a clear understanding of Victorians, particularly those in the donor-conceived community, that they have a right to know who they are and where they came from. It is a fundamental human right, and we should at the very least seek to provide those rights to people. The Law Reform, Drugs and Crime Prevention Committee is determined to do so.

Labor members have tried again and again to get a debate on that bill, and it is incumbent on the government in choosing to bring forward its own bill to

quash private members bills on these matters, because it feels it has a better outcome and a better path forward for those stakeholders in our community, to provide that opportunity. If that is the case, let us do justice to those stakeholders in our community who have been waiting since December 2013. They are not just stakeholders, they are human beings — they are great people who have bared their private grief on these matters to the media and to several committees and members of this place. Let us do them the honour, the justice and the courtesy of debating such laws in this house and giving them the opportunity to see if this Parliament can work together for the greater good. We need to stop putting these matters aside and face them head on. We need to discuss them in this Parliament, as the government has committed to do for far too long.

Motion agreed to.

MEMBERS STATEMENTS

Hazel Jenkins

Ms D'AMBROSIO (Mill Park) — I pay tribute to Hazel Eileen Jenkins, OAM, who passed away on 15 June aged 82 years. Wendy, as she preferred to be called, was a stalwart of the Labor Party and shone the light for many women to follow. She was the first woman elected to the Shire of Whittlesea council in 1980. Wendy was a woman who was staunch and independent in her own right — a person to be reckoned with. There was nothing Wendy would not do or take on for her community, her family or the Labor Party.

Wendy was married to Dr Harry Jenkins for 53 years and was the mother of Harry, Tim, Mark and Jane. She had 14 grandchildren and 6 great-grandchildren. She was loved and respected by many, and she would always find time to do whatever was needed to help people in her community. Wendy's political activism started from an early age and was constant throughout her life. She ran twice as a Labor candidate for the then conservative Preston council, to fly the Labor flag so that working-class residents would have a real choice at the elections. That was Wendy's way. Later in life Wendy became an active supporter of Norparrin Centre for Children with Special Needs in Mill Park, near to where she and her family lived.

In the early 1990s Mill Park was a new and growing suburb with many young families but without sufficient support from the state government of the time. Wendy was quick to offer help to the local families and the committee of management. I am honoured to have called both Wendy and Dr Harry constituents, and

when Wendy later moved to the Bundoora Retirement Village, she took charge of the village polling booth work on behalf of the local Mill Park Labor campaign.

Major events

Ms ASHER (Minister for Tourism and Major Events) — I am delighted to inform the house of some recent economic impacts of a number of major events that the government has sponsored. A recent major event, *King Kong*, the musical, which played at the Regent Theatre from June 2013 to February 2014, exceeded expectations. The post assessment revealed that the production delivered \$104 million to the state, which was an amazing increase above the original forecast of \$45 million. Thirty per cent of the visitors to the show were from interstate and 5 per cent were from overseas. *King Kong* was the mastermind of Melbourne-based Global Creatures, and as the minister also responsible for the state's film and innovation industries, I was delighted with the opportunities the project brought to Melbourne's creative practitioners.

A number of other recently held cultural major events have brought a combined \$66.8 million in economic benefits to Victoria. They include the Designing 007 — 50 Years of Bond Style exhibition, the 2013 Melbourne Winter Masterpieces — Monet's Garden and Hollywood Costume, and the Melbourne Ring Cycle. In fairness to the previous government, it secured the Melbourne Ring Cycle, but all of the other events were secured by the coalition government. The government is committed to supporting major events. They are worth \$1.4 billion to the economy, provide for over 3000 jobs and attract visitors. I am delighted to provide the house with this economic information.

William Ruthven Secondary College

Mr SCOTT (Preston) — I draw the attention of the house to the needs of the William Ruthven Secondary College, which was established on 1 January 2010 to serve the communities of Reservoir, Preston, Coburg, Thomastown and Campbellfield. The school is named after a World War I Victoria Cross winner and former Labor member of Parliament, William Ruthven. I urge members to attend the exhibition the school is currently holding in Queen's Hall. William Ruthven Secondary College is ably led by the principal, Karen Money. The school is supported by strong relationships with La Trobe University, RMIT and Sutton Tools, among others.

While the William Ruthven Primary School has excellent facilities, the secondary college has been seeking support for an upgrade. I note the member for

Mulgrave's visit to the school and the strong support of the member for Thomastown for this upgrade. As the member for Preston, I am the local member covering most of the Reservoir area, and I strongly support the funding for the upgrade of the secondary college. The Labor Party will stand behind William Ruthven Secondary College. I also congratulate the school community, the parents and the teachers for their hard work to make the college a great school. The school has been working hard in an area which has a higher population of people from a lower socioeconomic background than the average and which is also an area of high diversity, with a large number of students coming from non-English-speaking backgrounds. The college is an excellent school that serves the community of Reservoir well.

Police forensic services complex

Mr WELLS (Minister for Police and Emergency Services) — This member's statement informs the house of the opening of the new Victoria Police forensic services complex in the La Trobe University precinct. Yesterday afternoon I had the great pleasure of opening the state-of-the-art complex in the company of Craig Ondarchie, a member for Northern Metropolitan Region in the upper house, the Chief Commissioner of Police; the deputy commissioner; Karl Kent, the director of the complex; and the family of Dr Norman McCallum, after whom the complex is named. The complex, which was built at a cost of \$14.5 million, provides Victoria Police with the latest in forensic technology and is part of the government's \$221 million investment in new and upgraded police stations and other investments in the police.

Increasingly forensics are a critical tool in solving complex crimes, and it is crucial that we provide the scientists employed by Victoria Police with the facilities and equipment needed to do their jobs. The 390 scientific staff of the Victoria Police forensic services department operate across 16 specialist forensic disciplines, supporting operational police and 350 crime scene officers across Victoria in 50 000 cases a year. More than 150 of those scientists and support staff will be based at the new complex.

Forensic scientists are involved in all types of scientific investigations, ranging from crime scenes to fingerprinting, firearms examination, material from fires and explosions, and drug analysis. The McCallum Building recognises the first director of forensic services for Victoria Police, Dr Norman McCallum, who started his career as a police officer and went on to establish the first integrated forensic science laboratory.

Watsonia railway station

Mr BROOKS (Bundoora) — On 26 March I raised during the adjournment debate concerns about the Napthine government's plans to sell off the Watsonia railway station car park for development. My adjournment matter did not relate to any concern about the potential development of that site, because I think my community would support some form of development there; the issue I raised was that any development should only proceed on the basis that the existing number of car parking spaces be retained or increased. A new development would also provide an opportunity to improve access to the station platforms and generate stronger economic activity in the neighbouring commercial area.

The record should show that in answering the adjournment matter the Minister for Public Transport failed to guarantee the retention of any car parking at Watsonia station. Commuters who use this car park are rightly angry that the Napthine government is looking to reduce car parking at Watsonia. The minister described this site as 'derelict'. It is anything but that: it is a highly utilised area and should not be dismissed so lightly. I call on the government to halt the proposed sell-off of the car park until these important issues for my local community are clarified. You cannot blame people for not trusting this government given its recent proposals to sell off the Greensborough TAFE campus and two local nursing homes.

Engage!

Mr R. SMITH (Minister for Youth Affairs) — I am delighted to announce that applications for funding are now open under the Victorian coalition's 2015–2017 Engage! program. Engage! is part of the Napthine government's youth statement entitled *Engage, Involve, Create*. It outlines our commitment to provide opportunities for young Victorians to be actively involved in community life, engaged in education, training and pathways to employment, and to be creating culture and enterprise. Engage! offers funding of up to \$150 000 over three years to local governments and community organisations to work with young people to develop and deliver initiatives that engage young people in their local community, build their skills and experience, and support them in their career pathways.

The 2012–2014 Engage! program supported 102 organisations to engage over 100 000 young people in a range of initiatives, including volunteering, skills development, leadership training, social enterprises, mentoring, decision making and education. This year

Engage! will provide over \$12 million of funding for initiatives that have a focus on supporting young people to actively participate in civic, economic and social activities in their community.

The Napthine government's vision for young people in Victoria is that all young Victorians experience healthy, active and fulfilling lives and have the opportunity to achieve their full potential, participate in the workforce and be involved in their community. Engage! is one of the many programs that supports that vision. I encourage all members to work with eligible community organisations in Victoria to consider developing innovative programs for young people and to apply for funding under the Engage! program.

Thompsons Road duplication

Mr PERERA (Cranbourne) — It was with great pleasure that on Sunday I joined the Leader of the Opposition, the members for Narre Warren North and Narre Warren South and the Labor candidate for Carrum, Sonya Kilkenny, for the announcement of Labor's commitment in government of \$175 million to duplicate Thompsons Road between EastLink and Clyde Road in Cranbourne.

This is an important route for local families, businesses and visitors. Almost all constituents in my electorate use at least some sections of Thompsons Road on a regular basis. More than 24 000 vehicles use the road each day. It provides access to the state-of-the-art EastLink road that Labor delivered during its last term in government. Traffic congestion on Thompsons Road is invariably raised by my constituents when I meet with them in my doorknocking rounds, at mobile offices and in all other encounters. I am told that a lot of my constituents take back roads to get to the Western Port Highway as Thompsons Road is heavily congested during peak times.

Labor's commitment to the Thompsons Road duplication and level crossing removal will reduce traffic and travel time, make the drive safer and support our growing population. That is why over 100 people gathered at short notice to listen to the announcement. Thompsons Road has been widened between the South Gippsland Highway and Narre Warren-Cranbourne Road — a Labor investment of \$22 million. Thompsons Road has also been widened between the Mornington Peninsula Freeway and Dandenong-Frankston Road — a Labor investment of \$30.5 million. This is the clearest indication that only Labor is committed to the upgrade of Thompsons Road. I am very disappointed to see —

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

Jonathan Brown

Dr SYKES (Benalla) — Hats off to Jonathan Brown, who announced his retirement yesterday. Jonathan Brown was a champion footballer and a great leader. He was the real deal: when the going got tough you could always count on Brownie. He was country boy tough, not pretty city boy strong. He was courage personified: he ran straight, was hard at the ball and got the hard ball. Thanks, Brownie.

John 'Shorty' Martinello

Dr SYKES — Another true champion up Benalla way is John 'Shorty' Martinello. He is a winner of multiple club best and fairest awards and a member of the Ovens and Murray Football and Netball League hall of fame. Shorty had a heart attack last weekend whilst umpiring the Benalla versus Rochester reserves game at Rochester. Thanks to the availability of a defibrillator and the expertise and cool head of a Rochester runner, Athol Hann, Shorty survived.

This incident highlights the importance of sporting clubs and other organisations having defibrillators and people knowing how to use them. Over recent years many clubs in the Benalla electorate have obtained defibrillators with the assistance of groups such as the Red Cross, lions clubs, St John's Ambulance, the Bendigo Bank, the RSL and the Victorian emergency services equipment program, as well as VicHealth grants.

Back to Shorty, let us hope he makes a full recovery, and thanks again to Athol Hann, the Rochester Football Club and all the others who helped save Shorty's life.

Peter Greste

Mr CARBINES (Ivanhoe) — I rise to condemn the decision that has seen Australian journalist Peter Greste facing a seven-year prison term in Egypt, as has been reported in the media today. I note that the federal Minister for Foreign Affairs, Julie Bishop, has said that she is shocked by the decision and will initiate contact with Egypt's government at the highest level to gain some kind of intervention. As a 23-year member of the Media Entertainment and Arts Alliance, I know journalism is not just a profession, it is a trade for a lifetime, and I certainly stand in solidarity with my colleagues in these difficult times. I note that yesterday Peter's brother Andrew tweeted:

Gutted, devastated, dumbfounded, shattered, can't describe the emotions of today's outcome.

I am sure he would draw strength, as the family would, from the continued support of all Australians and of the media profession internationally that will seek for justice to prevail in this case. I commend the Australian government on the work that it will do to try to bring that about.

Chandler Highway bridge

Mr CARBINES — I congratulate the leader of the Labor Party, Daniel Andrews, for committing to the duplication of the Chandler Highway bridge, which will ease congestion for thousands of hardworking Victorians who use the bridge every day. It will be of particular benefit to residents in my Ivanhoe electorate. This \$110 million commitment to duplicate the bridge will remove one of the worst bottlenecks in the northern suburbs.

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

Mornington Peninsula planning scheme

Mr MORRIS (Mornington) — The Mount Eliza woodlands are a special part of my community. As I have noted in the house before, this is an area with a distinct neighbourhood character, relatively low site coverage, large blocks and substantial remnant vegetation.

Under the former Labor government the controls that protected the area were trashed. Every lot in the area, in excess of 1600 in total, was able to be subdivided. In 2006, to stifle debate ahead of the state election, Labor moved to prepare a planning scheme amendment. It received strong support from both the community and the council and was duly dispatched to the minister's office for his consideration. Perhaps it had served its purpose during the election period because instead of considering it and approving it the then planning minister, the member for Essendon, simply sat on his hands.

In October 2007 I urged him by way of the adjournment debate to approve the amendment. In April 2008 I again called on the minister to approve the amendment. Twenty-six months after my first request the minister finally made a decision — that is, to reject the amendment. For 26 months it had lain on his desk and gathered dust, and then it was rejected.

I am delighted to say to the house today that a further amendment, which was initiated on the watch of this

government and strongly supported by the community and the panel, will soon be implemented. The neighbourhood character of the woodland, with its distinctive open landscape and largely intact tree canopy, is unique and will be protected for current residents and future generations.

It has been a long hard battle, and I congratulate all the protagonists. Despite the best efforts of the member for Essendon and the Labor Party, the Mount Eliza woodlands will be protected.

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

Lyndale Secondary College

Mr PANDAZOPOULOS (Dandenong) — I raise the issue of Lyndale Secondary College, which had its master plan for reconstruction approved in 2010 as part of Labor's rebuilding schools program. If you drive around Dandenong, you will see a huge number of schools having been rebuilt by the Labor Party as part of its reconstruction policies. In the last few years the new Naphthine government has failed to invest in new schools and in upgrading schools in the Dandenong electorate.

Its patch-up schools policy is not doing the job where there are so many schools built in the 1950s and 1960s in these established areas that have gone way past their useful life. Schools like Lyndale Secondary College, with their community and leadership, have worked very hard over many years; but in this case the school is falling apart around them. Labor supported a massive reconstruction program. As we did with many schools, we enabled the college to receive capital works funding for its school master plan. Then this government came along and blew up that strategy of rebuilding schools across the state. It threw away the strategy and has ignored Dandenong schools and Labor schools.

It takes Labor governments to fix schools in Labor electorates. That is exactly what has happened.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Government members will come to order!

Mr PANDAZOPOULOS — People refer to 11 years in government. When the Liberal Party is in government and spends no money, it takes years of Labor government to build up these schools. I want this government to fund Lyndale Secondary College. The school deserves it.

Mr Madden interjected.

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

Melbourne Vixens

Mr DELAHUNTY (Lowan) — Last Sunday Melbourne's no.1 netball team, the Melbourne Vixens, triumphed over the Queensland Firebirds in the ANZ Trans-Tasman Netball League championship. There was a sell-out crowd at Hisense Arena in our sporting capital to watch this very exciting high-class game. I congratulate all the players and supporters on this great victory.

Lowan electorate ministerial visit

Mr DELAHUNTY — I thank the Minister for Local Government, the member for Gippsland East, who is in the chamber, for visiting Lowan last week. I especially thank him for taking time to visit Hamilton and Horsham libraries and the Goolum Goolum Aboriginal Cooperative with The Nationals candidate for Lowan, Emma Kealy. The minister had a very informative visit and took time to have in-depth discussions with representatives of these organisations.

Emergency services

Mr DELAHUNTY — I take this opportunity to thank all emergency services personnel for their tireless efforts in protecting life and property during the 2013–14 fire season. Last Sunday a thankyou barbecue was held in Halls Gap and certificates were presented to brigades and State Emergency Service members in recognition of their outstanding work.

Lowan electorate historical groups

Mr DELAHUNTY — Last week I was thrilled to be able to present certificates to local historical groups in recognition of their work in preserving our history for future generations. The Mount Rouse and District Historical Society received over \$4000. The Wonondah North Hall Volunteer Group received over \$500, and the Harrow Bush Nursing Centre received over \$3000. I congratulate all these groups on the work they do and commend them on their work in preserving our important history.

Brian Bourke

Mr DELAHUNTY — Last night I attended a retirement function for Brian Bourke, the maintenance manager for the buildings and grounds services unit at

Parliament House, thanking him for his many years of service to us.

Gender equality

Ms BEATTIE (Yuroke) — Hillary Clinton once said that the rights of women and girls is the unfinished business of the 21st century. With all the progress of the feminist movement there are many fields of achievement in which the presence of women is still either a novelty, a curiosity, a challenge or a threat.

Former Prime Minister Julie Gillard's now famous misogyny speech captured world attention because of the truth behind the words. That Hillary Clinton was asked how she would balance being a grandmother with being a president beggars belief, and her response that 'Mitt Romney has 23 grandchildren and I don't recall him being asked', is indicative of how far we still have to travel in breaking down gender barriers in politics.

On a world scale Australia's women's cricket, football and basketball teams are far more successful than their male colleagues yet barely rate a mention amidst our sports-mad culture. I also would like to congratulate Melbourne Vixens.

Even amongst our media colleagues there is daily evidence of vitriol, judgement and criticism levelled at females across the field. The venom often directed towards sports journalist Caroline Wilson is extraordinary and entirely unacceptable. The words of the Minister for Planning, Matthew Guy, calling women 'wicked witches' again is totally unacceptable.

In a country where equality in accessing opportunities is an accepted right no longer questioned, we still have a long way to go in ensuring that those opportunities are actually experienced by the women who strive towards them.

Helen Hatherly

Mr WATT (Burwood) — I congratulate Helen Hatherly, OAM, the principal of Ashwood School, for her recent honours. Helen is extremely humbled by this honour, and in my discussion with her she paid tribute to all those who work with her at Ashwood School for the work they do. This is something they all should be proud of.

Opposition leadership

Mr WATT — In an article in the *Good Weekend* magazine in the *Age* of 21 June we read more information about the man who will attempt to become

the next Labor Premier on 29 November. In the article, Peter Murray, who taught the Leader of the Opposition at high school, stated:

Maths was always a problem for him when he started economics at Monash; it was the statistics that killed him.

The article goes on to say:

His three years as health minister were not without other controversies: Andrews was accused of fudging the figures to make hospital waiting times look shorter.

The *Good Weekend* article understates the situation. In fact in 2008 it was revealed that 64 per cent of hospitals reported waiting time as arrival at triage or cubicle, and 31 per cent underreported how many patients were in emergency departments for more than 24 hours. To top it all off, 37 per cent admitted patients to fake wards to meet eight-hour bonus targets.

These revelations need only be coupled with crime statistics before the last election. On 16 June 2011 Alison Savage of the ABC reported details of an Ombudsman's report on crime statistics. She stated that the report found that the former police minister and now Deputy Leader of the Opposition used misleading statistics in several media debates during the election campaign.

What we see is a pattern of behaviour. Both the Leader of the Opposition and the Deputy Leader of the Opposition have been caught out fudging figures. No-one believed them in the last election, and no-one believes them now — —

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

Firefighter compensation

Mr NOONAN (Williamstown) — Last year every government member in the Victorian Parliament's upper house refused to support a motion to introduce presumptive rights for our career and volunteer firefighters. The coalition's decision to oppose the motion was disappointing, as such legislation would focus on improving access to compensation.

The Labor opposition supports the introduction of presumptive rights for our firefighters. Labor remains prepared to work with all parties on progressing legislation through Parliament this year as we believe that supporting career and volunteer firefighters in this way is an issue that should be approached in a bipartisan manner. Sadly the Napthine government has not come to the table to work cooperatively through the legislative measures needed for this to be an effective

scheme. Despite plenty of global research about the link between firefighting and certain cancers, the government insists it needs more time and research before it will act.

It was a Labor government that first recognised and established presumptive rights for firefighters. It was federal Labor that passed an act for the fair protection of firefighters in 2011. It was Labor in Tasmania that became the first state to pass presumptive legislation for firefighters who contract cancer, including volunteer firefighters. It was also Labor in South Australia that passed a law recognising 12 occupational cancers for South Australian firefighters. I challenge the Napthine government here in Victoria to accept its responsibility and put before Parliament a bill on presumptive rights that all parties can support.

Surf Coast education funding

Mr KATOS (South Barwon) — I was delighted to join the Minister for Children and Early Childhood Development in Torquay on Friday, 13 June, to announce a \$1.6 million investment by the Napthine government for the Surf Coast Shire Council to develop the new Torquay North Family and Children's Centre. This builds on the Napthine government's strong commitment to education on the Surf Coast. The new Torquay North Family and Children's Centre will provide local families with 90 long-day care places, 88 places for four-year-olds and 66 places for three-year-olds, alongside other children's services such as maternal and child health services.

The government has delivered for the Surf Coast with the opening of the new \$37.5 million Surf Coast Secondary College — which incidentally was a project opposed by Labor — along with a \$500 000 grant that saw the Torquay Kindergarten extended, a \$300 000 grant for the recently extended Jan Juc Preschool, and the new Torquay North Primary School, which was announced as part of the 2014–15 budget. The Napthine government is building the education infrastructure needed to cater for the growth on the Surf Coast by providing the highest quality learning in early, primary and secondary education to give every child access to the best possible education.

Geelong training initiatives

Mr KATOS — Last Thursday, 19 June, I was pleased to join the Minister for Higher Education and Skills at the Gordon Institute of TAFE in Geelong to announce \$4.6 million in funding to boost future employment opportunities in the greater Geelong region. This latest funding commitment by the

Napthine government for phase 2 of Skilling the Bay will see a rollout of five new initiatives, taking the total investment to \$11 million. The five new initiatives include the Geelong Workforce Development Centre, Skilling for Business Success, Skilling the Health and Community Services Workforce, Successful Students, and Skills for Advanced Manufacturing, with a focus on composite materials.

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

Wallan Football and Netball Club

Ms GREEN (Yan Yean) — Last weekend was a great weekend for women's sport. On Saturday I had the privilege of going to ladies day at the Wallan Football and Netball Club. In honour of the women of the day, the boys out on the ground wore pink socks. I launched the club's campaign to have a netball court constructed adjacent to the oval and the club rooms. There were between 40 and 50 junior netballers who were unable to play this year. There are courts in Wallan, but they are about 800 metres from the football oval and across a busy road. They are not close to the change rooms. It is really important to support participation in growing communities like Wallan, which does not have enough footpaths or passive recreation. There are some disturbing health indicators in the community that have come about as a result.

I was glad to have one of the netball club's great players, Stacey Lynn, accompany me to the wonderful grand final held on Sunday, which was won by the Melbourne Vixens. Stacey and I had the privilege of sitting not only with the member for Albert Park and others but also with former Australian great Kath Harby-Williams. The Vixens also had a great player from Diamond Creek in Kate Moloney. This shows the benefit of investing in grassroots sport: you can end up as an elite player. Well done to the Vixens.

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

Cardross Football Netball Club

Mr CRISP (Mildura) — Cardross Football Netball Club hosted the WorkCover football match of the round, which was an excellent opportunity to bring together members and supporters for a luncheon and a guest speaker. For Cardross it has been a long road back from the flooding of 2011. I would like to congratulate the club on its diligence in rebuilding itself after having been flood refugees for a long period. Well done to the committee and its supporters.

Anthony Gerace

Mr CRISP — Anthony Gerace is moving on after two and a half years as station manager and breakfast host at ABC Mildura-Swan Hill. Anthony's lively breakfast commentary, combined with the work of producer Deb Banks, has meant that the breakfast program has found its way into the hearts and minds of many in the Mildura electorate. Thank you, Anthony, and good luck.

Hattah Lakes

Mr CRISP — Last Sunday I accompanied a small group of interested locals on a tour of the iconic Hattah Lakes wetlands. A major engineering project has been completed and commissioned and is now irrigating not only the red gum forests but also the black box forests that make up the RAMSAR wetland. Thank you to the Mallee Catchment Management Authority and Peter Kelly in particular for hosting the tour. I also give special thanks to those who joined me on an epic bus trip.

Sunraysia Rural Financial Counselling Service

Mr CRISP — Sunraysia Rural Financial Counselling Service, chaired by Jack Forbes, CEO Patrick Timmins and staff held a briefing on the current state of horticulture in Sunraysia and the Mallee from the service's perspective. This service has done a wonderful job in assisting farmers through difficult times for a long period. I thank them and say well done.

Peter Ellis

Mr CRISP — Lastly, welcome to Peter Caleb Ellis, who was born on 11 June. His grandfather is thrilled by his arrival.

Clive Judd

Mr MADDEN (Essendon) — I would like to acknowledge the passing of a very active member of the local community, Clive Judd. Clive recently lost his life, having battled mesothelioma, an asbestos-related disease, which I understand he acquired as a result of his exposure to asbestos whilst working on the farm as a young man. Clive was actively involved in the Friends of Moonee Ponds Creek, the Strathmore Uniting Church and the Essendon Airport community aviation consultative committee. He was also a very strong member of the Labor Party. Clive had been very active in his latter years. He had also worked at the Environment Protection Authority. He will be sadly missed. My sympathies go to his wife, Patricia, and to

his children, Dylan and Vanessa, and his many grandchildren.

Caroline Chisholm Society

Mr MADDEN — Recently I had the good fortune to attend a Caroline Chisholm Society briefing in relation to its anticipated role in community development involving its new facility. The Caroline Chisholm Society is a pregnancy counselling and support service for expectant mothers. The CEO, Helen Cooney, and the board of the society invited members of the community to attend an inspection of its newly purchased property at 977 Mount Alexander Road, Essendon, for which it seeks to acquire funds. It desires to redevelop the facility and is seeking \$600 000 in state government future funding through the Community Support Fund. I wish the society well, and I hope the government will release the funding guidelines.

Israel kidnapping

Mr SOUTHWICK (Caulfield) — I wish to make a statement on behalf of the Jewish community of Victoria regarding the recent kidnapping by Palestinian terrorists of three Israeli teenagers — Eyal Yifrah, Gilad Shaar and Naftali Frenkel — which occurred on 12 June while the boys were travelling home. This was a brazen act of terrorism. It has shocked and traumatised the families of Eyal, Gilad and Naftali, as well as many in Jewish communities around the world. It is never acceptable that innocent children are targets for kidnapping in aid of terror. The whole civilised world must condemn this act of terrorism. The boys must return home to their families safely. Such an act of terrorism demands a response from the Australian government.

Last week a petition was organised by David Marlow and Nina Bassett from the Jewish Community Council of Victoria. The petition calls on the federal government to convey to the Palestinian Authority its firm belief that the authority must cooperate and coordinate with Israeli authorities in their efforts to secure the release of these teenagers. It also asks that the federal government request non-government organisations, such as United Nations Relief and Works Agency, Oxfam, Human Rights Watch and the Red Cross, which are beneficiaries of Australian taxpayer support, to exercise their influence on Hamas to ensure that the teenagers are released unharmed. We have had 3400 members of the Victorian community sign the petition in its first few days, and as co-convenor of Parliamentary Friends of Israel, I stand alongside the Jewish community and my colleague and co-convenor,

the member for Footscray, who also stands united with us in the call to bring the boys home.

Eastern suburbs ambulance officers

Ms CAMPBELL (Pascoe Vale) — Congratulations to Rachel and her wonderful husband who work flat out on ambulances in the eastern suburbs.

SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014

Second reading

Debate resumed from 3 April; motion of Mr CLARK (Attorney-General).

Mr PAKULA (Lyndhurst) — I am pleased to rise to speak in the debate on the Sentencing Amendment (Baseline Sentences) Bill 2014. The bill title is appropriate. I say that because some of the commentary coming from government members on the opposition's possible approach to the bill has been unbelievably base. At a press conference held in the last couple of weeks attended by the Premier and the Attorney-General, the Attorney-General made the suggestion that somehow this bill is a test for the opposition. He did not wonder whether it is a test of whether we are obstructionist, and he did not ponder whether it is a test of whether we will seek to frustrate the ability of the government to govern, both of which might have been reasonable things for him to ponder. Instead he pondered whether or not the opposition is on the side of paedophiles. That was what he said this bill was a test of, and I have to say, 'Way to go, Attorney'.

Mr Foley — Shameful.

Mr PAKULA — It is absolutely shameful. I think it was Samuel Johnson who said that patriotism is the last refuge of the scoundrel. I have to say that accusing your political opponents of being or potentially being friends of paedophiles is the last refuge of the desperate and the last refuge of the uncommonly unprincipled. For the Attorney-General to even suggest that in a media conference is nothing more than a continuation of the form of the Attorney-General, whereby he has been doing everything but covering himself in glory.

Some pretty unpleasant things are said in media conferences; this is not an easy business. We are sometimes highly critical of one another, and that is as it ought to be. This is a contest of ideas and a contest for who gets the right to govern the state of Victoria, so I am the last person to suggest that during media conferences or during debate in this house we all ought to be holding hands and being friends. There is a time

for that, and there is a time for a robust political contest. But for someone who has probably done more than most people in this place to make it easier for one Victorian to discriminate against another — for the Attorney-General to use a media conference to suggest that the opposition's stance on this bill would be a test of whether we are on the side of Victorians or on the side of paedophiles is nothing short of disgraceful and, I think, does him enormous discredit.

I have to say that during that media conference the question put by the Attorney-General asking whether we would oppose the bill was entirely unnecessary, and the slur that went with the question was also entirely unnecessary, because the answer is no, we will not oppose the bill. By the time of that press conference that had been the answer for a number of weeks. The fact is the Labor caucus resolved on 27 May this year not to oppose the bill before the house. The determination was made not last sitting week but in the sitting week before that — two full sitting weeks ago. The government would have known that had it bothered to bring the bill to the floor of the house either last sitting week or in the sitting week before that, but it was too caught up in its chaos, its dysfunction and its attempts to tread softly with the member for Frankston to bring this bill on for debate in the last sitting week or the sitting week before that.

Had the government brought this bill to the house last sitting week or in the sitting week before that, it would have known the answer to the question, and it could have avoided that outrageous media conference and the outrageous slur made at it by the Attorney-General. There has been no particular secret about the opposition's position on this bill since 27 May, when the Labor caucus resolved to not oppose the bill.

We resolved not to oppose the bill primarily because the government has something akin to a mandate to bring this bill before the house. I say 'something akin' to a mandate because the bill before the house is in many respects quite different to the policy the coalition took to the election. I will read from the coalition's media release of 23 November 2010 where it talks about the then opposition's baseline sentencing policy. First of all it talks about minimum non-parole periods, not minimum or baseline head sentences. The policy that the government took to the election was for baseline non-parole periods. The media release says:

Baseline minimum sentences will apply for serious offences as defined in the Sentencing Act 1991, which include murder, manslaughter, intentionally causing serious injury, armed robbery and serious sexual offences, and for additional offences such as arson, recklessly causing serious injury, aggravated burglary and major drug trafficking.

Baseline sentences for the full range of offences to be covered will be set after obtaining the advice of the Sentencing Advisory Council and other experts, and the views of the community.

That is the commitment the coalition took to the 2010 election. If we go to the Sentencing Act 1991 and look at the offences that would be covered by this bill if the coalition's promise were being delivered, the full range of offences would include the following: murder, manslaughter, child homicide, defensive homicide, causing serious injury intentionally in circumstances of gross violence, causing serious injury recklessly in circumstances of gross violence, causing serious injury intentionally, threats to kill, rape, assault with intent to rape, sexual penetration of a child under the age of 16, persistent sexual abuse of a child under the age of 16, abduction or detention, kidnapping, armed robbery — and the list goes on. Plus there are the additional offences contained in the coalition's media release of 23 November 2010.

Just six offences are covered by the baseline sentencing provisions we are dealing with today: murder, incest with a child under 18, sexual penetration of a child under 12, persistent sexual abuse of a child under 16, culpable driving causing death, and drug trafficking in a large commercial quantity. This is not the government implementing the commitment it made before the 2010 election; this is merely a small sample of the offences the government committed to bringing in baseline sentencing legislation for. When we say the government has a mandate of sorts, clearly this is not the legislation the coalition promised to introduce.

When you look at the Sentencing Advisory Council (SAC) report from 2012 — that very comprehensive report — you get an indication of just how far the government has strayed from the commitment it made, because the Sentencing Advisory Council report provides, in recommendation 10, a full set of recommendations for baseline laws for all of the offences the coalition committed to bringing in baseline levels for. It is a very long list.

Not only that but the Sentencing Advisory Council report actually recommends longer baseline sentences than the bill introduces. The baseline year levels in the Sentencing Advisory Council report are very clearly described as representing the non-parole period for each relevant offence. The recommended non-parole period for murder in the SAC report is 20 years; the bill before the house brings in a maximum baseline of 25 years and a minimum non-parole period of 70 per cent of that. Now my maths is not brilliant, but 70 per cent of 25 is 17.5, which is less than the 20-year non-parole period recommended by the SAC.

For incest, sexual penetration of a child under 12 and persistent sexual abuse of a child under 16, the minimum non-parole period recommended by the Sentencing Advisory Council is 10 years; the bill provides a baseline headline sentence of 10 years and a minimum non-parole period of 6 years. For culpable driving causing death SAC recommends a non-parole period of 9 years; the bill provides a baseline headline of 9 years, with a minimum non-parole period of 5.4 years. For trafficking in a large commercial quantity of a drug or drugs of dependence the recommendation of SAC was that the baseline sentence be 9 years; the bill provides 14 years, with a non-parole period of 60 per cent of that, being 8.4 years.

In each and every case the minimum non-parole period recommended by the Sentencing Advisory Council was higher than what is being delivered by the government in this bill. SAC recommended a higher non-parole period; it recommended that the baseline be on the non-parole period, not the headline sentence. SAC very clearly provided recommendations for baseline sentences for the full raft of offences that the government committed to addressing, rather than the six that are in the bill.

It is important to place on the record also some of the concerns raised by other parties that have a very keen interest in the administration of justice in this state. The Law Institute of Victoria, in correspondence to the Attorney-General dated 14 April, has come out clearly against this bill. It said:

We reiterate our view that baseline sentencing unduly limits judicial discretion, overcomplicates the sentencing process and, ultimately, fails to act as a deterrent. To date, there has been no authoritative evidence of any linkage between length of sentence and reduction in recidivism.

We submit that the only likely outcome to flow from these new laws will be an increased burden on our prisons, police and courts.

We also submit that the government ought to consider the likely detrimental effect to complainants as a result of further delays and less pleas of guilty.

When one goes to the correspondence and the attachment to it in some more detail, one sees that the Law Institute of Victoria suggests that the criticism that has been levelled at the New South Wales scheme is equally applicable to the bill before the house. It refers to increases in overcharging; practices by police to encourage successful plea negotiations; additional work for the Director of Public Prosecutions; an increase in matters being dealt with in superior courts with corresponding higher costs, greater complexity and additional time required for the hearing of sentences, longer submissions, longer time required for judges to

draft their sentencing remarks and increased court backlogs; and an increase in appeals due to errors in applying the scheme. They are some of the concerns that have been raised by the Law Institute of Victoria. I think all Victorians would be grateful if government members contributing to this debate were able to find a way to potentially assuage some of the concerns that have been raised by the Law Institute of Victoria.

It has also been well reported that both the Chief Justice of the Supreme Court and the Chief Judge of the County Court have expressed serious concerns. A number of those concerns were reported in early April in the *Herald Sun*. I quote briefly from that newspaper article, which states:

Victoria's two top judges have slammed plans to change Victoria's sentencing regime, warning the state government it will have 'a dramatically negative impact on the administration of justice in this state' while doing nothing to reduce crime.

The article states also that Her Honour and His Honour also indicated in correspondence that it will 'reduce the incentives for the accused to plead guilty', that they described the bill as 'quite unlike any sentencing bill we have previously encountered' and they said:

... an increase in matters running to verdict would have a significant impact on court resources, and resources across the criminal justice system as a whole, including prosecutors, legal aid, police, juries and victim services ...

The article states also that the judges said:

It can be said with absolute certainty that this bill will lengthen the sentencing process —

as it —

takes the process from one of significant complexity to one of near impossibility.

So significant concerns have been raised by the Law Institute of Victoria, the Chief Justice of the Supreme Court and the Chief Judge of the County Court. The opposition certainly gave consideration to the question of whether we would seek to have the bill amended to have the chief justice provide something like an annual report to the Parliament on the operation of this legislation, given the concerns that both she and the chief judge have raised.

We do not intend to pursue that prior to the conclusion of the second-reading debate, because we would be keen to hear government speakers potentially alleviate by clarification the concerns that have been raised by the chief justice and the chief judge. However, we certainly reserve the right to move amendments in the Legislative Council in regards to the question of

whether we ask the chief justice and the chief judge to provide an annual report to the Parliament on the operation of this legislation.

What we have is a bill which in part deals with the government's commitment of 23 November 2010, but only in respect of six offences. There seems to be no good reason why the government has not included those other offences that it committed to in this legislation given that the work has been done by the Sentencing Advisory Council, given that the Sentencing Advisory Council recommended that it be a more fulsome piece of legislation and given that the Sentencing Advisory Council did the work of providing recommendations to government about what the baseline sentences ought to be for all of those offences described as serious offences within the Sentencing Act 1991. It seems like the government has introduced a bill for the sake of being able to once again burnish its reputation as tough on crime, but also to say it has acquitted a promise. This is not the legislation that the government promised.

When it comes to the really difficult analysis and the weighing up of one offence against another the government has squibbed it. Only members of the government can explain why the government believes it to be appropriate, for instance, to have a baseline sentence for culpable driving but not a baseline sentence for rape. It is certainly inexplicable to me given that the government committed to providing a baseline sentencing regime for serious offences and given that the Sentencing Advisory Council had done the work to provide those recommendations to the government.

I think government members also need to explain why the effective non-parole period implicit in their baseline sentencing reforms are lower than the non-parole periods for those six offences recommended by the Sentencing Advisory Council, which is ironically an organisation that members of the government have attacked in the past for being too soft. In this regard the council has recommended higher non-parole periods than the regime that has been brought forward by the Attorney-General today. Of course we expect here on this side of the house to see a procession of endless chest-thumping bills between now and November as the government and the Attorney-General desperately search for a political wedge and desperately search for a distraction. We expect these bills to keep on coming. If it was not clear before that it was the government's agenda to bring forth legislation to try to wedge and smear and tar-up the opposition, I would submit that the government's motivation became crystal clear after the media conference at which the Attorney-General mused

so openly about the opposition's view about paedophiles.

This legislation will pass this house and will no doubt pass the other house as well when we come back in August, but none of it by itself will make the community any safer if the government's commitment regarding the staffing of police stations, for example, is not adhered to and delivered. We have seen police constantly being taken off the front line either to act as babysitters in police cells or to do white-collar paperwork because back-office functions have been reduced so dramatically or because they have simply been assigned to other duties. This bill alone will not make the community any safer while rates of reoffending continue to rise and while they are budgeted to continue to rise as they have been in this budget and all of the preceding budgets of this government.

This bill alone will not make this community safer while our legal aid system remains in crisis and while the government continues to refuse to increase the resources available to it despite the massive budget surpluses that are projected over the forward estimates period. This bill alone will not make the community safer while the government continues to fail to put every effort into diverting young people away from a life of crime, and instead prefers to put young people into adult prisons and to send them to crime school. This bill alone will not make the community safer while the government's paltry and miserable efforts in dealing with family violence abide. All of those elements are essential for us to address if we are to make the community safer.

We need a robust approach to family violence, we need to keep police on the beat where they need to be, we need to keep young people wherever possible out of crime school and divert them away from a life of crime so that they do not become career criminals, we need to deal with rates of recidivism rather than simply accepting them and letting them go up and up and up, and we need to properly fund the system from the beginning to end — not just police at one end and prisons at the other but also the court system, legal aid and the mental health system, particularly when we see something like 40 per cent of prisoners in our system presenting with mental health issues. All of those elements are essential in making the community safer.

We cannot simply have harsher, tougher or more draconian sentencing regimes. They may have their place, but for this one-trick pony of an Attorney-General they are the only approach. All this government does is sit by and watch the crime rate rise

and satisfy itself that people are being arrested and put away and locked up. There seems to be no real attempt to bring the rate of crime down, to bring the rate of reoffending down, to deter crime or to do something about the causes of crime and the circumstances that create criminals. This government wants to pat itself on the back every time it brings in a bill which imposes a harsher sentencing regime, but by itself that will not fix anything.

As I have said before in this house, only a delusional government sees rising crime rates, a rising rate of reoffending, an increase in prisoner numbers and an increase in people with mental health issues in prison as a triumph, but this government does. This government sees it as a triumph that it is locking up more people and that there are more crimes being committed by more people more often. The government sees that as a triumph, and I think that is a very sad state of affairs.

The bill, despite the fact that it will pass this place and we will not oppose it, and despite the fact that the coalition went to the last election seeking a mandate for legislation of this nature, will not fix those much more endemic and serious problems, particularly when it is not the bill that was promised and particularly when offences like rape, kidnapping and manslaughter have been completely ignored by the government in this legislation.

The Sentencing Advisory Council provided recommendations for baseline sentencing for child homicide, arson, armed robbery, aggravated burglary, abduction, kidnapping and all of those offences, but the government has not brought forward legislation to deal with those things. The government has brought forward legislation to deal with a few of the items it committed to, and it has done so in circumstances where it then went out in a very tawdry way and tried to question the commitment of the opposition to dealing with nefarious individuals in this state, including paedophiles.

As I said at the commencement of my contribution, the opposition's decision on the bill was taken on 27 May; a phone call would have established that. But even better, if the government had brought the bill on for debate either in the last sitting week or in the sitting week before that, that fact could have been established, because we would have had the debate that we are having today in either of those two sitting weeks and in those circumstances the extremely unfortunate comments that were made by the Attorney-General in the now notorious press conference would have been unnecessary. With those words, I commend the bill to the house.

Mr NEWTON-BROWN (Pahran) — The member for Lyndhurst referred to the Attorney-General as a one-trick pony, which is a laughable assertion when you look at the dozens and dozens of bills that have been introduced into this place by the Attorney-General during the course of the Napthine government. He would have to be one of the most prolific ministers in terms of bills introduced into this house in recent years, and this bill adds to the continuing program.

The bill requires baseline sentences for six very serious crimes, which will have the effect of lengthening the sentences imposed. The bill amends the Sentencing Act 1991, the Crimes Act 1958 and the Drugs, Poisons and Controlled Substances Act 1981. The six crimes to which the bill refers are murder, culpable driving causing death, trafficking in a large commercial quantity of drugs and three sexual offences against children — incest with one's, or one's de facto spouse's, child under the age of 18 years; sexual penetration of a child under the age of 12 years; and persistent sexual abuse of a child under the age of 16 years.

The member for Lyndhurst in some respects misconstrued the Attorney-General's comments in relation to the bill. It has never been suggested that Labor Party members are friends of paedophiles. But the reality is that the sentences being handed to paedophiles by the courts are demonstrably inadequate. If we look at the indicative medians for these offences, for sexual penetration of a child under 12 years the maximum penalty is 25 years, yet the median sentence is 3½ years. The median is the average, so there would be people getting far less than 3½ years for an offence that carries a maximum of 25 years. Similarly with persistent sexual abuse of a child under 16 years, there is a 25-year maximum and the indicative median is 6 years. For incest with a child, the maximum penalty is 25 years and the indicative median is 4 years.

Those sentences are very low within the range that the judiciary has the discretion to impose, and the bill will right that wrong. It will right the skewing that has occurred, for whatever reason it has occurred, so the average of the judicial decisions will line up with community expectation. The Napthine government wants the baseline sentence, or the median, for the offence of sexual penetration of a child, where the maximum penalty is 25 years, to increase from 3½ years to 10 years. That is what the community expects. For all the criticisms we have heard, and will no doubt hear from the opposition, about baseline sentences, how can you increase the average above 3½ years when you have a maximum of 25 years? You certainly will not increase it by increasing the

maximum. If the maximum is 25 years and it goes up to 30 years, I submit that you will not see a corresponding lift in the indicative median.

That is what the bill is about. Baseline sentences will provide a clear direction while still maintaining discretion for judges so that there is a median or midpoint of sentences. Sentencing practices are expected to be adjusted over time so that half the sentences imposed will be less than the baseline and half will be more than the baseline so that you have the average at the baseline. That is what the community wants, and that is what the Attorney-General has set in the bill to ensure that baseline sentences accord with community expectation.

Various points have been raised in opposition to baseline sentencing, although I notice that the opposition is not opposing this bill. The fundamental point is that it is a basic principle of our democracy that we have a separation of powers. Certainly that is something which everybody in this house would defend: the government makes the law, we are elected to reflect community sentiment on these laws, and the judiciary applies those laws. It is very important that the judiciary have discretion and independence and that that is maintained. There is no hampering of that discretion by this bill. It is part of the job of government to set maximum sentences.

Judges have discretion within the range up to the maximum sentence, but this bill does not set a mandatory minimum sentence for any of these offences. From looking at the totality of the offences that come before the courts, the bill merely gives the judiciary a guide as to how the community expects the courts to conduct sentencing. Certainly there will be circumstances in which there are mitigating factors and it is appropriate for a very low penalty to be given, but similarly there will be aggravating circumstances which justify the imposition of the maximum sentence or one close to the maximum. On average the baseline is where the community expectation is, and the judge's discretion is not hampered by having a baseline.

The government has stated that the bill does not introduce mandatory sentences and does not alter the instinctive synthesis process currently used by judges in sentencing, where judges take into account all the factors relevant to an offence. It is certainly not a science; it is a very human process in which a judge weighs up everything to do with the offence, the victims and the circumstances in a balanced sense, and comes up with a final sentence for each matter that is heard before them. In his second-reading speech the Attorney-General stated that this bill:

... will for the first time give Parliament on behalf of the community a far greater say in the overall level of sentences that are imposed in our courts, while still allowing the courts to take into account the facts of individual cases in determining the sentence for each case.

The Attorney-General has made it clear that sentences for a number of crimes are out of step with community expectations and out of step with what is required to deter crime and effectively protect the community. Child sex offences are among the worst kind of offences for which offenders appear before the courts, but the median sentences for these crimes, as I have already detailed, are at an unacceptably low level. Through this baseline sentencing reform, the bill will change this by effectively acting as a guidepost for judges as to what the community expects in sentencing.

Concerns and questions have been raised as to whether baseline sentences will be an effective deterrent. This really makes no sense. We have a hierarchy of offences which operates so that the more serious the crime, the more serious the time offenders do. To suggest that imposing more time will not be more of a deterrent is an illogical argument. There have also been concerns raised about the effects on prison numbers and pressure on the courts and the police. My answer to that is: so what? Not having the prison capacity to deal with crime is not a reason to go soft on crime and not impose an appropriate penalty. You do not incarcerate people based on your capacity to incarcerate them; you incarcerate people based on whether or not it is appropriate to do so. Part of what the Napthine government has done is increase the capacity that has been so sorely lacking in our prison system so that those who deserve to be locked up are locked up.

In conclusion, the Napthine government is enabling Parliament to make clear the level of sentences it expects to be imposed across a wide range of offences, while still providing flexibility for the courts to apply the law to individual cases in accordance with the intentions expressed by this Parliament. I commend the bill to the house.

Mr McGUIRE (Broadmeadows) — Labor will not oppose the Sentencing Amendment (Baseline Sentences) Bill 2014. As the opposition lead speaker and shadow Attorney-General pointed out with the use of a colourful phrase, this is because 'the government has something akin to a mandate' for these changes. In his deconstruction of the various clauses of this bill, he pointed out the difference between the pre-election rhetoric and the reality of this legislation. There are big gaps, and I will come to them in this contribution to the second-reading debate.

One of the other key issues we want to address is that this matter is too important for the politics that have been disclosed and are being played. It should not be turned into a fear-and-smear campaign in any way, shape or form, yet that is now what is being played out in the political arena in the countdown to a state election. It should be noted that this is not what the public demands; it is not what the public wants from legislators and it is clearly not in the best interests of Victorians. As parliamentary secretary to the shadow minister for the scrutiny of government, I want to look at the critique of not only what is in this legislation but also what it fails to deliver. Part 1 provides that the purposes of the proposed act are:

- (a) to amend the Sentencing Act 1991 to provide for baseline sentences for indictable offences; and
- (b) to amend the Crimes Act 1958 to fix a baseline sentence for —
 - (i) murder; and
 - (ii) incest ...

It goes into the definitions of incest there. Then:

- (iii) sexual penetration with a child under the age of 12; and
- (iv) persistent sexual abuse of a child under the age of 16; and
- (v) culpable driving causing death ...

Then there is a third component:

- (c) to amend the Drugs, Poisons and Controlled Substances Act 1981 to fix a baseline sentence for trafficking in a large commercial quantity of a drug or drugs of dependence.

Clause 1(b) refers to:

- (iii) sexual penetration with a child under the age of 12; and
- (iv) persistent sexual abuse of a child under the age of 16;

This goes to a critical issue — that is, that child sexual abuse is a curse which we as legislators should be doing what we can to try to reduce and if possible rid our community of.

It beggars belief that the Premier and the coalition government have walked away from honouring the promise they made to implement all of the recommendations of the *Betrayal of Trust* report. Survivors who were criminally abused — physically, emotionally and sexually — as innocent children and who had the fortitude to testify as adults to the Victorian parliamentary inquiry that produced that

landmark report are dismayed that the Victorian government has not enacted the key recommendations it has declared it supports.

The government has cited the ongoing Royal Commission into Institutional Responses to Child Sexual Abuse as a reason for the delay. I reject that proposition. The evidence before the inquiry was more than enough to substantiate all of the recommendations, findings and conclusions in the report. The federal royal commission is really just echoing the key things we discovered in Victoria, which also happened all around the country. The report's recommendations included reforms to make our children safer, and the Victorian parliamentary inquiry was acclaimed for its leadership in dealing with these issues in a bipartisan way in the public interest. Such leadership should not now be lost. I call on the Premier and the government to act.

The initial response to this inquiry was a breakthrough moment for the 57th Parliament. There was goodwill across the chamber and a bipartisan response. There were middle-aged men weeping on the steps of Parliament and women who had no voice as children giving three cheers that the Parliament had worked and delivered its findings in a report. We had a bipartisan position that the recommendations would not only be implemented in full but would be implemented before the usual six months taken to respond to reports.

That deadline has passed and the excuse now being used is that we are waiting for the findings of the royal commission. That could take years. We do not know how long the royal commission will run. The state government must stand up and be counted on this issue. These are crucial reforms requiring non-government organisations that the government funds or provides with tax exemptions or other entitlements to be incorporated and adequately insured. Reforms that should have been enacted in Victoria by now include the recommendation to remove inappropriate time limits and impediments with respect to access to justice for victims of criminal child abuse, specifying in law that no time limit should apply to applications for assistance by victims of criminal child abuse in organisational settings and establishing a redress system for victims as a matter of urgency, as cited in recommendation 28.1 of the report.

These issues are vital and urgent, and these reforms should have been implemented by now. Another reason Victoria has to take leadership on these matters is that we do not know how long the national royal commission will take to deliver its report. It could be years. Many victims are middle-aged or elderly and have been waiting decades for justice. The inquiry

found that the average length of time before victims could even talk about many of the crimes against them was more than 20 years.

Having been the deputy chair of the committee during this inquiry I have been repeatedly approached by survivors and advocacy groups who are increasingly concerned about delays. They are worried the critical reforms will be lost with the passage of time. They have put it to me as directly as this: they fear another betrayal of trust. They say to me, 'How could this happen again? We have had it so many times in our lives'. They are trying to get on with their lives and they cannot believe that the government has failed on this proposition. We have an important point here to hang onto the bipartisanship on this issue, and it is critical that we address these points. Let us move beyond any attempt at a political smear-and-fear campaign in the countdown to an election. Let us analyse what is in the public interest.

Let us also listen to the key people who are involved in this. As reported in the *Herald Sun*:

Victoria's two top judges have slammed plans to change Victoria's sentencing regime, warning the state government it will have 'a dramatically negative impact on the administration of justice in this state' while doing nothing to reduce crime.

In an unprecedented move, Supreme Court Chief Justice Marilyn Warren and County Court Chief Judge Michael Rozenes wrote to Attorney-General Robert Clark in February after seeing a draft version of Mr Clark's baseline sentencing bill, introduced into Parliament last week.

A draft of the letter seen by the *Herald Sun* and understood to be very similar to the final version, states the bill will 'reduce the incentives for the accused to plead guilty'.

Even if that is an unintended consequence, it should be addressed. The opposition lead speaker, the member for Lyndhurst, who is in the chamber, put this succinctly: we need to hear back from the government during the course of the debate. We do not want sophistry; we want clear facts as to how this and the other key concerns that have come from this bill will be addressed. These are the major stakeholders in this, and I refer again to the letter from the Law Institute of Victoria:

We reiterate our view that baseline sentencing unduly limits judicial discretion, overcomplicates the sentencing process and, ultimately, fails to act as a deterrent. To date, there has been no authoritative evidence of any linkage between length of sentence and reduction in recidivism.

That needs to be responded to in a detailed and thorough way.

The Criminal Bar Association (CBA) stated in a 2011 submission to the Sentencing Advisory Council that:

There already exists a powerful mechanism for the correction of sentences which are too low. Since the introduction of appeals by the Director of Public Prosecutions they have been an effective means of redressing inadequate sentences ... The CBA is not clear as to why the availability of director's appeals is not regarded as a sufficient safeguard against the imposition of inadequate sentences for serious offences.

We come to the conclusion that we have to put the public interest first on this and be clear about what is going on. Is this just an attempt by a desperate, unstable government which is lacking credibility to set up a diversion in the shadow of a Victorian election? I am calling on government members to stand up and be counted on this and to clearly bring in and fully implement all the recommendations of the *Betrayal of Trust* report so that these people who suffered so badly do not have to go through it yet again.

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

Mr MORRIS (Mornington) — I am delighted to rise to support the Sentencing Amendment (Baseline Sentences) Bill 2014. This government came to office with a commitment to introduce baseline sentencing. As the Attorney-General described it, this is groundbreaking legislation, and that is certainly a view I share. The bill builds on the innovations that this government has introduced since 2010 through a number of sentencing measures, including the abolition of home detention; the introduction of community correction orders to replace an ineffective community orders scheme and in the process giving much greater flexibility; the introduction of statutory non-parole periods for offences of gross violence; and the abolition of suspended sentences. As a government we have a strong record, and this bill certainly continues that drive for reform.

It cannot be denied that the bill is a significant step in the way sentencing is undertaken in Victoria. In our system the Parliament defines the crime, defines the offence and sets the maximum term. It has to be said that the maximum term is very rarely imposed. Those measures have always been legislated but that has been the extent of the view that has been expressed by the Parliament on sentencing. I am not going to comment on individual cases, nor is it appropriate that the Parliament become embroiled in individual cases, but it is clear that the sorts of sentences that have been handed down do not meet community expectations, and in many cases they simply do not act as an effective deterrent to offenders.

I briefly refer to the second-reading speech. The speech states that, as all members would agree, child-sex offences are considered to be among the worst possible kinds of offences, and that view is reflected in the maximum penalties. The offences of sexual penetration of a child under 12 and persistent sexual abuse of a child under 16 are both punishable by a maximum penalty of 25 years. But despite the magnitude of those maximum penalties, between 2006 and 2010 the median sentence for the offence of sexual penetration of a child under 12 was 3½ years in jail, and the median sentence for the offence of persistent sexual abuse of a child under 16 was 6 years — so it was 3½ years and 6 years against a legislated maximum penalty of 25 years. I really do not think that outcome is acceptable. It certainly does not reflect community expectations, and as I said, I do not believe it establishes an effective deterrent.

The role of the Parliament is to write the law; the role of the courts clearly is to implement that law. The Parliament is elected by the people, the courts are not, and long may that continue to remain the case. I do not believe it is appropriate for members of the judiciary to be elected, as happens in some other countries. The High Court of Australia supports that view of the role of Parliament. It has made it clear that our task is to determine the appropriate level of sentencing and that it is for the courts to then apply that level of sentencing.

What is being introduced with the bill? A baseline sentence is not a minimum sentence and is not a mandatory sentence; it is the expected median sentence for each baseline offence taking into account sentences imposed under the framework. That sounds reasonably complex, but I do not believe it is. It is about changing current sentencing practices. The bill sets baseline sentences that are higher than the current median sentences, and over time sentencing practices are anticipated to adjust so that eventually half the sentences that are imposed — post the gazettal of the bill — should be less than the median figure and half should be greater. Unlike some of the claims that have been made, there will not be a requirement on judges to impose a baseline sentence, but we are asking them to act compatibly with the Parliament's intention that the baseline sentence becomes the median sentence for the relevant offence. They will need to explain why they have imposed a sentence that is equal to, greater or less than the baseline sentence, and that in itself brings with it some accountability.

The proposed baseline sentences are relevant, and they are laid out in the bill. For the offence of murder the current maximum penalty is life, and the baseline sentence will be 25 years; for trafficking a commercial

quantity of drugs the maximum penalty is life, and the baseline sentence will be 14 years; for the sexual penetration of a child under 12 the maximum penalty is 25 years, and the baseline sentence will be 10 years; for persistent sexual abuse of a child under 16 the maximum penalty is also 25 years, and the baseline sentence will be 10 years; for incest with a child, similarly the maximum penalty and baseline sentences are 25 years and 10 years respectively; and for culpable driving causing death, they are 20 years and 9 years respectively.

Culpable driving causing death was not one of the original offences for which baseline sentences were proposed, but the Sentencing Advisory Council recommended that it be included in the reform and the government accepted the recommendation in its response. The offence is a subset of manslaughter, and I know there have been a number of attempts to increase sentences through increases in the maximum penalty. The member for Prahran made the point very well: simply increasing the maximum penalty has little or no impact on general sentencing practice.

The bill is a little different from the original policy commitment. The two important changes are that the bill applies baselines to sentences and not to non-parole periods, and that is certainly reflected in the higher baselines specified for murder and for trafficking compared with the government's original intent. Also the baseline sentence is not the starting point in terms of the sentencing process. Unlike the original proposal, the bill introduces fixed ratios between the sentence and non-parole period that apply when the court is sentencing for a baseline offence. Those changes are about making sure that the reforms work in the context of Victorian sentencing practices.

I want to quickly address a couple of points. Will the bill reduce the number of guilty pleas and result in longer trials? The government's view is that it will not. While the bill aims to increase sentences, it certainly does not prevent the courts from giving sentence reductions to offenders who plead guilty, and it does not limit them from considering the merits and factors relevant to a particular sentence. Will more people go to jail? Probably not, because all the people who are guilty of these offences are already going to jail. Will they be there longer? Absolutely, and there is no argument about that at all, but will there be more people in jails? Probably not. This is groundbreaking legislation. It confirms the role of the Parliament and confirms the role of the courts. Its effect will be to bring sentencing much more closely into line with community expectations. I commend the bill to the house.

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

Debate adjourned until later this day.

WATER AMENDMENT (FLOOD MITIGATION) BILL 2014

Second reading

Debate resumed from 7 May; motion of Mr WALSH (Minister for Water).

Mr FOLEY (Albert Park) — I rise to convey the opposition's comments on the Water Amendment (Flood Mitigation) Bill 2014. Labor will not be opposing the bill, but my comments will reflect some of the concerns Labor has with management of certain areas dealt with under the government's watch, particularly aspects relating to management of the major flood events of 2010–11. This bill is a part of a wider response to those catastrophic and terrible floods. At the beginning of my contribution I thank department officials and the private office of the Minister for Water for arranging a briefing on the bill. I thank representatives from organisations, especially many local government organisations in the north and north-central areas of the state, who shared their thoughts on the background to the bill, particularly on the responsibilities for ownership, management and maintenance of flood levies. I thank the many victims not only of the floods but of the government's subsequent mismanagement of a long-term response and policy issues that continues to this day. It is their stories and circumstances that we should all be particularly mindful of as we debate this bill.

The opposition notes that this bill reflects the Environment and Natural Resources Committee (ENRC) inquiry of August 2012 into flood mitigation infrastructure in Victoria, and in particular the recommendations arising from chapter 4 of the committee's report relating to aspects of the ownership, management and maintenance responsibilities for flood levies. The 40 recommendations of that report were all supported fully or in principle by the government in its response of October 2013.

The initial point Labor makes is to note that in its response the government supported all the committee's recommendations in some way. It is now well past the time that many of those recommendations should have been implemented in some way or form. The recommendations went well beyond the issue of levees. They went to issues such as waterway ownership, management and maintenance, and to legal issues

around liability. Issues of compensation and of acting in the general public interest were also part of the government's response, as were obligations on water storage managers, monitoring of flood infrastructure and engaging with the community around education and tapping local knowledge. Sadly many of these recommendations sit unattended, in line with this government's predisposition when it comes to looking after rural communities for which it claims some special representational rights.

Labor calls on the Napthine government to consider debate on the bill as an opportunity to confirm the timetable and funding for the delivery of the full range of recommendations and promises it made to individuals and communities impacted by the floods of 2010 and 2011. In this regard, the specific recommendations of the report that this bill refers to relate to those issues of levee maintenance and the system whereby the Minister for Water will have responsibility for the permit systems to achieve this. Victorian Labor supports measures that protect individuals, communities, farms and landscapes from the threat of flood. We support the aim of the bipartisan parliamentary inquiry on how to deal with the public and private levees that exist to cope with floods across the landscape and to protect the communities and assets that these floods can place under threat.

In applying the recommendations via this bill, in particular any system of permits that govern how flood levees are to be maintained, the committee highlighted that such a system needs to be practical and easy to deal with and take account of the different stewardship values of landscapes and communities. Whilst this bill should enable the appropriate management systems to be applied, Labor remains sceptical of the Napthine coalition government's ability to achieve this given its confused, overtly political and regularly arbitrary approach to issues of governance of the Victorian water sector. When this is added to the sadly callous mismanagement of the government's response in some cases to particular communities, especially those at the end of flood and irrigation systems that have suffered from the 2011 and 2010 floods, we see a level of indifference and calculated callousness from this government. This has come close to adding significant trauma to communities and individuals as they seek to recover from these devastating floods.

To summarise this bill, which is not a long bill, it seeks to improve the management of certain — but far from all — existing levees on Crown land to help protect communities against the risk of flood. In this respect the ENRC report noted that between September 2010 and February 2011 Victoria received exceedingly heavy

rainfall. The flood events that occurred over that time affected a total of 172 towns and localities. Of these, 24 were affected more than once and some multiple times. The government's own estimates were that the damage bill was over \$1.3 billion. Many farms and many individuals still suffer the consequences of the floods, with properties in some cases unworkable, devalued and devastated and with many individuals still traumatised as a result of the government's false promises and mishandling of the recovery process.

In 2011 the Environment and Natural Resources Committee was charged with inquiring into matters relating to the flood mitigation infrastructure. The committee's report was published in August 2012 and includes 40 recommendations, as I have indicated, for improving the management and maintenance of that levee infrastructure. The government's response to the ENRC report was tabled in this Parliament on 17 October 2013. As I have indicated, the government fully supported or supported in principle all of those recommendations. The key recommendation for the purposes of this bill and this debate today was recommendation 4.6, which I am sure honourable members have access to in the report. The government gave in principle support for that recommendation, and on page 18 of its response said:

The Victorian government agrees that access to private land for works needs to be negotiated as part of any scheme agreement where a levee is managed by a public authority (including a municipal council) as part of a formal scheme, and is sited on either private land or on both public and private land.

The government agrees in principle that where a levee is not going to be maintained by a public authority and is sited on public land, local beneficiaries should be entitled to enter the land to maintain the levee. If this is not possible under existing legislation and governance processes, DEPI will investigate the most appropriate way for maintenance to occur safely and to have regard for the conservation or preservation of certain historic, Indigenous and natural values for the different types of Crown land. Consideration will be given to the need for such work to be undertaken in consultation with the land manager and the appropriate degree of regulation ...

The public values of national parks require stricter controls over activities that could result in damage to those values. Levee maintenance activities in national parks would need to be carried out in accordance with a management plan to the satisfaction of the national parks manager, and to comply with relevant legislative requirements.

This bill seeks to give effect to that recommendation. Essentially this bill and the response to that recommendation mean that certain levees on Crown land will be dealt with through the system this bill proposes. It is important to emphasise the fact that this bill will apply not to all levees on Crown land but only

to those that will fall within the permit system to be applied by the government and the minister, subject to the various processes set out. These levees vary from those in good condition to those which have fallen into a state of disrepair or which have been unable to cope with levels of floods. Some levees cross between Crown and private land. The range of management instruments used and the circumstances in which public land is managed mean that some levee management arrangements can be complex, particularly for those that have fallen into a state of disrepair. In circumstances where these levees sit on public land but are not managed by a public authority, ENRC recommended that local beneficiaries willing to conduct maintenance be allowed to undertake maintenance subject to certain conditions.

It pays to remember that levees constructed for flood protection across the state have been in place since the late 19th century. There are approximately 4000 kilometres of levees scattered across the state in urban, regional and rural locations. There are large disparities in the design and construction methods used and the current condition of these levees. They vary from modern, well-constructed levees to those that are poorly sited and badly constructed and even to more poorly maintained older levees that are no longer fit for their original purpose.

These levees are owned, maintained and managed with a variety of methods that are best described as ranging from confusing through opaque to clear. Uncertainty surrounds the status of many of the levees. Local government authorities claim some urban levees in particular. The state, it is argued by many, has responsibility for others. Private individuals in other cases clearly gain a benefit. Which part, if any, of the state is responsible for which levees remains far from clear. As a result, the issue of who is responsible for the levees in the case of flooding also remains unclear.

The circumstances of particular levees need to be considered on a case-by-case basis, making the responses of government sometimes complex and critically requiring local engagement, buy-in and knowledge. This in turn raises issues around the tenure of the land on which a levee might be located. This further points to issues about who might benefit from the levee and the related issue of who is best placed to undertake construction and maintenance, if any, of the levee. The government, at the insistence of the ENRC report, has endorsed the key principle that there is a need to identify the key beneficiary who should pay and be responsible for a levee as the most appropriate way to determine issues around its ownership, management and maintenance.

In dealing with these principles, complex issues of access to private land for the relevant beneficiary or beneficiaries to undertake these maintenance measures arise. Whether a public entity or a private person is involved, access issues and responsibilities have not kept up with the generations of governance changes in landscape and water management over the years. These changes in governance have been accompanied by changing needs for levees as water movements across the landscape have changed as well as levee standards.

The ENRC inquiry found that the current system of permits applying to this system is flawed and overly complex. Thus the need to establish a priority system via which the government should invest in levees for current and forecast maintenance and repairs, using a consistent statewide approach, is also seen as a key response. It is hoped that this will be actioned by the government in its response to the report. Funding models for upkeep and maintenance were also found to be lacking across many of the public entities and certainly private beneficiaries when it came to levee maintenance.

Issues around the standards of construction and upkeep were also addressed. The floods of 2010–11 resulted in changing patterns of huge movements of water across landscapes. This meant that new levees — some temporary, some not so temporary and some coordinated, some not so coordinated — were built during the course of those floods and the ENRC inquiry. Sadly issues also arose around the deliberate breaching of some levees. Some of these breaches were coordinated; others were uncoordinated. This meant the government had to consider issues around emergency response plans.

There are also further complications due to the current changes to channels in irrigation communities, including large-scale decommissioning of many channels by state water corporations as part of the significant investment in modernisation programs. This has led to further complexities in the program. This has drawn the state into issues of management and responsibility for and response to the floods, leading to accusations in some quarters that the state's changes contributed negatively to the flood emergency. Many pointed to the evidence supporting the notion that such decommissioning impacted flood levels.

However, water does not obey state boundaries; it follows the laws of physics and floodplains rather than the laws of state borders. The different states' approaches to many of these issues — particularly that of New South Wales — further compounded many of the flood issues for Victorian communities. Confronted

with these enormous complexities; in a crisis situation that endured for many months, well beyond the initial inundation of water; we saw many great acts of courage, the coming together of communities and inspiring efforts to protect life, property and equipment. Sadly, as many members in this place will know, lives were lost. All committee members acknowledge the tremendous efforts of all those involved in that crisis response and thank them for it.

Sadly, at some level we also saw institutional failure and subsequent government neglect. Many victims at the ends of the flood plains continue to suffer today. As one media report accurately described it, 'Many were flooded and then duded'. The government's response to the ENRC's report highlights the need to ensure the protection of particular values in and around levees and also extends to wider values in the landscape, such as Indigenous and natural values. The opposition calls upon the government to ensure — as it has indicated it will do in its response to recommendation 4.6 — that all of these diverse values are recognised and protected in the application of its permit system.

The bill seeks to reflect the adopted recommendation that relates to streamlining the permit system. In adopting this recommendation, the government agreed that access to private land for works needs to be negotiated as part of the system of overall levee management by the relevant public authority. This in turn will be subject to the circumstances of the levee concerned. The government agreed that where a levee is not maintained by a public authority, is on public land and has a locally identified beneficiary, then that beneficiary should be entitled to enter the land to maintain that levee. It seeks to do this through a system of levee maintenance permits to be granted to these nominated beneficiaries. These permits will govern the issues around construction, removal, alteration or maintenance of the nominated levees.

The bill amends a variety of public land management acts insofar as they require the granting, management and operation — including the revocation — of the levee maintenance permit system. It essentially seeks to apply a template legislative and regulatory model to various acts which manage the public lands on which these levees sit. Relevant acts include the Crown Land (Reserves) Act 1978, the Forests Act 1958, the Land Act 1958, the National Parks Act 1975, the Wildlife Act 1975 and in the case of the Conservation, Forests and Lands Act 1987 its functions insofar as they relate to the Water Act 1989.

The permit system based on this framework is set out in the committee's report. The opposition will not oppose

the government's advice and response that sets out how it will apply on the ground. If successfully implemented, these measures will together form part of the wider response needed by communities regarding how to respond to future flood emergencies, which, sadly, we will see occur one day. Despite examples of more extreme weather events and despite man-induced climate change contributing to such events, we would hope they will be few and far between, but we know that when they come they will return with a vengeance to our state. If the extreme events of 2010 and 2011 are any indication — that series of events affected Victorian communities, particularly all those who suffered, terribly — we need to be prepared. Let us hope that this permit system and the response to this particular aspect of the regulatory framework constitutes a step along the path to ensuring that communities are best prepared for such devastating floods.

The direct impact of the 2010 and 2011 floods lasted for many months, with entire landscapes remaining flooded for extended periods. In the course of my preparation on this bill I spoke with many families, particularly farming families, that have still not recovered. Many feel abandoned, cheated and indeed traumatised by the process. They feel particularly let down by the coalition government over the promises and commitments they believe were made to them and which they have identified as being broken. These individuals tell tales of promises by members of the government about compensation, about commitments that levies would be maintained, about support for investigations into activities at the time of the floods and about possible legal actions or actionable situations with respect to the breaching of the levees. They believe that initiatives relating to either the temporary construction of some levees or the deliberate breach of other levees have harmed them, affected or destroyed their property values and, sadly, pitted neighbouring communities against one another in this area.

These tragic stories, which come from communities particularly around Kerang, Cohuna, Kow Swamp, the lower Pyramid Creek area and areas associated all the way through to the Loddon system — and from many others — all share a common theme. They are stories of communities that banded together in the face of immediate adversity and crisis only to be abandoned and arguably deceived, in their eyes, by members of this government in relation to their long-term recovery and future prospects. If the government is to ensure a long-term commitment to the flood processes that are set out in the full Environment and Natural Resources Committee report, it must respond to these concerns, which are well known to it.

When we consider the prospect of the implementation of this one recommendation of the 40 recommendations of the report of the inquiry into flood mitigation structures, we need to bear in mind that the streamlining of the process for permits is but one area. We need to support this matter of the beneficiary principle being in place to manage the permit system proposed, but we need to go further. Surely the government response to the matter of levees does not stop at the issue of the permit system. It must include dealing with the legitimate concerns of those families and farmers still suffering the consequences of floods.

We suspect that the government framework for the proposed permit system is adequate to make the policy changes proposed by the bill. We also, however, note the abysmal performance of this government in water governance, its confusion as to the government's role, its uncertainty around policy and its politicisation of key bodies and organisations, especially the mortally wounded Office of Living Victoria (OLV), which sinks every day into a deeper mire of misgovernment and questionable leadership and performance. We look forward to the Ombudsman's report on the significant issues in that organisation as a first step towards shining the light of public accountability on that most strange and unaccountable arm of the government's water bureaucracy, which operates under that Orwellian tag of the Office of Living Victoria. As the blob-like OLV oozes its influence into every corner of water policy in its undefined, un-legislative, extremely expensive and highly politicised manner, with its army of Nationals mates leading the charge, with their snouts in every available trough of taxpayer funds in a conga line of consultancies, we can only expect more of the same — if this model of water policy continues.

The government's focus on OLV has meant it has dropped the ball on flood recovery. The importance of rural water corporations in this complex landscape of flood mitigation is well appreciated by all those involved.

The ACTING SPEAKER (Ms Ryall) — Order! In terms of the member reading his contribution, I have not seen him look up in the time he has been speaking — —

Mr FOLEY — That may have been, Acting Speaker, because you have been speaking to half the passing parade of members.

The ACTING SPEAKER (Ms Ryall) — Order! The member may like to not read from his notes and continue.

Mr FOLEY — Thank you for your guidance as always, Acting Speaker. I look forward to your continued focus on my contribution.

Is it any wonder, then — getting back to the contribution — that we see a North Korean style of political approach from The Nationals to their own constituencies, which they take for granted as if they have some God-given, intergenerational right to represent these communities? Whilst we have spoken in general terms about many of the communities and individuals affected by the 2010 and 2011 floods, I would seek your indulgence, Acting Speaker, to read into the record a particular contribution from one community member — a Mr Stirling, who I think is a constituent of the minister at the table, the Minister for Water, and who has asked that I read into the record his contribution.

This comes from Mr Terry Stirling of Cohuna. Mr Stirling's letter to me, dated today, describes his situation before going into particular detail, and I will quote from the letter and will provide a copy of it to Hansard. Mr Stirling operates on a property of his grandfather's, his grandfather having been in this place — indeed he was a predecessor of the minister at the table — as the member for Swan Hill for 16 years, as I understand it. Mr Stirling advised:

I was flooded out by a controlled release from Kow Swamp into the Pyramid Creek by Goulburn-Murray Water in January 2011 which resulted in significant losses assessed at \$558 000 by expert loss assessors.

Following three years of communications and court hearings at VCAT, I have decided to withdraw my claims for compensation due to extreme bullying, intimidation and threats by Goulburn-Murray Water which I believe have been the wish of the Minister for Water, Peter Walsh, member for Swan Hill.

At the last VCAT mediation meeting on 27 May 2014, barristers for Goulburn-Murray Water threatened me with all the costs associated with their defence being some \$1.25 million. This obviously I cannot afford and would cost me my farm and livelihood.

My grandfather, Harold Victor Stirling was the Country Party member for the seat of Swan Hill from 1952 to 1968 and he would be 'turning in his grave' to see the treatment I have received in this case. The current National Party slogan of 'Putting locals first' is laughable in my case.

The Minister for Water is planning to change the flood mitigation bill to place more responsibility on the landowners for flood levee maintenance and mitigation but will not accept that in my case the responsibility rested with him and Goulburn-Murray Water.

The past three and a half years have been the most gut-wrenching, emotional and disastrous years of my life through no fault of my own and I feel I have been deserted,

threatened and bullied by my state government and Goulburn-Murray Water to the point of despair.

I make no judgement other than to say that I have sought to encourage Mr Stirling to seek both emotional and financial support. He is a man under clear stress, and he represents communities that are under clear stress. He and those communities at the lower end of the Pyramid Creek system have, I am sure, nothing but the deepest of sympathy and respect from all of those in this house. For three and a half years they have undergone awful, awful trauma. Surely if there is any decency and compassion in the response by this government to the ongoing trauma, it and the Minister for Water should sit down, not just in the area of his portfolio, with their constituents. The minister should sit down and seek to resolve these issues, not just with Mr Stirling but also with a range of others.

These are of course enormously complicated issues, and I make no judgement about them, because I am in no position to do so about Mr Stirling's claims, but they are serious claims and they are serious concerns that represent deeply traumatised communities of people. Surely it is our collective responsibility to make sure that those issues are dealt with fairly rather than at the pointy end with the lawyers that Goulburn-Murray Water might bring to the table.

This bill says much in terms of what can be achieved through public policy and appropriate responses, but it is how it is applied by The Nationals in its own backyard that is particularly disturbing. What we want to make sure of is that this permit system, as one important part of the 40 recommendations of the ENRC report, deals with things in a streamlined manner, which the National Rural Advisory Council report talks about. We want to make sure that the government focuses on getting water governance right. After three and a half years of the Minister for Water's maniacal obsession with the Office of Living Victoria at the expense of all else as his political Nationals weapon, it is time he ensured that the interests of his constituents and the communities that rely upon him delivering his duties as water minister responsibly and appropriately are considered. Those people who have suffered terrible trauma as a result of the mismanaged government response on water should be taken seriously. I urge the minister and the government to sit down with Mr Stirling and others and resolve these matters.

Dr SYKES (Benalla) — It gives me great pleasure to rise and contribute to the debate on the Water Amendment (Flood Mitigation) Bill 2014. As Mark Twain said, 'Whiskey is for drinking; water is for fighting over'. It would be great if the opposition could

put up a realistic fight rather than the wimping presentation that we had — read the whole way through — by the member for the duck pond area of Albert Park.

This bill, introduced by the Liberal-Nationals coalition, will see an improvement in the management of water, with equitable, practical access to water, recognising the needs of the environment, productive agriculture and the community. This bill is one of a number of measures introduced by our coalition government which are focused on the more efficient use of water. In particular, some aspects in achieving more efficient use of water have been the successful negotiation of more money to the Northern Victoria Irrigation Renewal Project stage 2, which was initiated by the previous government under dubious circumstances, which I will come to in a moment. We also have more money for irrigation infrastructure upgrades to ensure less loss of water through the delivery system and more efficient use of water on farms.

We have also had streamlining of management — pardon the pun — with the Northern Victoria Irrigation Renewal Project and Goulburn-Murray Water being amalgamated into one, so there is less bureaucracy and more money for front-line action and on-the-ground activity. We have had the implementation, after a tremendous negotiation effort by the Victorian Farmers Federation and the Minister for Water, of the Murray-Darling Basin plan. We have an outcome that we can live with, where we recognise the importance of sharing the water through the full length and breadth of the Murray River, including the valley and the significant basin and the communities that it services. The outcome that we have for Victoria is very reasonable and a credit to the minister in particular.

Linked with that outcome, we have a very practical approach to meeting environmental water needs. Rather than simply allocating more and more water, and taking more and more water out of productive agriculture and communities in northern Victoria, there has been recognition that if you use engineering solutions and put in place infrastructure, then you can get better use of the water going to the environment and you can get the same environmental outcomes with less water. This has introduced some objectivity into water use for the environment by first of all defining what outcomes you want and then proceeding to deliver water to achieve those outcomes, rather than just coming up with a number and saying, 'We need 3000 or 4000 gegalitres to go down to the Murray mouth'. We are saying that we want specific environmental outcomes — that is a great outcome.

If we look at the issue of floods that the member for Albert Park raised, our government has put in place a number of practical measures since coming into government to address the inevitability of floods occurring. If you live in a flood plain, you get flooded. When we first came into government we recognised the cumbersome mechanism for obtaining funding in flood recovery. The situation was that councils and VicRoads had to do full costings on the repair work for their projects and undertake the works and then they were reimbursed. That created major cash flow problems, particularly for our small local governments in northern Victoria. Under the leadership of the Minister for Regional and Rural Development we quickly got in place a system so that after a quick assessment of the damage 50 per cent of the money was put on the table immediately. That enabled local government and VicRoads to get on with the job, and then there was accountability and the settling up of the final amount after the job was done. That was a great initiative, with practical common sense, cutting the red tape and getting on with the job.

As I said, in relation to environmental needs, we have taken the focus away from volumes of water to be set aside to outcomes and working out the best way of delivering those outcomes. The use of engineering solutions and infrastructure is often a good way of doing that. There is also the provision for buyback for people on flood plains, which inevitably are flooded. In the Benjaroop area, under the strong leadership of the Minister for Water, the government made an offer for voluntary buyback. A number of people took up that offer so that they could move to an area where they felt more comfortable farming without the same high risk of flooding that is expected by those who live and farm on a flood plain. More recently the government has introduced legislation so that it is easier for people to maintain existing levee banks. It provides for access and a simplified permit system so that people can plan ahead and protect their communities and agricultural property where existing levee banks are in place.

Government has also put in place automated water level monitoring systems. In the Euroa area on Seven Creeks and Castle Creek and in the Benalla area on Hollands Creek and the Broken River, we now have automated water monitoring upstream of the key communities. That information is fed online and is accessible to the broader public in real time. It enables people to take responsibility for their own actions in planning their protection and their response. That is simple, straightforward, practical flood management courtesy of the government.

The government is also in the business of fixing the mess left by Labor when it decommissioned Lake Mokoan. When that activity was undertaken, much to the chagrin of many local people, there was dispute over the level of security of supply that would exist in the Broken River irrigation system. The Labor government ignored a practical alternative by which maintenance of security of supply could be delivered along with savings. That two dam or mini Lake Mokoan solution had worked up in New South Wales in the Barren Box Swamp area near Griffith. The Labor government ignored the advice, and the concerns of the local irrigators in the Broken River irrigation system have been validated. There is decreased security of supply, there are problems in delivering water in the time frame that is expected in a functioning irrigation system and there are problems with the irrigators in that system not knowing their full allocations until very late in the season. The consequence of the uncertainty and reduced security and not knowing the allocation is that there is no incentive for the irrigators to do what others are being encouraged to do — that is, to invest in higher return agricultural crops.

The Minister for Water is addressing that situation. With a pipeline in the Shepparton East area there were savings of around 830 megalitres and improved efficiency of delivery. The member for Shepparton is very pleased about that because she lobbied long and hard to achieve that. Those savings have been retired from the system, which helps improve the security and reliability of supply to the irrigators in the Broken River system. Works are under way also to enable them to have access to unregulated flows in the spring, which will again improve their security without increasing their take of water, and the system will also be opened up for trading.

These are all common-sense solutions which this water bill is part of. The bill basically refines and streamlines two existing bills, with the two bills coming into one bill with modern terminology and language that is easier to understand. Particular benefits of the bill include the creation of greater certainty for entitlement-holders as permanent adjustments to entitlements will be considered only for stressed systems and after all other options for improving the water resource position have been considered. Again, this bill is about not just clawing back and saying, 'Stiff; get on with it'; it is about recognising that there is more than one way to achieve savings and deliver security.

The bill also simplifies the definition of domestic and stock water use. That is about addressing issues where people have large aesthetic dams. People with new

large aesthetic dams will require a licence for that amount of water beyond basic stock and domestic needs. A couple of the other issues relate particularly to why we are in government. One is the access of contractors and others to private land to undertake works. There was a major issue with the north-south pipeline when contractors went onto private property. It was strongly argued that they did not have the right to do that. Diminutive Deb McLeish stood firm in front of the burly people and was arrested for that. Interestingly she and the other eight or nine who were arrested were never pursued through the courts, because the former government knew that it was wrong in building that pipe to steal water from the north and take it to the south.

Now there is a system by which a person who wants to enter a place to undertake specified works must have prior approval, an easement in place or the written agreement of the land-holder, and the land-holder is entitled to have access to see how the works are going. That is common sense, it is common courtesy and it is part of what this government is doing.

Ms McLeish interjected.

Dr SYKES — I am sure that in her contribution the member for Seymour will expand on these aspects of the bill. This is common-sense legislation, and I commend it to the house.

Mr PANDAZOPOULOS (Dandenong) — It is a pleasure to speak in the debate on the Water Amendment (Flood Mitigation) Bill 2014. This bill is the result of the government reference to the Environment and Natural Resources Committee, of which I am deputy chair, for an inquiry into flood mitigation infrastructure in Victoria. The committee reported to the house in August 2012, and the government responded in August 2013, having sought permission from the committee to delay its response because the committee was also conducting a separate inquiry into drainage in Victoria. The two inquiries complemented each other and had joint consequences.

It is good to see that we have before us a bill based on a unanimous report of members of a parliamentary committee. It is good to see that, despite the numbers in the Parliament being tight, good work is done in a bipartisan way in many areas. It is a good committee with good members, and it travelled extensively around the state during this inquiry.

One of the things the committee understood is that having faced drought for such a long period of time we have lost a lot of knowledge about how to respond to

floods. In the same way we have lost a lot of knowledge about how to respond to fires. Just as we do after big fires, we need to improve the way government predicts and responds to big floods, such as those in 2010–11, in order to ameliorate potential impacts on the Victorian community and the environment.

We are very much aware of the history of floods in Australia, yet when a flood happens it is devastating for the affected communities. A sudden change in weather and a large volume of water in a very short period of time impacts low-lying land that was settled at a point in time when there might not have been flooding. Many parts of the state, particularly up north, are settled on extremely low-lying lands, and if you get one of those 1-in-100-year floods, 100 years later the community has forgotten about it — even 30 or 50 years later it has forgotten about it. It is a role of government to try to learn from these things.

Because we have had floods for so long there has been an inconsistent approach to the way we have dealt with them. In the early days many communities took matters into their own hands and built their own levees to support their towns and communities. Thus we have over 4000 kilometres of flood levees across Victoria. There has been massive confusion about who is responsible for these levees once they are built. Some flood levees were built formally by government, some were built during a flood crisis to assist towns dealing with a flood coming from upstream, while others were built as preventive measures. Over time we have learnt that when we build levees the water has to go somewhere and it moves down to the next town. Generally what happened was if flood levees were built upstream to protect towns there, then towns downstream wanted to protect themselves and they built their own flood levees to minimise the impact of water moving from further upstream.

As humans we have changed our environment dramatically. In the early days of settlement floodplains might disappear in dry periods. Through many projects government drainage schemes ensured that water would move on to other areas. With the type of flooding we get nowadays, and with predictions of even more variable weather and flash flooding, a lot of meteorologists are rewriting this area of knowledge. So it is important that we get our area of responsibility right, and this bill is part of that measure.

The biggest issue the committee found is the mass confusion around who is responsible for levees. The committee took the principle that the beneficiary pays, and this is implemented in this bill. The beneficiary should pay for levees, and generally beneficiary

communities have local governments which should be responsible for those levees. Where beneficiaries want to assist in the maintenance of flood levees there should be a regime in place for that to happen. This bill helps enable that regime through a permitting system for works to be undertaken by beneficiaries.

One thing the committee recommended was the need to identify the priority levees in those 4000 kilometres of levees across the state and the priority work that needs to be done. The committee was also aware that there are a number of redundant levees. It is important that we have a permitting system to ensure not only that those works are done in the areas that need them and not in other areas but also that those works are done with the authorisation of government and government agencies for the logical reason that anyone doing unauthorised work can create a downstream flooding event that will affect other communities.

The regime this bill puts in place enables a proper system of works and maintenance through a permit system. The committee also recognised that a number of environmental and heritage issues need to be taken into consideration in doing any works. Thus the need for a permit system to ensure that we are dealing with the complete picture around heritage and environment, as well as addressing the need to assist communities to protect themselves from floods. There has been a huge amount of work done, and I commend the Minister for Water, who understands this area, for trying to put a regime in place.

There is a lot more flood mapping being done. The Labor Party did some of that in government, but there is a lot more being done now with new technology to help identify and protect against different and variable types of rainfall and to predict where the water will flow. That obviously assists in determining the priority flood levees and where work should be done. The other work being done that the committee recommended is the monitoring of waterways to provide predictive information downstream so communities have time to respond and prepare themselves for adverse rainfall events. All of these things assist us in helping to reduce the impact of devastating floods.

The people we spoke to across Victoria, whether it was in northern Victoria, south-west Victoria or in the Koo Wee Rup area, had found it devastating. For farming communities and for whole towns to see houses under water, crops destroyed and animals lost was devastating, particularly at a time when we were used to not having enough water. We were used to responding to drought conditions, but in a short time we saw two very large and dramatic flood events across

Victoria, which impacted on tens of thousands of people and their livelihoods.

I am pleased that the government has accepted all of the recommendations in the Environment and Natural Resources Committee report either in full or in principle, which shows that those of us on the committee — the members for Macedon, Mordialloc and Gippsland East, who is now the Minister for Local Government, as well as the chair of the committee, David Koch, a member for Western Victoria Region in the other place — did our homework and did the right thing. The evidence revealed itself, which is why we supported the conclusions in the report. It is great to see that in a short time the government has responded with legislation and some other initiatives. There is no doubt that Victorians will be better off for this legislation. We cannot stop flooding, but we can help to better inform the public about it and help to reduce its impact.

Ms McLEISH (Seymour) — I am pleased to speak on the Water Amendment (Flood Mitigation) Bill 2014. The purpose of the bill is to amend the Water Act 1989 to create a permit scheme to facilitate the maintenance of levees on Crown land. This is a response to the recommendations made by the Environment and Natural Resources Committee, which held an inquiry into flood mitigation infrastructure in Victoria. It was pleasing to hear the contribution of the member for Dandenong, who is the deputy chair of the committee. A number of other acts are also amended by the bill, including the Crown Land (Reserves) Act 1978, the Forests Act 1958, the Land Act 1958, the National Parks Act 1975 and the Wildlife Act 1975. The bill improves the management of existing levees on Crown land to protect communities against the risk of floods. I have had a lot of experience around floods, having grown up on a property called Frog Ponds. We had not just a pond but also a limestone creek and the Yea River running through our property, and at various times the river would flood and we lost bridges and stock, but we never had the experience of having our house flooded.

The bill is in response to a long history of flooding. Following our election to government in November 2010 there was record rainfall between December 2010 and February 2011. I recall the Yarra Valley, and Yarra Glen particularly, received massive rainfall. The Yarra Valley Racing Club racetrack was damaged, and the club suffered huge losses. It took a couple of years for it to be fixed so the club could get back to racing. Errol and Emily Donnelly at the Yea Family Caravan Park had a lot of problems with water that had banked up at the park. Even though the cabins are off the ground some were flooded. We saw the 1 in 100 year flood.

Hospitals were evacuated, and in all, 172 towns and localities were impacted by the flood events during those few months, and 24 were impacted more than once. The damage bill was around \$1.3 billion, which interestingly is the size of the surplus we have been able to deliver in this year's budget. There were crop losses, stock were stranded or drowned and there was damage to houses, and people who have suffered flood damage know that it is very difficult to remove the stench even after a long time.

As a result of the flooding the Environment and Natural Resources Committee was asked to inquire into matters relating to flood mitigation. Its report contained 40 recommendations to improve the management and maintenance of infrastructure. The government's response in October 2013 was to support the report's recommendations in full or in principle. The bill will give effect to a part of the government's response and will come into effect in January 2015. When that happens the Department of Environment and Primary Industries will put details of the permit scheme on its website, particularly information on how to apply for a permit. For a lot of people, particularly those in country areas, understanding levees is something you take for granted.

There are some 4000 kilometres of levees in urban, rural and regional Victoria. Typically they are mounds or banks that prevent the flow of water impacting certain areas. They traverse all sorts of land, whether it be forests, parks, private land or Crown land. Levees have been around for a long time and are in all states of repair. When a levee is on Crown land there can be confusion about who will maintain it. We know there are some individuals who undertake this work because it is not clear whether there is another authority to do it.

The bill enables the Minister for Water to issue permits that authorise access to Crown land, allowing a person to carry out flood mitigation work on levees that are not otherwise managed by a public body. There are areas where that has not been clear, and for people who want to maintain a levee in their area, typically because its failure would impact on them or their community, there will be a permit system. It is certainly not a willy-nilly, dish out the permits to every man and his dog scheme. The minister will be required to refer a permit application to the relevant statutory land manager for consideration, whether that be a federal, state or local government organisation.

The crux of it is simply to enable people to enter Crown land to make repairs to levees where that is not being done or has not been designated in other areas. Recommendation 4.6 of the report is about streamlining

access to levees for the purpose of conducting such works. Compliance and enforcement of permits is the responsibility of the particular Crown land manager. If you have a permit to bring particular types of machinery in to do certain types of work, the Crown land manager will make sure you are doing the work you have a permit for. There are protections for Crown land, and there may be recreational, environmental and cultural or Aboriginal considerations, so the permits need to take account of what is already in place.

I will mention a couple of things the permits do not do, because it is important to place that on the record. They do not allow for existing levees to be made higher, wider or longer, or even for new levees to be constructed on Crown land. The bill is about the maintenance and repair of levees that currently exist. This is key to ensuring the environmental or other values attached to Crown land will be protected. As I have mentioned, cultural and heritage values may be in play.

The land manager will be able to require reasonable conditions to be placed on the permit, including the type of machinery that can be used and the types of soil or gravel that can be brought onto the particular piece of Crown land. Permits will be valid for up to five years, but it is really important to understand that the first 12 months is the critical period. If there is heavy work to be done, it is to be done in that first 12-month period, and anything smaller — such as minor maintenance beyond that — should get done in the last four years.

The minister has the power to revoke a permit where he or she thinks that the permit-holder has failed to comply with the conditions of the permit. I mentioned that the Crown land manager is responsible for compliance, but if they find that somebody has not complied with the terms of a permit, the minister has the power to revoke the permit. It is also anticipated that the minister's power to issue, revoke or even vary the conditions of a permit will be delegated to relevant authorities with knowledge and experience in waterway and flood plain management.

One thing I think is really great is that this will allow for a single point of contact for applicants in the administration of permit applications for all types of land. That means there will be a great deal of consistency in the way permits are handed out and the conditions that are associated with them. I think that is particularly important.

I certainly commend this bill to the house, because the issue of protecting communities against the risk of

flood is something that is taken very seriously. Many people have seen footage or had experience of streets and towns that have been flooded. If there are levees in place that can mitigate the damage caused by floods, we certainly need to maintain them. It is important to have a clear process and make sure we know who has responsibility and accountability to maintain what in this area, as it was unclear and this was brought to attention through the committee's work. We have acted as a government to put the right processes in place. I am pleased with the Water Amendment (Flood Mitigation) Bill 2014, and I commend it to the house.

Ms DUNCAN (Macedon) — I rise to speak in support of the Water Amendment (Flood Mitigation) Bill 2014. I am pleased to say I was a member of the Environment and Natural Resources Committee (ENRC) that wrote the report that gave rise to the bill we are discussing here today. The Water Amendment (Flood Mitigation) Bill 2014 seeks to improve the management of existing levees on Crown land to help protect communities against the risk of floods.

Levees were one of the most critical issues the committee saw as we travelled around Victoria. The floods were still evident in many cases. I suspect some areas have never quite recovered from those floods, and certainly many of the communities were still very traumatised. As has been said by other speakers, some of those land-holders had been affected more than once and some had been affected many times. I think the committee was travelling in that summer when we had fires, we had floods and — did we have locusts? — I think we might have had a swarm of something as well. It was really a most extraordinary time, and it indicates what a challenging country Australia is for land managers and people living on the land.

To give the chamber a sense of what chapter 4 of the report, concerning levees, was about, there was an enormous amount of uncertainty around the ownership of levees and the maintenance and responsibility for many of the levees. Local governments generally but not always were claiming ownership of them and in some instances were doing work. Some had been approved, some were unapproved. Some had ongoing maintenance, some had no maintenance and had not had maintenance for many years. Responsibility for older urban levees and rural levees with previous government involvement and privately constructed levees on public land was often unclear and often disputed. All of the stakeholders we spoke to were keen to see these issues resolved.

Access to land for levee maintenance was a key issue. Under section 133 of the Water Act 1989 catchment

management authorities have the right to access private land to undertake levee maintenance; however, councils do not. It is also difficult for private levee beneficiaries to gain access to public land to maintain a levee, and that is obviously what this bill is looking at.

The committee believed that we needed a streamlined process that enabled private levee beneficiaries access to that land for levee maintenance and that public authorities must also have easy access to priority levee systems. There was another recommendation that public authorities should have easy access to priority levee systems that may be sited on either private or public land, or a combination of the two, to undertake the works they need to do.

Given the number of levee systems across the state, there was a clear need to prioritise those which needed to be upgraded or maintained in the future. I think others have referred to there being some 4000 kilometres of levees across the state, many of which are disused and no longer perform any particular function. In fact some of them work against property owners by holding floodwaters in place. There are a range of levees across the state in a range of conditions of maintenance.

The committee believed the ‘beneficiary pays principle should underpin prioritisation’ and that future state governments ‘may choose to fund any initial upgrades on high priority levees’. I read that out to give the chamber a sense of the broader issues that we were looking at in regard to levees. Recommendation 4.6 states:

Streamlined processes to enable access to levees for the purposes of conducting works, including maintenance, must be implemented. Where a levee is managed by a public authority as part of a formal scheme and is sited on either private land, or on a mixture of public and private land, access to private land for works will be negotiated as part of any scheme agreement. Where a levee is sited on public land, but is not managed by a public authority, local beneficiaries willing to conduct maintenance will be given access to do so, provided:

the public land manager and beneficiaries reach agreement on types of access and upgrading or maintenance works to be performed, and the limits to such access; and

the land manager consults with the flood plain manager to ensure reasonable standards are adhered to — modification of the levee will require a permit.

That was another issue that came up a lot. What we heard was that in times of flood individual land-holders were taking matters into their own hands and either creating levees where none existed, trying to make existing levees higher or in some cases ripping into

those levees to try to create breaks to allow floodwaters to recede. We heard of a whole range of things that can prevent floodwaters from receding, including roadways and rail lines and levees — some of which had been put up with very little thought to the different ways waterways worked with the passing of so much time. We must keep in mind, as the member for Dandenong referred to earlier, that we had just had 11 years of drought at that stage, so many of these levees had not been used as levees for many years.

I am pleased that the government has implemented that recommendation and has agreed in principle to all 40 recommendations that arose from the committee’s work. I am pleased that the government has agreed that where a levee is on public land but is not maintained by a public authority the local beneficiaries should be entitled to enter the land to maintain that levee. What was evident to the committee throughout the inquiry was that unlike a lot of areas of government where people are concerned about the cost to themselves where they are doing the work, land-holders were not at all worried about who was going to pay for the maintenance works. Most of them had bulldozers and would just get in there and do it. For them it was really about having a common-sense approach that would enable them to get on and do that work.

However, that raised issues about the quality of work and who would be responsible if a levee failed. It was not just a case of giving people permission to go in and do that work; the work needed to meet certain standards. This bill seeks to address that through the granting of a levee maintenance permit to nominated beneficiaries. The permit system will govern those issues around the construction, removal, alteration or maintenance of those nominated levees. The bill amends a variety of public land management acts where they require the granting, management and operation of the levee maintenance permit system. It seeks to apply a template system to the various acts which manage public lands, of which there are a number, including the Crown Land (Reserves) Act 1978, the Forests Act 1958, the Land Act 1958, the National Parks Act 1975, the Wildlife Act 1975 and in the case of the Conservation, Forests and Lands Act 1987 the delegation of certain functions of that act to the Water Act 1989.

The legislation is scheduled to come into effect by 1 March 2015. Obviously it has taken a bit of time for the government to get to this point. The opposition supports any measures that protect communities, farms and landscapes from the threat of floods. The opposition also supports the aim of the bipartisan parliamentary inquiry on how to maintain public levees

that place these landscapes and communities under threat from flood. Any system of permits that enable flood levees to be maintained needs to be practical. It needs to be easy to deal with and take into account the different stewardship values of landscapes and communities because we know that when you create a levee, it can have an impact on other land-holders by either pushing water towards them or preventing water from receding.

I am pleased to support this bill. The opposition is pleased to support this bill. I just hope that the Minister for Water follows a few of the recommendations the ENRC has made over the years, many of which apply to water and most of which seem to be being ignored by the current minister, who instead focuses on a very political way of dealing with water issues across the state. I would have hoped that we were all a bit better than that. I ask the minister to read some of the previous ENRC reports to make sure that science is always the thing that informs the policy — not politics and not just wanting to do the opposite of what the previous government did, which I fear is what drives the water minister.

Mr WELLER (Rodney) — It gives me great pleasure to rise this evening to speak in the debate on the Water Amendment (Flood Mitigation) Bill 2014. Following the major flooding that occurred across Victoria in 2010 and early 2011 the Environment and Natural Resources Committee of the Parliament conducted an inquiry into the management and maintenance of flood mitigation infrastructure in Victoria and released its report in August 2012.

The bill will give effect to a part of the government's response to the Environment and Natural Resources Committee report, which was laid before both houses of Parliament on 17 October 2013. In particular the bill will enable the Minister for Water to issue permits that will allow persons to enter certain Crown land to repair levees that are not otherwise being maintained by a public body.

I start by commending the members of the committee: the member for Mordialloc, the member for Gippsland East, who is the now Minister for Local Government, the member for Dandenong, and the member for Macedon. Although the member for Macedon and I, as the member for Rodney, do not always see eye to eye, on this one we were in one voice. The committee came to my electorate, as it has a considerable number of levee banks on the Murray River, stretching from Torrumbarry down into the Gunbower Creek and down near Cohuna. We have levee banks around Echuca on both the Campaspe and Murray rivers, and on the

Lower Goulburn River, which I will come back to. We also have the levee banks out in the Barmah National Park.

One of the major issues of concern to my electorate is that some of the levee banks on the Lower Goulburn are now part of the Lower Goulburn National Park. These banks were put there back in the 1930s. It was well before I was born, so I do not know the exact date, but it is considered to be in the 1930s. Those banks are in a state of disrepair. They held during the 1970s and the 1990s when there were higher Goulburn River floods, but then not much was done. Previous speakers have talked about the dry times and that there had not been maintenance done on the banks for some 20-odd years. The residents of what is known as the Echuca Village area, which is the area that would flood if the Lower Goulburn levee bank was to go, have been quite concerned and have wanted to do maintenance on the banks. However, the current ruling is that given that they are in a national park, those banks cannot be touched until the State Emergency Service (SES) takes control when the floodwater is coming. That means that they would have about a three-day period to address the flooding and the maintenance of the banks.

People who are not from the country, from a rural area, probably would not understand that the banks have to be compacted and settled. If you were to build a bank and then three days later put 2 metres of water against that bank, the bank would more than likely burst. It is important that we give these people the ability to go in and do maintenance on the banks at an early stage so they can be compacted and settled and would have a chance of holding if there were a flood.

In September 2010 the Lower Goulburn was running at about 38 000 megalitres a day, and just upstream of the Lower Goulburn, at McCoys Bridge, the banks almost gave way. Indeed if it had not been for the action of the local residents the banks would have gone. I remember well that the locals were using woolsacks full of dirt to block the holes in the bank. The police came along and asked them to go. They said, 'No, we want to be here; we want to stop the bank'. They were told by the SES that it was unsafe to be there. They were asked to leave. They left. When the police and SES left, the residents went back in, and the bank was maintained.

We do not want to get to a situation where people are putting their lives in danger to protect the levee banks, although those people did a wonderful job there. If a bit of prior maintenance is allowed to happen, we will avert these things. It is all about safety and defending property. We have heard about the cost of \$1.3 billion that has been incurred. The best way to avoid such a

cost is to undertake preventive works. The cheapest option for the state is to build levee banks and undertake preventive works. The bill talks about beneficiaries paying. It is just a matter of the state facilitating it and allowing it to happen.

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

Mr WELLER — As I was saying before the dinner break — —

An honourable member — On the water bill?

Mr WELLER — I am speaking on the Water Amendment (Flood Mitigation) Bill 2014. I was talking about the importance of being able to access Crown land so that maintenance issues on levee banks are addressed before there is a flood issue. I was most appreciative when the Environment and Natural Resources Committee visited the Lower Goulburn area and met with Mr Leon Ash and Mr Mark Haydon. They are very concerned residents of the Echuca village area and put to the committee their position about the importance of being able to get in and do this.

This bill is the best example of how this place should work. There was an issue, the committee came to the area and had a look, it made recommendations, the government supported the recommendations and here we are tonight putting this bill through the Parliament, with the support, I must say, of the opposition. It is very good to have the support of opposition members, who in their contributions acknowledged that it rained in 2007, unlike the member for Yan Yean, who in response to the member for Benalla's contribution said, 'Don't The Nationals understand that it is not going to rain again?'. Obviously it has rained again and floods do happen. As happened today, the rains come again.

I want to reflect a little bit this evening on the contribution from the member for Albert Park, who spoke about Kow Swamp, which is in the electorate of Rodney. What we have to understand is that in January 2011 some 14 inches of rain fell in the central highlands of Victoria and the rain caused floods when the water travelled to the north. The Bendigo Creek is an unregulated stream and its flow is not measured. The creek is usually dry, but on those days in January 2011 it was running at an estimated 12 000 megalitres a day.

Ms Beattie — How much?

Mr WELLER — It was running at 12 000 megalitres a day. Kow Swamp reached record levels. It was so full that water was running back up Taylor Creek into the Gunbower Creek, which took the pressure off what was going out the bottom of Kow

Swamp. Unfortunately there were some very sad outcomes below Kow Swamp — no-one is arguing that — but it was an act of nature; the prolific rains in the central highlands caused that. Those flood events are why we are here tonight for the Minister for Water to give permission for people to enter Crown land and do maintenance works to levee banks. Those works will be done with the proviso that the permit scheme will neither allow the levees to be made higher, wider or longer nor allow the construction of new levees on Crown land. However the works will have a maintenance function so the integrity of those banks can still protect communities from flood.

Mr Bull interjected.

Mr WELLER — I take up the interjection from the Minister for Local Government. It was a common-sense recommendation. The levee banks are there and they have been doing the job for some 80-odd years. The maintenance of the integrity of the levee banks should be allowed so communities are protected from the horrific outcomes we saw in 2011 and 2012. As we have also seen, one of the successes was the levee banks in Nathalia. We have seen what happens when the integrity of the levees is maintained: the township of Nathalia was untouched by the floods and protected. I commend this bill to the house.

Debate adjourned on motion of Mr DONNELLAN (Narre Warren North).

Debate adjourned until later this day.

**PUBLIC RECORDS AMENDMENT
BILL 2014**

Introduction and first reading

Received from Council.

Read first time on motion of Dr NAPHTHINE (Premier).

ROAD SAFETY AMENDMENT BILL 2014

Second reading

Debate resumed from 28 May; motion of Mr MULDER (Minister for Roads).

Mr DONNELLAN (Narre Warren North) — The Labor Party will not oppose the Road Safety Amendment Bill 2014. It is very much in keeping with the initiatives we undertook while we were in government. This bill creates a new offence of drink and drug driving. Currently these offences need to be

dealt with separately within the courts, and now drink and drug driving offences are being brought together, which I think is appropriate.

The bill expands on when alcohol interlock devices can be used and also allows new technology with a camera, of all things, on interlock devices that would obviously allow people to check up on who has actually tried to start the car and the like. It provides for immediate vehicle impounding for people with a blood alcohol reading of .10 or greater and introduces other safety measures in relation to licensed motorcycle riders.

An interlock device is fitted to a motor vehicle to analyse breath samples before someone starts a car, and it can prevent a car from starting. The laws imposing interlock devices on drink drivers were introduced in 2002 under the Bracks Labor government. I was in the house at the time, and I thought they were excellent initiatives. Obviously that is why we continue to support the government's endeavours in this space.

In February 2013 the government announced that any driver caught with a blood alcohol level over the limit of .05 would be required to have an interlock device fitted to their car. The Minister for Police and Emergency Services at the time said interlocks would eventually become standard in all new vehicles. I think that is more a hope at this stage or an expectation that vehicle manufacturers will look to do that in the future, but at this stage I do not think there is a commitment to do so. It would be desirable, but there is no actual commitment.

Further drug testing was introduced in 2004, again under the Bracks Labor government; at the time, that testing was for amphetamines, ecstasy and marijuana. There is still some work to be done in relation to testing and the efficacy of testing in relation to heroin and cocaine. I am sure the various authorities are still working to get that right.

As I said, the government is introducing the new drink and drug driving offence. It involves having more than a prescribed concentration of alcohol and a prescribed concentration of a prescribed drug in the blood; as I mentioned, that includes cannabis, methamphetamines and ecstasy. The penalty for the offence would be a mandatory minimum of 12 months licence cancellation and a fine of up to \$4500 for the first offence or more for serious repeat offenders. That is a substantial imposition, and you would hope people would very much get the message.

This bill introduces the application of interlock devices in the vehicles of all people found to have a blood

alcohol concentration over prescribed limits, and does so in two stages. Stage 1 will make interlock devices mandatory for first-time offenders who blow .07 and above, and for probationary and professional drivers and those caught driving on a cancelled licence who blow between .05 and .07. All of those people will be required to have interlock devices fitted to their cars to get their licence back. This stage is proposed to start in October 2014. Stage 2 will apply to all remaining drink drivers, but the minister has indicated this will be subject to further work in another bill. The figures estimated at the time by the minister's office — and I thank the minister's office very much for the briefing — indicated that potentially up to about 17 000 people would have to have an interlock device. The bill also empowers VicRoads to manage this exercise for drink-driving offenders below .01 to minimise administration in relation to courts and the like, which makes perfect sense.

In practice I understand interlock devices will have a photo-taking capacity from 2015 to identify the person who is trying to start the car. In addition there will be revised inspection, record-keeping and other conditions imposed on approved suppliers. I understand three suppliers have been approved to provide interlock devices at this stage, and I think VicRoads has gone through that exercise to ensure that they are able to provide the number of interlock devices required. These interlock devices will be provided on a cost-recovery basis to ensure that the taxpayers of Victoria will not be paying for this penalty to be imposed on drink and drug drivers.

The bill also provides the police with some discretion to impound or immobilise vehicles of drink-driving offenders who have a blood alcohol reading of .10 or more — in other words, the police will have the capacity to decide whether or not to impound these vehicles. I understand it is a management exercise considering the number of vehicles police can impound in relation to hoons and the like. You might end up with too many vehicles and not enough space to impound them in, so that amendment will provide the police with some discretion to work out what capacity they have to impound vehicles.

The bill also provides for a zero blood alcohol requirement for all motorcycle riders for up to three years; in other words, all those motorcycle riders who are on P-plates will not be able to have any alcohol in their system.

Currently all illicit drugs are detected using a saliva test, which takes about 5 minutes. Drivers who return a positive roadside test screening will also have their

result confirmed by laboratory testing before any enforcement can be undertaken. That testing needs to be undertaken in the drug testing truck because you need laboratory facilities to be close by to ensure that the testing of samples is undertaken as soon as possible.

The opposition supports the bill; however, we note it has taken some time for the government to get to this phase. It has been in power since November 2010. While we support this initiative, it has taken some time for the government to further the work we did in relation to drug and alcohol driving when we were in government, which was just under four years ago. We put in place stringent controls against drug and alcohol driving, which were important. The number of deaths on our roads has decreased, but this is an initiative which requires ongoing work to continue to drive down the number of deaths on our roads.

Members need only look at the fact that the government did not renew its road safety strategy until March 2013, which was some time after it was elected. I know these things take time and effort, but when it comes to reducing the number of deaths on our roads work must be consistent and ongoing. It is not something you can just take up on a whim; you must work on that policy the whole time. After three and a half years in government, I would suggest that the government could have moved at a slightly faster pace and looked at introducing such laws a little earlier.

Road safety requires a whole-of-government approach. Members need only look at the most recent budget, which highlights that. We still have serious issues in relation to the number of distressed roads. The output initiatives in the last budget indicate that the number of distressed roads in Victoria has increased from 8 per cent to 9.5 per cent. We have had a halving of road resurfacing, in both regional and suburban Victoria. These initiatives help make roads safer by providing a better surface for drivers to drive on. The government has been pretty ordinary in relation to distressed roads and road resurfacing. Every budget over the last four years has seen an overall reduction in road resurfacing for both regional and suburban roads.

On top of that, about \$100 million has been taken out of the maintenance budget for roads across the state. When you are looking at improving the application of penalties for drink and drug driving, you must also look at some of the infrastructure issues that work hand in hand with those initiatives. They include the quality of our roads and infrastructure. It has taken the government three years to upgrade the road safety strategy. For three and half years there has been very little new capital expenditure on roads.

In my area, the city of Casey, approximately \$45 million was spent on roads every year, which certainly improved road safety. That figure is now down to approximately \$5 million to \$6 million per year, which is a substantial difference in terms of road duplication. Because the government is simply not spending the money it needs to in that space, road safety in our area is going backwards.

The other issue of great concern relates to human infrastructure. You need only look at VicRoads, which had a staff of 3000 when we left office. It now has a staff of approximately 2500. Many of the people who were retrenched were among the most skilled engineers that VicRoads had. They were the people, including road safety and design experts, who designed and made our roads safer. We have lost approximately 500 of them. Estimates by Professionals Australia, formerly known as APESMA, indicate that approximately 1000 years of experience has been lost with the loss of those 500 staff, which has left a great hole in VicRoads.

It is important that the government look at those issues because at the end of the day you can introduce new road rules and offences for drug and drink driving — we think they are important — but you then have to be able to back them up with resources that can be applied properly. For argument's sake, you also need to have the right number of police to conduct the drug and drink testing. If you want to have a police presence on our roads and a high level of enforcement, you cannot have police numbers going backwards. The government needs to improve on that.

Another issue that will not encourage safer driving is the increasing cost for drivers. In the last budget there was an increase in the cost of registration, which is now about \$750. It now costs more people more money to register their car. For those people who are financially on edge, the temptation to potentially not pay registration is of most concern because there is third-party insurance. One would hope that the increase in the cost of insurance has not impacted on the number of people who properly register their cars.

At the same time as new rules are introduced, there needs to be a greater level of expenditure on infrastructure, whether it be human or capital. As I said, in my area alone infrastructure spending has not been particularly strong in recent years. If you look across the state, over 8 per cent of all roads in Victoria are now listed as being distressed.

About six months ago I visited Warrnambool, and I drove around some of the roads near Heywood. The quality of the roads, which are often used by B-double

trucks for the dairy, forestry and wind power industries, was very ordinary — to put it mildly. Some of the roads disappeared before our eyes. This is not a new issue. If you are running a business in that area, this makes it incredibly dangerous. I went out for a drive with a truck driver from Murray Goulburn. As we were driving along the road I literally saw it disappear before my eyes. The state of these roads need to be addressed. They are part of the B-double network around the south-west coast, but I am certain that the state of those roads is not unique to that area. Part of it relates to the return of rain after 10 years of drought.

An honourable member interjected.

Mr DONNELLAN — I am not going to say anything about that. After 10 years of drought you can afford to do less maintenance. However, once the rain returns the roads lift and then you are in trouble. We have seen many roads in regional Victoria start to fall apart. They require a greater boost in funding to make them safer.

I remember when travelling on the South Gippsland Highway once there was a pothole, so I hopped into it for a photo. That was rather a scary proposition because it was at the bottom of a hill — —

An honourable member interjected.

Mr DONNELLAN — I was down at the bottom of the hill, the cameraman waiting for me, and the cars kept coming over the top of the hill. Luckily I did not become one of the road statistics. We got a good shot, and I got out of the hole. Funnily enough that is one part of the South Gippsland Highway where residents have taken it upon themselves to start putting up their own signs saying ‘slow down’ and so forth. The speed limit has also been dropped to 80 kilometres an hour because of the state of the road.

In the Gippsland region and the south-west coast there are many roads which are in a terrible state and require the efforts of this government in looking at greater maintenance and greater capital expenditure in that space. As I have said previously, over the last couple of years money has been taken out of maintenance — \$100 million approximately — and that money needs to go back in. Road resurfacing numbers have to increase. They are at half the levels they were at in 2010–11, and you cannot keep decreasing them, because as I understand it, it costs approximately 10 times more to rebuild a road than it does to maintain it.

There is a critical level of maintenance that is required, and at the moment we are simply not meeting that. I therefore encourage the government not just to deal

with the enforcement issues in relation to drink and drug driving — although they are important — and the other measures mentioned, but also to look at the capital and maintenance expenditure, because they simply do not seem to be up to scratch at the moment. With those few words, I thank the house for the opportunity to make a contribution.

Mr BLACKWOOD (Narracan) — It is with pleasure that I rise to speak on the Road Safety Amendment Bill 2014. Before I start on the bill, I would like to correct a couple of assertions the member for Narre Warren North made about road maintenance. I remind him that in last year’s state budget, the 2013–14 budget, \$466 million was allocated to road maintenance, which is \$80 million more than was in the last budget of the Labor government, and in this year’s budget, the 2014–15 budget, the road maintenance spend is well over \$500 million. To suggest that \$100 million has been taken out of road maintenance over the last three and a half years is totally false.

Mr Donnellan interjected.

Mr BLACKWOOD — You check! I turn to the bill, which enacts some of the most significant commitments contained in *Victoria’s Road Safety Action Plan 2013–2016*. They include expanding alcohol interlocks to all convicted drink drivers whose licences have been cancelled; extending immediate 30-day vehicle impoundment, at police discretion, to first-time drink drivers with a blood alcohol concentration (BAC) of .10 or more; introducing new offences with tougher penalties for drivers with both alcohol and illicit drugs present in their body; extending the zero BAC limits from one year to three; and introducing mandatory carriage of licence for novice motorcycle riders. These initiatives support the government’s target of a 30 per cent reduction in deaths and serious injury on our roads by 2022.

In relation to the expanded alcohol interlock program, I note that alcohol interlocks are an important tool in the fight against drink driving, as evidence shows they reduce drink driving by up to 64 per cent when they are fitted. Interlocks prevent vehicles from being started if the driver has been drinking, and research shows they reduce repeat offending. In Victoria 30 per cent of drink drivers in fatal crashes are repeat offenders. The Victorian interlock program commenced in 2002, as the member for Narre Warren North indicated, and it was extended in 2006. Interlocks are currently mandatory for repeat high-BAC and younger drink-driving offenders.

This bill will make minimum six-month interlocks mandatory upon relicensing for the following groups: all first offenders with a BAC over .07; all repeat offenders with a BAC under .07; first offenders with a BAC under .07 whose licences have been cancelled; probationary and learner driver first offenders at all BAC levels; and first offenders for serious alcohol-related motor vehicle offences under the Sentencing Act 1991. Licence cancellation will become mandatory for learner and probationary drivers with a first offence below .07 BAC and all repeat offenders. The minimum licence cancellation will be for three months. In order to reduce the burden on the court system, VicRoads will establish an administrative process to manage first offenders with a BAC below .10, and this will reduce the number of court-managed offences overall by up to 1600 to 2000 per year. The interlock removal will depend on the offender's interlock breath test readings and evidence of their having driven with the interlock fitted and no evidence of tampering. Courts will continue to take other matters into account.

Camera interlocks will become mandatory to resolve who is responsible for attempting to start a vehicle when under the influence of alcohol. All offenders will pay for the costs of establishing and operating the expanded alcohol interlock program. The cost recovery fee, which is to be remitted to VicRoads, is expected to be around \$40 per month and \$20 for eligible concession card holders. Health-care card holder concessions on installation and servicing fees in the current legislation will be extended to pensioner concession card and Department of Veterans' Affairs gold card holders. Exemption from interlock installation will be available when there is evidence that a medical condition has prevented an offender from operating an interlock.

It has been found that around 70 per cent of drink drivers killed in crashes have a BAC of .10 or more. Research has shown that vehicle impoundment or immobilisation significantly reduces drink-driving offences and crashes. The bill extends the ability of police to impound vehicles to first-time drink drivers with a BAC of .10 or higher. Police will have discretion to impound or immobilise vehicles for a period of 30 days, consistent with other first offences that attract impoundment. Existing impoundment provisions for a second drink-drive offence with a BAC of .10 or greater would remain at 30 days immediate impoundment by police, plus additional court-imposed time. An estimated 3800 to 4800 additional vehicles are expected to be impounded in the first three years after commencement. The bill includes parallel amendments to improve Victoria Police efficiency in relation to

immobilisation, vehicle abandonment and court hardship application processes. For example, Victoria Police could contract out some of the functions to authorised persons to allow impounded vehicles to be disposed of more quickly.

In relation to the new combined drink and drug driving offence, when drivers combine alcohol and illicit drugs, on average, they are 23 times more likely to be killed in a crash compared with drivers who are drug and alcohol free. Drivers under the influence of both alcohol and drugs who are killed in collisions are also more likely to be responsible for the crash than those who only have alcohol in their system. This bill creates a new combined drink and drug driving offence of driving with both blood alcohol content over the legal limit and illicit drugs present in the body. This reflects the serious nature of such an offence. It will be dealt with at court and incur a mandatory minimum 12-month licence cancellation, with longer periods for those with a higher BAC and for repeat offenders. Maximum fines for the combined offence will be 50 per cent higher than the maximum fines for drink driving alone. Vehicle impoundment and interlock requirements will also apply.

Under current transport and work-related injury compensation provisions, convicted or guilty drink-driving or drug-driving offenders can lose some or all of their entitlements to some forms of compensation. The bill provides that a person who commits the new combined drink and drug driving offences faces the same loss of entitlements.

In relation to newly licensed motorcycle riders and the changes we are implementing through this piece of legislation, the government has been working with the motorcycle community and road safety experts towards implementing a new graduated licensing system for motorcyclists. The high crash risk of inexperienced riders has highlighted the need for improvements. This bill provides that inexperienced motorcycle riders will be subject to a zero BAC requirement for three years rather than the current 12 months. This will apply whether or not the person already holds a car driver licence. A motorcycle rider will also be required to carry his or her licence and produce it when requested for that three-year period.

In relation to motorcycle riders, there are a number of issues that we have been working on to try to improve the safety of learner motorcyclists in particular. Some of the information we have been given in relation to motorcycle accidents and statistics include that learner motorcyclists are killed or injured in crashes at almost three times the rate of their licensed counterparts. Given

that motorcyclists as a group face a higher injury crash risk than people using any other mode of transport, the time spent as a learner motorcyclist is one of the most dangerous periods faced by any road user.

Developing strong hazard perception skills is a key step in keeping new riders safe during their learner period. Learners' failure to identify emerging hazards and respond to them has been shown to contribute to crashes involving inexperienced motorcyclists. One of the biggest hazards a learner motorcyclist faces is other drivers, with the other driver estimated to be at fault in 62 per cent of multivehicle crashes and 71 per cent of multivehicle intersection crashes.

Even in the 38 per cent of crashes where the rider is at fault, early detection of a motorcyclist nearby can allow a driver to take evasive action and avoid a collision. Helping riders to be seen by other road users has the potential to significantly reduce the number of learner motorcyclists injured in two-vehicle crashes. The protective benefit of high-visibility clothing has been established over 20 years of research. High-visibility clothing has been shown to assist drivers to detect a motorcyclist earlier and respond more quickly. That was supported by the parliamentary Road Safety Committee's inquiry into motorcycle safety in 2012, so there has been ample opportunity for the community to be aware of the government's intentions. I wish the bill a speedy passage through the house.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak on the Road Safety Amendment Bill 2014. The opposition supports measures designed to address road safety and reduce the road toll and incidence of serious injury. Road safety in many respects has been a bipartisan issue for many years. When you look at the multipronged approach over decades, whether it be the introduction of seatbelts, random breath testing, speed cameras, the statewide black spot program or where we are today in drug testing alcohol interlocks, both sides of politics can be proud that we have acknowledged that this is an issue that affects the whole community and that we have bipartisan support when it comes to road safety.

When accidents on our roads occur, their effects reverberate throughout the whole community and friends, families — everyone — is affected. You only have to drive through your electorate to see flowers on the side of the road or crosses representing the scars of a loved one lost. The road toll statistics that we see every day in the newspapers are not just numbers; they actually represent something much more. They quantify something that we truly cannot measure — they represent the potential and the value of life, life that has

been taken away, with future happiness lost and the truly unimaginable pain of those in the community, particularly families, who are left to grieve. I am sure everyone would agree that we must do everything in our power to prevent fatal accidents on our roads.

Too often road accidents are the result of the recklessness of others. Too often individuals who choose to drink, drive or undertake polydrug use cause trauma, pain and loss. Too often disregard for simple common sense can see people not only harming themselves but also hurting others. All of this has led to the very successful Transport Accident Commission 'bloody idiot' campaign.

I commend the government on taking action to protect road users, to stop drink drivers and drug drivers and to make our roads safer, which is why the opposition supports the bill. It is vital that we do everything in our power to protect the members of our community who do the right thing, who drive safely and who look out for others on the road, and it is vital that governments take action against those who drink and drive and also take drugs.

As someone who sits on the Parliament's Law Reform, Drugs and Crime Prevention Committee, I can say we have seen firsthand — and the member for Caulfield, who is also on that committee, is in the chamber too — the impacts of methamphetamine use and the drug ice, and its effect and impact on road trauma, which is why this legislation is welcome. It will create a new offence, a single offence, for drink driving and drug taking. It will extend to when an alcohol interlock condition may be applied and will also permit the new technology to be implemented. It will provide immediate impounding for a blood alcohol concentration level of .10 or more. It will also introduce important safety measures for newly licensed motorcycle riders.

Alcohol interlock devices are an important measure that have been around now for over a decade. They stop drivers at the point of ignition if they are under the influence of alcohol. It is a simple fact that if a drink driver cannot start their car, they cannot do damage to our community and they cannot contribute to the statistics, which represent so much more than just numbers — they represent the hurt, the family pain and the innocent victims. Interlocks were first introduced under the Labor government in 2002 for repeat and serious drink-driving offenders and represented a new and extraordinary leap forward in the way we tackle road safety. Pleasingly, the government today is continuing with the rollout of interlocks for all drink drivers in Victoria. That is about 17 000 each year, and it represents a massive assault on drink driving in this

state. This legislation is welcome because alcohol interlocks will be more readily available and will be a strong measure and a strong sentencing option for drink drivers.

As I said earlier, Victoria has a proud history when it comes to road safety. The history of the mandatory wearing of seatbelts is an interesting one. Who would have thought that when the wearing of seatbelts was made mandatory in 1970 that that would be a world first, that it would become as natural as putting on sunscreen? The rest of the world followed, and in the first year after the mandatory wearing of seatbelts was introduced the road toll fell by 13 per cent. It now seems almost unthinkable to get into the car and not put the seatbelt on; it is second nature.

Our strong stance on seatbelts was followed by the introduction of random breath testing in 1976 in an effort to find drivers who were putting their own lives and the lives of others in danger. In 1987 we introduced speed cameras as another system designed to keep our roads safe, not just by catching offenders but also by deterring them. We all know that the issue of speed cameras is often caught up in political debate, but we must fully appreciate that speed cameras save lives whatever political pain they may cause. I was proud in 2000 when the Bracks government introduced the statewide black spot program, which invested \$240 million in the worst roads in our state. That has also led to safer roads and less road trauma. That is an initiative that the former roads minister, who is in the chamber, can be very proud of.

It is worth reflecting on how we can build on that history. It is over 40 years since the wearing of seatbelts became mandatory in Victoria. The government is now introducing more safety measures. Drug-driving and alcohol interlocks are a welcome step. This legislation in particular will create the new combined drink and drug driving offence. The offence will be made out when a driver is tested and is shown to exceed the prescribed concentration of alcohol and the prescribed concentration of a proscribed drug, such as cannabis, methamphetamine or ecstasy. Over the past year I have seen more and more presentations and evidence on public drug use, on how it affects the brain and on its dangers. We are doing everything in our power not only to deter and punish people who are taking alcohol but also to extend that to those who are taking things such as methamphetamine and putting the lives of others at risk. The penalty for that offence will be a mandatory 12-month licence cancellation and a fine of up to \$14 500 for a first offence, with more serious penalties for repeat offenders.

This legislation will also amend the Transport Accident Act 1986 to include the new offence as an offence that can result in a reduction of compensation. Currently the alcohol interlock program applies to drivers with repeat and high blood alcohol content readings. The government plans to expand that to convicted drink drivers in two stages, which is a welcome move. Stage 1 will make interlocks mandatory for first-time offenders who blow .07 or above, probationary or professional drivers and those caught driving on a cancelled licence who blow between .05 and .07. Stage 1 is proposed to commence later this year. Stage 2, which is still to come, will be subject to further work, and I wish the government well in doing that. This will mean around 17 000 interlocks will be installed each year. There are currently three approved suppliers of interlock devices in Victoria. They are required to install and monitor devices and keep records, including the number of times offenders have tried to start their car while under the influence of alcohol. Statistics help improve the monitoring and help the government of the day to get the policy right.

The opposition supports any measures that increase road safety, cut the road toll and reduce road trauma. Labor has a proud record of acting on road safety through the years of the Bracks and Brumby governments. We want to spare the countless families affected by the pain, grief and suffering of road trauma. Drink drivers are a danger on our roads and severe penalties, including the fitting of alcohol interlocks, are an acceptable response to that danger. Thirty per cent of those who made up the fatalities in Victoria had alcohol in their system, which shows how much of an effect drink driving has on road fatalities. As I mentioned earlier, we regularly see the evidence of road trauma with memorials by the sides of roads in our electorates, whether they be crosses, flowers or whatever.

We have a strong history of road safety in Victoria, and it is worth reflecting on how we can build on that history. In 2010 we celebrated 40 years of the compulsory wearing of seatbelts. Now we are doing drug testing and installing alcohol interlock devices. We have seen the road toll decrease. We have also seen governments of the day of both political persuasions move with the times. Polydrug use is being deterred and new technologies are being adopted. Drug driving is the current issue and we must all focus on that. When the Law Reform, Drugs and Crime Prevention Committee hands down the report on its inquiry into methamphetamines, particularly ice, and the government responds, I am sure the media will focus to an extent on how ice contributes to road trauma. It is a dangerous drug.

The government's introduction of a new combined offence of drink and drug driving is a welcome step. I commend the bill to the house. I look forward to stage 2 of this legislation being implemented later this year, and I say well done to the government.

Mrs POWELL (Shepparton) — I am pleased to rise to speak in the debate on the Road Safety Amendment Bill 2014. I am pleased also that opposition members are supporting this legislation. Members have just heard from the member for Niddrie a very balanced and good presentation in which he spoke about the advances that have been made in road safety and the importance of making sure we continue to make those advances. The member for Narre Warren North made a number of comments about a reduction in funding for Victoria's roads. Those comments were rightly corrected by the member for Narracan, who set the record straight. I point out that this government has given \$160 million over four years to 40 rural and regional councils to help them with the maintenance of the roads system. I put that on the record to make sure that the comment that this government has been reducing funding for roads is not the only comment on the record.

The bill has been introduced to make our roads safer for our travelling public. As we have heard from members on both sides of the house, we are making sure that we do not politicise this subject. The bill has a number of purposes. One is to expand the circumstances in which a drink-driving offender will be required to have an alcohol interlock installed. The bill also creates a new VicRoads administrative process to impose the installation or removal of an alcohol interlock device.

The bill provides for the introduction of new interlock camera technology to identify drivers. In the past we have seen drivers who have had interlocks installed in their vehicles trying to override the interlock device by such methods as having other people breathe on it for them. The interlock has been installed because they have been found to have been driving while drunk or over the legal blood alcohol content limit, but they have tried to get around the fact that they should not be driving. This measure in the bill will make sure that cannot happen in the future.

The bill also creates a new combined drink and drug driving offence. This is really important. There is evidence, and I have heard people say, that young people will go to a pub where they will have a number of drinks and then when they think they are near the blood alcohol limit they will start taking drugs because they will not be detected. This bill ensures that any drug or alcohol will be detected and the penalty for the

combined offence will be worse than those now available, which is as it should be.

The bill imposes a 30-day vehicle impoundment sanction on first-time drink drivers with a blood alcohol content of .10 or more, but the police will still have the power to impound vehicles. That will remain in the discretion of the police. The bill imposes a number of tougher conditions on drivers through a number of changes to acts, but it also puts a number of tougher conditions on motorcyclists for the first time. The government is committed, as it has said before, to reducing drink and drug driving, and this is part of Victoria's Road Safety Action Plan 2013–16.

The statistics about deaths and accidents because of drink and drug driving are alarming when we hear that drink drivers are responsible for 25 to 30 per cent of deaths and 11 per cent of serious injuries on Victorian roads and that illicit drugs are a factor in 20 per cent of driver deaths. We must try to stop that and in some way reduce the number of people being killed or injured and get the message into drivers' heads that you do not drink and drive. While the government can impose sanctions and make legislation, it is still up to individual drivers to take responsibility for themselves and to say, 'If I'm going to drink, I'm not going to drive'.

Currently offending drivers can only be charged separately with drink and drug driving offences. As I said earlier, this bill creates a new combined drink and drug driving offence. There has been the loss of life that we have seen reported on TV. The member for Niddrie talked about the placement of those crosses and those small icons as tributes to people who have died on the roads. In some ways that is a deterrent, but in other ways it lets people know that that is where a life has been lost. It is so important that we remind people that when they get into a car they need to take responsibility.

This bill deals with drink driving and drug driving, but there are other bills that the government has brought in, as has the former government, where we have looked at speeding, fatigue and all those other issues to try to ensure that people who get behind the wheel of a car take responsibility not just for themselves but for the other people in the car and for any traffic that is coming towards them or travelling behind them.

When we have talked about people who are on drugs, a number of people have talked about the drug ice. Some drugs are readily available, and some people think that they are invincible. Young people think that they are invincible. They think that they can drive when under the influence of drugs; in fact they should not be

driving, whether they think they can or not. As I said, some people think that if they take drugs, it cannot be detected, but with this new way of drug detection those drugs can be detected.

The loss of a life in a community is absolutely tragic, but the loss of a young life is even more tragic. It is so senseless when we see news items where a young driver with four passengers in the car has had an accident and one or two of those passengers have been killed and others have been maimed for life. This does not just affect those people and it does not just affect their families; it affects everybody because we all know somebody who has been killed in a car.

I pay tribute to a number of RoadSafe programs. In the Goulburn Valley we have a number of programs. The RoadSafe Goulburn Valley chairman is David McKenzie. There is a program called Looking After Our Mates, which talks about making sure that you look after your mates if they have been drinking too much. If you are at a pub, take the keys off the person and give them a ride home or call a taxi. The presenters of that program are Peter McPhee, OAM, who has his OAM because of his road safety and other initiatives in the community, and Peter Stonehouse, who owns a driving school and understands firsthand the importance of making sure that people are safe on the roads. Another program is the Keys Please program. It goes into schools and sporting clubs. We all know that when we go to an awards night there will be alcohol, but we have to make sure that we have a designated driver and that we all act responsibly.

I also acknowledge the great work of Sergeant Thelma Bull, who has had a 23-year career in the police force and has been a member of the Shepparton police force for the last 21 years with her husband, Ian Bull, who is also in the police force in Shepparton. She is the coordinator of the Cool Heads young driver program, where they bring parents, young people and sporting club members together to talk about the impact of road trauma. Usually it is the parent of a young person who has lost their life, who has been completely debilitated because of an accident, who has had brain damage or who has been crippled for life. We see the effects not just on the lives of the family members but on the lives of the rest of the community. She also coordinates the Street Rider Night Bus Service, which enables those who have been drinking or are on drugs and do not have a designated driver to leave their car somewhere and the night bus will take them home. Again, it is the responsibility of the driver.

We have seen the TV commercials showing people the horrific and graphic outcome of somebody having an

accident and how easy it is to have an accident when you are distracted by somebody else in the car who has had too much to drink. They also show the emotions families have when they are left to pick up the pieces. However, the message 'Do not drink and drive' is still not getting through. There are a number of people who still drink and drive or take drugs and drive.

I have two sons, and while they were growing up the messages I gave them were always to not get into a car with somebody who had been drinking; to not drive a car if they had been drinking and to get a taxi home; and to call us no matter what time of day or night it was if they had been drinking and needed a ride home. The message was to call me or my husband, Ian, and that we would be there to pick them up.

Designated drivers are important, but this bill is about making sure that when we have people affected by alcohol or drugs they do not drive. These interlock devices are there to protect the driver and the community and also to stop or alleviate distress to the family. As I said, it is only legislation; people need to take responsibility for themselves. Hopefully these tougher new laws will help to protect the community and also help to protect the driver. I commend the bill to the house.

Mr PALLAS (Tarnait) — It gives me great pleasure to rise to support this bill. The opposition's view is that measures designed to address the safety of our roads, to reduce our road toll and to reduce the insidious impact of serious trauma and loss of life on our roads are commendable and should be applauded. We will not be opposing the bill, and there are many aspects of the bill that commend themselves to this house. It gives me great pleasure to speak in support of them.

The bill has a number of features that demonstrate a continuing commitment to road safety that is bipartisan, long ranging and in many ways has set the state of Victoria apart from many other jurisdictions. We are one of the best performing jurisdictions in the world when it comes to the issue of road safety. We have come so far largely because we have built this sense of consensus around the need to address community attitudes, the state of our roads and the quality of our vehicles. It is called the safe system, where a commitment to better drivers, better roads and better infrastructure is key to the entire package. This bill, which creates a new combined offence of drink and drug driving also seeks to extend when an alcohol interlock condition can be applied and allows for new technology to be used. Furthermore it allows for immediate impoundment of a vehicle when a blood alcohol reading of .10 or more is detected. Finally it

introduces measures for newly licensed motorcycle riders.

The alcohol interlock device has had a profound effect on safety on our roads. It has also been a critical measure by which Victorians have come to appreciate that their responsibilities to other road users go beyond their immediate command of the vehicle to their state of health and their capacity when they get behind the wheel. Alcohol consumption is a critical part of that. One of the things that is important in the increasing and genuine belief of Victorians that much more needs to be done in terms of road safety is this acknowledgement that alcohol usage has a profound impact on road trauma and road deaths. In fact the broad rule of thumb is that about a third of road deaths are due to speed, about a third due to fatigue and about a third due to drugs and alcohol.

The measures in this legislation go towards enforcement of the drug and alcohol provisions and introducing stronger penalties. We are putting in place measures that will not only improve people's understanding and appreciation of their responsibilities when in command of vehicles but that will also continue to educate people about their responsibilities to other road users in a broader sense.

Currently only drivers over .15, repeat offenders and those under the age of 26 who record blood alcohol levels of .07 or above are required to have alcohol interlock devices fitted to their vehicles in order to regain their drivers licences after serving their disqualification periods. In February 2013 the government announced that it would toughen the laws so any driver caught over the legal limit would be required to have an interlock device fitted except in exceptional circumstances.

The government has said it expects that interlock devices could eventually become standard in all new vehicles. With the way the technology is evolving in this area, it is increasingly accepted that interlock devices are becoming a feature of Victorian road safety. They are a significant and massively important tool in the fight against road trauma. In saying that in the long term interlock devices may be fitted to every vehicle, a couple of observations need to be made. Most notably, the calibration issues will need to be addressed. The costs associated with constant calibration will be a barrier to standardised fitting for the broader community. When and if that technical problem is overcome, it will open up this technology to broad application in the community.

In the broader sense the effect of the bill is to create a new combined drink and drug driving offence. Presently these are two separate offences. The offence will be made out when a driver is tested and shown to have exceeded the prescribed concentration of alcohol and the prescribed concentration of a prescribed illicit drug. The testing currently applies to cannabis, methamphetamine and ecstasy. It will be interesting to see where these measures move into the future. The capacity to test for a broader range of affecting drugs will ultimately be necessary, but with it will come a cost. There must also be a greater willingness to engage the community about the impact of drugs, both illicit and prescription, upon a person's capacity to drive. The penalty for the combined offence will be a mandatory 12-month licence cancellation and a fine of up to \$4500 for a first offence, with a more serious penalty for repeat offenders.

I want to concentrate on the emphasis that governments of both persuasions have put on road safety and the valuable contribution parliamentary road safety committees have made over the years towards the task that we as a Parliament have seen as being critically important. For example, we know that we have progressively been reducing the road toll. Perhaps increasingly we need to look at the impact of road trauma as opposed to exclusively looking at road fatalities.

During the time of the previous government VicRoads kept a running analysis of the Road Safety Committee's recommendations. Between May 2000 and the end of the Brumby government in 2010 there were 10 road safety inquiries. VicRoads kept a running total of how many of those inquiries' recommendations had been monitored, managed and implemented. It was around 80 per cent, and that is a demonstration of a pretty diligent and serious engagement by Parliament around the concerns that the parliamentary committees were bringing forward. It is a commendation both of the Parliament for its bipartisan approach and also of VicRoads and the bureaucracy more generally for their commitment to an integrated approach to managing road safety.

The legislation continues that effort and, as I said, any measures aimed at reducing the road toll, reducing road trauma and addressing road safety should be supported by this Parliament in a collective sense. Speaker after speaker in this place has talked about the insidious impact that road trauma has on the lives of so many people. How much more complicated the problem is when we look at the insidious effect that drugs, particularly the new scourge of ice, are having on our community. When those problems are compounded

with the difficulties of people whose judgement is impaired while driving a vehicle that can cause considerable harm to others, that demands action from government, and I am pleased to see the government has taken the action it has taken. The bill commends itself, and I commend the government for its actions.

Mr SOUTHWICK (Caulfield) — It is a pleasure to speak on the Road Safety Amendment Bill 2014, which looks to expand the mandatory alcohol interlocks upon the relicensing of drink drivers. It establishes a combined and drink and drug driving offence, and extends immediate vehicle impoundment at the discretion of Victoria Police for drivers with a blood or breath alcohol concentration (BAC) of .10 or more. It extends the BAC requirement, introduces a mandatory carriage of licence requirement for novice motorcyclists subject to a restricted licence, and makes minor amendments to a range of acts.

I am glad the opposition is supporting the bill. We have heard opposition members state that road safety should have bipartisan support, and I concur with those sentiments. Since coming to government we have worked diligently to ensure that is the case, and I commend the Minister for Roads for his work on this legislation as well as on other legislation we have introduced.

Victoria's road strategy, which was released in 2012 to come into effect in 2013, gives us a 10-year strategy to deal with reducing the road toll. As part of that strategy the government introduced a Ministerial Council for Road Safety chaired by the Minister for Roads. Also on the committee are the Attorney-General, the Assistant Treasurer and the Minister for Police and Emergency Services. It comprises ministers who are involved in legislation from law and order to crime and from Treasury to roads. They are all involved in an effort to coordinate measures to reduce the road toll, to keep our roads safe and to ensure that Victoria continues to lead the way with our road safety laws.

As part of that we have seen the introduction of a number of measures, including speed limit reviews. In my electorate, prior to our coming to government Balaclava Road had 11 different speed limits, which was confusing for individuals. That has been reduced to four limits on that small stretch of road. We are making speed limits consistent and ensuring we have cameras in place to ensure people are doing the right thing. Our hoon legislation ensures that people drive safely on our roads and, importantly, as part of that legislation vehicles are able to be crushed. Vehicles are given to the Country Fire Authority and the State Emergency

Service volunteers to do their work to ensure they are better equipped to deal with emergencies.

Driver education and motorcycle safety are two things for which I would like to commend the Road Safety Committee, which does a great job. This is another example of members from both sides of the Parliament working together to ensure that we get the very best planned policies for the future. The Road Safety Committee is chaired by the member for Sandringham, and it only recently completed a report on motorcycle rider safety. A number of recommendations from that report were taken up as part of the VicRoads safety strategy and by the ministerial committee. I have had the opportunity to be involved in the ministerial committee and to see some of that work being done, and it is certainly great to see that discussion and research followed through into the implementation of policy.

This particular legislation focusing on drink driving is a very important measure not only because it sends an important signal to drivers saying that if they get caught drinking they will have an interlock device imposed on their vehicle which will lead to them being embarrassed by others for having to use it every time they start their vehicle but also because there is a cost associated of up to approximately \$1000 to have it installed. There are a lot of barriers there to ensure that people do not drink and drive, and that is really what we should be doing: ensuring that we are sending the right signals through both education and law enforcement to make sure that people actually get the message. That is what this legislation is about.

I will share a brief story of a constituent who was going for a job. She was in her 20s and had an interlock device fitted to her vehicle. I was talking to her about this, and I expected her to be quite angry about the whole situation as it came at a huge cost to her. It took her a while to get a job because she initially had to declare that she did not have a licence and later had to drive with an interlock device on the vehicle once she got her licence back. In fact she was very thankful because it resulted in her saying, 'I will never ever drink and drive again; this has been a very important lesson for me'. The fact of the matter is that drink driving accounts for 25 to 30 per cent of deaths and 11 per cent of serious injuries on Victoria's roads. Repeat drink drivers account for up to 20 per cent of drink drivers detected by police and up to 30 per cent of people involved in fatal crashes.

Those figures suggest that this is still a very big problem on our roads, and we need to ensure that we do whatever we can to reduce that. There is also research

to suggest that interlocks reduce the number of repeat offenders by around 60 per cent when drink drivers are required to use them, just as in the example I gave, so it is an effective measure to ensure that people do not commit the offence again. There are plenty of examples of people reoffending, particularly when it comes to drink driving, making this a very important measure.

As I mentioned earlier, we have an international reputation when it comes to road safety — our Transport Accident Commission has done a huge job. A \$1 billion investment over 10 years has been made as part of the road safety strategy to help VicRoads ensure that our roads are safe and to deliver ways of ensuring that our drivers stay safe. Our reputation extends all around the world, and this legislation also extends that international recognition. An article in the UK *Daily Mail* quoted the Minister for Roads as suggesting that in the future, possibly by 2016, we will have new vehicles being manufactured potentially with interlock devices already installed.

The article goes on to say that this is certainly a thing of the future and something we can expect from technological advances to ensure that we keep people safe. The reason we are talking about that is because we know, from the research I have mentioned, that these things are effective and that they work. To further reinforce that, the program has seen some 35 000 interlock devices installed in vehicles. There have been many instances where we have seen a reduction in drink driving as a result. As I said, up to 60 per cent of drink drivers are required to use them, and that has led to a huge reduction in drink driving.

The Road Safety Amendment Bill 2014 is a very good piece of legislation. As I said, each year about 6500 drivers commit an offence that carries mandatory installation of an interlock device. The interesting thing about this legislation is that this figure would increase to about 17 000. We are potentially expanding the number of people who will be required to use an interlock device from 6500 to 17 000. Victorians will feel safer on our roads because people are using these interlock devices. VicRoads has said this policy could save between 10 and 20 lives annually in Victoria, while the RACV and Victoria Police have also supported this policy. Some 30 per cent of first-time offenders continue to drink drive and become repeat offenders. We have seen from the road safety survey that 83 per cent of Victorians believe more drink drivers should be required to have alcohol interlock devices fitted to their vehicles.

The research suggests that Victorians think this is a very good policy. The government is working to deliver

on this policy, and I am glad the opposition is supporting it. I commend the bill to the house, and I thank the Minister for Roads for his great work in this area.

Ms GREEN (Yan Yean) — I take pleasure in joining the second-reading debate on the Road Safety Amendment Bill 2014. As other members have said, the opposition is supportive of this measure and of any measure that improves road safety for our community in Victoria. As other members have mentioned, there has been a great history of bipartisanship and action by the Parliament through the Road Safety Committee and various other measures, many of which began before a number of members in this place were born or, for members like me, when they were just little children.

Victoria is a recognised world leader and was one of the first jurisdictions to introduce compulsory seatbelts and blood alcohol testing with a top level of .05. Particularly over the last 10 or so years, as the member for Tarneit said, a number of parliamentary inquiries undertaken by the Road Safety Committee have had their recommendations taken up by government. In the time that I have been in this place, drug testing and the graduated licensing system have been introduced. Having taught my two sons to drive, supported by professional driving instructors, I know that the introduction of 120 hours of logged driving experience, although it is onerous for parents and can be very expensive, really is improving road safety. It means that our young drivers, when they first become independent on the roads, are better prepared for whatever they may face there.

As other members have said, a Road Safety Victoria study last year showed that 83 per cent of respondents favoured the increased use of alcohol interlock devices. That is an overwhelming statistic. It is rare to have an aspect of public policy that is so overwhelmingly supported by the community. It is terrible when you see high-profile incidents like the one a couple of days ago in Sydney, where Jodhi Meares drove unlicensed, obviously affected by alcohol, and crashed her vehicle on the side of the road. No matter what your standing in the community, that is no way to set an example to anyone. It just shows that no-one is immune to these laws or to the impact that drug and alcohol impairment can have on you as a driver. It does not matter whether you are rich or poor; it will have the same impact on your driving ability.

As a Country Fire Authority volunteer I have turned out to many road incidents — not as part of a road accident rescue brigade but working alongside the Plenty brigade and also the Nillumbik State Emergency

Service. They do a fantastic job in my region. The volunteers, along with career firefighters, police and paramedics, turn out to some pretty horrific events, so it is incumbent on all Victorian drivers to do the right thing and not drive while impaired.

I mention another group of volunteers in my community: the members of the Road Safe North East Committee, who contribute a lot of their own time. They are drawn from the community, from Victoria Police and from VicRoads staff. Together with the volunteers, they make recommendations and work on community education programs to increase road safety education among school students and others. It is incumbent on all of us, not just members of the government and the opposition, to support measures like this. By and large, we see in the number of people who support alcohol interlock devices that the community does support these measures. Even those who grumble about getting speeding fines and things like that are mostly supportive of these measures.

At the same time it is incumbent on those involved at all levels of government, whether it be state, federal or local government, to play our part too. When people transgress our road safety laws and hence cost pressures are placed on them through fines and penalties and when other restrictions are placed on people's driving behaviour such as interlock devices, members of the public expect that those responsible for the condition and administration of our roads will play their part as well.

It needs to be remembered that this government has shown some inconsistency on road safety. More than 500 staff have been cut from VicRoads. These staff have done vital work. The government had us believe that they were not front-line staff, but Professionals Australia recently pointed out that over 1000 years of engineering experience was lost from VicRoads through those cutbacks. In addition, \$16 million has been cut from the upgrade of the VicRoads IT system. We hope that in terms of monitoring the measures proposed in this bill with regard to alcohol interlock devices the cuts to the IT system will not result in the new measures not being properly monitored.

We have seen that the tap has only recently been turned back on this year — an election year — in terms of road maintenance, but that has certainly not occurred in my area. There has been minimal funding for the upgrade and safety improvements of arterial roads. It was quite disappointing when the Treasurer came out to my electorate the Saturday before the budget to make what the mass media, including television media, were told would be a significant road announcement for the

Yan Yean electorate. It came about a month after the horrific death of a local woman on Yan Yean Road. Those volunteers I talked about earlier are turning out every couple of days to a collision or a casualty on that terrible road and also Bridge Inn Road. The shadow Minister for Public Transport, who is here at the table tonight, spoke with concerned parents who cannot get their kids across that 80-kilometre-an-hour road, which has no footpaths and terrible shoulders.

However, on the Saturday before the budget the Treasurer did come out to the Yan Yean electorate. Unfortunately it was not to announce an upgrade of Yan Yean Road or Bridge Inn Road or a duplication of Plenty Road — or even traffic signals at the intersection of Bridge Inn Road and Plenty Road. This announcement is the fourth example of a budget which has contained absolutely no road funding for the Yan Yean electorate, the most populous and fastest growing electorate in state. What is especially galling for the people who live there is to hear the Treasurer's announcement of 300 metres of bitumen resurfacing. He made his way from leafy Malvern to the northern suburbs of Mernda to announce 300 metres of bitumen resurfacing. This is not good enough. It is not a strong commitment to road safety in my electorate.

While I commend the local council for its lobbying in relation to the need for an interchange at O'Herns Road and also in relation to the Mernda rail, the north ward councillors — who are all Liberal councillors — need to look at their budget. They need to stand up to their masters in Spring Street and tell them not to sign off on the east-west link. We need more money spent on arterial roads. We need money spent on those roads that I have mentioned as well as the roads that are the council's responsibility, including the northern part of Yan Yean Road, Arthurs Creek Road and a number of other roads. They are in an appalling state. The three north ward councillors need to understand that they represent their area. It is not good enough to be wheeled out as a political prop and featured in the latest newsletter of the parliamentary secretary for the Premier so you can take a seat in Parliament. You actually have to stand up for your community and stand up for road safety — be a local councillor first and a Liberal member second.

Road safety is very important. It is at the top of my community's agenda, and it is about time that this government started spending money in the north of the city of Whittlesea in the electorate of Yan Yean. With those words, I commend the bill to the house, and I look forward to seeing future work in the important area of road safety.

Mr BATTIN (Gembrook) — First of all, I would like to say it is fantastic to see support from both sides of the house in relation to road safety. I found the contribution of the member for Niddrie to be very measured. It was a good contribution. The member for Tarneit also provided good input into what he wanted to happen with this bill. It is a shame that the last speaker, the member for Yan Yean, first talked about bipartisanship and then turned her contribution into a partisan speech about road safety. You cannot start by saying, ‘I am going to be bipartisan. I will call it as I see it’, then tee off on party politics — —

Ms Green interjected.

The ACTING SPEAKER (Mr Angus) — Order! the member for Yan Yean has had her turn.

Mr BATTIN — I noted the looks of disappointment and the rolling eyes from the members behind her when she spoke. She should have looked behind her before worrying about that.

When we talk about road safety, we have to ask who is responsible for it. I put it to you, Speaker, that you are responsible for road safety, the member for Tarneit is responsible for road safety, the future member for Ovens Valley is responsible for road safety and our media is responsible for road safety. It is a very important message that we all need to understand. The most important people in relation to road safety are the parents of kids who are learning to drive. I want to put that on the record and take up one of the points regarding the 120 hours of logged driving practice. Learners are provided with a booklet in which they log their hours. It is quite disappointing to see recent reports that some parents are fudging the number of hours recorded by entering in the book driving hours that have not been earned. That is a really dangerous message. It is important that we put out the message that when you fudge the hours in the book you are putting that young driver at risk because they will not get the experience on the road they need to be a licensed driver.

I want to put on the record a couple of scenarios which illustrate why we support road safety. I have no names, but these are three true events. It is very important that we in this house understand exactly why we must all stand up and stand together on road safety. The first scenario involves a 22-year-old female. It was Mother’s Day, and she had been to the local bar on her day off to have a few drinks with some friends. She was not drunk, and she was driving home when a text came through on her phone. The young woman would not normally have answered the text. At 22 years of age she

was known in the area as quite a good driver, but she decided to answer that text. She is now dead. Someone from the pub had texted her a quick message, and because she decided to answer that text she is dead.

A 48-year-old dad on his last day of work was preparing to take an international trip with his family to his home country. He lived in the Dandenong area and had been looking forward to going overseas. He decided to go for a couple of drinks with the boys after he left work that day and then hopped in his car. He was in a hurry in the end because he knew he had to get home and pack because he was heading off first thing in the morning. He is dead. He did not make it home.

Then there was the 32-year-old man who was soon to be a dad. His wife was expecting a baby at any moment. He was a shift worker, and it was the last day before he started paternity leave. That night after he finished work he decided to go for a few drinks with the lads, and they went down the street. He had a previous history of drink driving. They went to the pub and had a few drinks. He got a call from his wife, who had gone into hospital to deliver the baby. He got into his car and decided to drive down to the hospital. As he reversed out of the pub, he hit a young boy going past who was out doing a paper round. The young boy died. The person driving the vehicle received a four-year-plus sentence. He went to jail for culpable driving.

These are the reasons that every day we deal with bills that come before the house, particularly those related to drink-driving offences and interlock devices. The last accident happened a while ago, before we had interlock devices. It is when you look at a scenario like that that you understand exactly why interlock devices are fitted to cars. That man would not have had the opportunity to get into that car, given his drink-driving past. He would have hopped into the car and, if he had tried to drive, the car would not have started, because of the interlock device. That is why not just now but into the future we have to continue working with our Road Safety Committee to make sure that in Victoria we have the best practice to prevent this sort of thing happening.

I have said before in this house that every time someone dies in a car accident in Victoria there is one less person at the Christmas table. If you look at the last scenario I described, not only is a young boy not going to be at the Christmas table, but there is also an effect on the person who went to jail, his wife and their twins, who have ended up with no father for the first four years of their lives. The impact throughout the community is huge.

It is important that we invest wisely in work that reflects best-case scenarios from around the world. Sometimes that is difficult because history has shown that Victoria is already one of the leading nations in relation to road safety. Over the years both sides of government have put many measures into practice to make sure we continue that record and go forward. Those measures have already been mentioned — things such as seatbelts and all the other devices.

The other thing that has been significantly improved is car safety. We now have air bags and all the other devices in cars, such as anti-lock braking systems and independent rear suspension. Cars go faster, stop quicker and are safer. These days you have more padding inside your vehicle to protect you should you have an accident. All of these items are fantastic for protecting you should you have an accident, but you cannot use them as an excuse to speed or to drink drive because the vehicle is safer. We need to continue to put out the message that when you get inside a vehicle it is a lethal weapon that can kill you or somebody else. It is very important that the message continues to be put out that when a person hops into a car the responsibility lies with them. If you want to hop inside a car, you need to make sure you have not had a drink and you are going to stick to the road rules. Keep your eye out and stay responsible, and that will benefit everyone.

Over the years we have seen the road toll reduce. We all know that it used to be above 1000, and last year it was just above 200. We are hoping that we will reduce it again this year. I will be honest and say that right at the moment I have not seen it, but I know we are on target to keep the toll at or below what it was last year. That is a fantastic result for Victoria. That comes down to the work that has been done by governments and departments to get the message out and to introduce things like the interlock device.

I will also quickly touch on the motorcycle graduated licensing system. It is very important. With motorcycles, unlike with cars, there is not much room for error. Anyone who has had a motorcycle knows this. For a while I had my learners permit for a motorcycle. I will be honest and admit that I decided not to go for my full motorbike licence after riding on a freeway just once. I decided to go for a ride on the freeway. I travelled along doing only about 80 kilometres per hour — it was a 100-kilometre-per-hour zone — and that was enough for me. I decided that was the end of my motorbike-riding career. The safety is not the greatest; you have no vehicle around you should you make a mistake, and cars cannot see you. It is really important

that we stay alert and look out for the motorbikes on the roads.

That is why the changes being made with the motorcycle graduated licensing system, including increasing the duration for conditions from one to three years, are so important not just for learners but also for those who go on to get their probationary and normal licences. Having your headlight on at all times is something that is taught. You are shown that in the classes you do, but it being mandatory is an extra reminder when you get out there. Wearing a high-visibility vest is fantastic. The feedback I have had from local motorcycle groups, particularly training centres, has been around the improved visibility vests and how they can be seen day and night. The positive result of that is that young motorcycle riders are given the opportunity to be seen.

As I said before, it is really important that people stay alert and look out for motorbikes, which can be quite difficult to see. Learner motorbike riders do not always sit in the right position on the road. It is about comfort; it is uncomfortable to sit in the position where it is best to be seen. Sometimes it is more comfortable to sit a bit more to the left in a lane, whereas the best place is in the line of sight of drivers. It is really important that we get that message across.

I know I have only a short time left, so I will leave it at that, but I want to continue to get the message out to everybody: do not forget, if you are getting in a vehicle, that you are the one who is responsible for that vehicle.

Mr SCOTT (Preston) — It is a pleasure to rise to speak on the Road Safety Amendment Bill 2014. As has been mentioned previously, the Labor Party supports measures to improve road safety, including those contained in this bill. I will touch upon a couple of matters in general, but then I will turn to matters that I do not think have been dealt with in great detail in the debate — the amendments the bill makes to the Workplace Injury Rehabilitation and Compensation Act 2013.

In general the bill creates the new combined drink and drug driving offence. Presently there are two separate offences. The creation of the single offence is a matter which relates to the Workplace Injury Rehabilitation and Compensation Act 2013. It is important to put on the record, as other members have, the long struggle that has been undertaken both inside the Parliament and, importantly, in the community to reduce the terrible number of individuals who are injured and killed on Victoria's roads. These are matters which I hope all members take extraordinarily seriously.

The road toll has an impact not just on those who are injured; a significant number of persons are seriously injured and left with lifelong debilitating injuries, particularly spinal injuries and brain injuries, that provide a significant challenge to our community. It is no accident that the Victorian WorkCover Authority effectively outsources its serious injury claims to the Transport Accident Commission; it is because of the extensive experience the Transport Accident Commission has in dealing with persons who are severely injured.

The struggle, ongoing since the early 1970s, to reduce the terrible statistics of the road toll has been bipartisan, as has been mentioned, but essentially it has been a story of changing community attitudes. In days gone by, in some quarters distances were literally measured in how many alcoholic drinks were consumed during the travel. Society has changed its attitude significantly. Whereas once the consumption of alcohol was a mitigating factor in how people considered road accidents, now it aggravates both an offence and the consequences for the individual who commits that offence. These are important changes that have occurred over a period of time. This bill is part of that continuum. I am sure more bills will come into this place in the future to ensure that the roads are made even safer as society moves forward on this journey.

In terms of the matters that I raised previously, the creation of a new combined offence of drink and drug driving also has application in terms of workplace injury law. The Accident Compensation Act 1985 was rewritten last year and is now the Workplace Injury Rehabilitation and Compensation Act 2013. It should be noted that a pre-existing principle applies within the latter act. Section 40(5) states in part:

... if it is proved that an injury to a worker is attributable to the worker's serious and wilful misconduct —

then a definition is provided —

(including, but not limited to, being under the influence of intoxicating liquor or a drug), there is no entitlement to compensation in respect of that injury.

A principle exists within the law, and has for some time, that where a worker is intoxicated by alcohol or a drug there is a limitation on the right of that injured worker to compensation for a workplace injury. The creation of the new offence combines the two previously separate issues of alcohol consumption and drug consumption into a single construct within the law.

I note that in the second-reading speech the minister made reference to this change and said:

The bill provides that a person who commits the new combined drink and drug driving offence will be treated in the same manner and will face the same loss of entitlements —

as those who are found guilty of either offence. There are some qualifications on that in the detail, but the opposition takes the minister at his word. Some detail has been provided on the proportions of weekly payments that can be lost depending upon the level of alcohol in the blood or drug usage. The opposition takes the government at its word that there has not been a change to the entitlements.

I would be amazed, to be honest, if there was not goodwill being shown in such a bill. What we are really talking about is the combining of two offences into one offence. While always concerned with matters that relate to workplace injury and the compensation framework that exists around that, the opposition takes the government at its word that it is not changing the entitlements and that it is simply addressing the two existing offences relating to alcohol use or drug use and combining them into a single category.

Clauses 55, 56, 57, 58 and 59 deal with amendments to the Workplace Injury Rehabilitation and Compensation Act. Clause 55 adds the new offence of combined drink and drug driving. Clause 56 inserts a new section 43A setting out the circumstances in which weekly payments are to be reduced because of combined drink and drug driving offences. Clause 57 amends section 44 of the act to include the new combined drink and drug driving offences. I note in that context, for example, there is no entitlement to compensation if a worker's blood or breath alcohol concentration reading is above .24. These are serious matters, and there is an existing law that makes reference to, I understand, .24. But that is a very significant amount of alcohol for an individual to have in their bloodstream.

Clause 58 amends section 45 of the act to set out what is to happen if a conviction or finding of guilt which resulted in a worker's weekly compensation payments being reduced or not paid at all is overturned. Similarly, clause 59 addresses the new combined drink and drug driving offences. This clause relates to communication between the Chief Commissioner of Police, the Victorian WorkCover Authority, the courts and VicRoads.

These are matters that the opposition takes very seriously. The opposition supports measures to increase road safety. Similarly, the opposition takes very seriously matters about drug or alcohol use in the workplace in relation to workplace injuries. The opposition takes the government at its word that the amendments in relation to the accident compensation

law do not change the entitlements but create a new single category of drug and alcohol offences rather than the two separate categories. That is exactly what the Minister for Roads said in his second-reading speech, and the opposition is taking him at his word because it hopes that in sensitive matters such as road safety and related matters the government and the opposition should be able to trust each other.

Matters relating to the safety of the community have been treated seriously by all members of this place over a long period of time. There have been occasions when there have been populist outbursts, but this is not the time to explore in detail those regretful times when this matter has been used in such a manner in political debates. It is important that we continue the work to reduce the road toll and of course ensure that Victorian workplaces are safe.

Mr DELAHUNTY (Lowan) — I am proud to rise on behalf of the Lowan electorate to talk on the Road Safety Amendment Bill 2014. Road safety is very important for my community. We have the largest electorate area in the state, with many roads, and obviously throughout the year many people drive along those roads. Having been in this Parliament nearly 15 years, I can say that with this bill the coalition continues to lead the way in road safety. It is not only the coalition's approach; there is a bipartisan approach to road safety. Various members have been on the Road Safety Committee, which has led the way in relation to things such as the introduction of seatbelts.

The three things I want to talk about tonight are: firstly, the expansion of the alcohol interlocking program; secondly, the new combined drink and drug driving offences; and thirdly, if I get time, newly licensed motorcycle riders. I want to refute some of the claims made early in the debate in the contribution from the member for Narre Warren North when he said that under the coalition government there had been a reduction in funding for roads. That is not true. As the member for Narracan eloquently highlighted — and as the Parliamentary Secretary for Transport he has the facts — we are spending an extra \$80 million a year on road maintenance across Victoria, and that is very welcome.

Over the two years of 2010 and 2011, when we had the enormous floods, the roads budget was hit like nothing else. I particularly want to mention the area around the Grampians region, where many roads were closed for many months. The Premier at the time, the member for Hawthorn, and the Minister for Tourism and Major Events went up there and had a look at the extensive damage done by those floods. It took a lot of money to

get those roads back on track, and I thank the Minister for Roads and his department for their work getting those roads open again.

More money is being spent on roads with another program from the coalition. The member for Niddrie spoke about this issue when he said he was concerned about the fact that not enough money had been spent on roads. Not only is the Minister for Roads spending more money but through our Regional Growth Fund we are supporting 40 councils to the tune of \$160 million over the four-year program. This came about because of the Whelan report, which was undertaken under the previous government. No action was taken by the previous government, but when we came to government we immediately moved to act on that report. We now give each of the 40 smaller councils in Victoria \$1 million a year to help them maintain their roads and bridges to an acceptable standard.

We are spending a lot more money than was previously spent by the Labor government to make sure the road infrastructure is there. In our budget this year we see \$27 billion for infrastructure. A lot of that is for roads and road infrastructure across the state, which will provide not only safer roads but also a lot of employment. There will be more jobs and more active people in Victoria.

The member for Geelong is in the chamber. We were both elected in 1999. I got former Deputy Prime Minister John Anderson down to launch my election campaign that year. While he was down there we took him, along with council members in my region, on a bus and travelled around the electorate to have a look at the concerns the councils were raising back then. They could not keep up with the funding needed for road safety and for the upgrade of their roads. John Anderson went back to Canberra and came up with the Roads to Recovery program. That is a really important program, and I proudly say that it started in our area. The program enables money to go directly from the federal government to local councils to top up, not replace, the money that councils spend on road maintenance and roadwork.

I commend the federal Labor government for continuing the Roads to Recovery program. We were worried it was going to be cut, but it was not. It continues even today. Despite the difficulties the federal government has with funding, it has continued to fund the Roads to Recovery program. Not only is the federal government contributing money to roads but the state government is also contributing to programs through the Minister for Roads and the Minister for

State Development and Minister for Regional and Rural Development. We are putting more money into roads right across Victoria, which obviously helps when it comes to road safety.

I come back to the bill and to where this started. In my research I came across a February 2013 media release that quotes the Deputy Premier. He was then the Minister for Police and Emergency Services. The media release says:

The Victorian coalition government has today announced new measures to deal with those who risk the lives of others by taking a combination of drugs and alcohol before driving.

It goes on to quote the Deputy Premier as having said:

... Victoria is one of the few jurisdictions in the world to create a specific penalty for drivers detected with illegal drugs and alcohol in their systems ...

He is further quoted as having said:

A first offence will attract a minimum penalty of 20 penalty units ...

Back then that was equivalent to \$2816.80.

It was interesting to read through this media release, which states that VicRoads research shows that around 12 per cent of all deceased road accident victims are found to have a cocktail of alcohol and at least one non-prescription drug in their system. As a person who does a lot of travelling on the roads, that is my greatest fear. We have a lot of systems in place and we have a lot of education programs to encourage people to refrain from drinking and driving, but the real fear out there at the moment is that there are drivers operating under the influence of not only alcohol but also drugs. As a person who does a lot of miles on the road, it is my greatest fear that the person on the other side of the road will not keep on their side of the white line. A cocktail of alcohol and drugs is a prescription for disaster, and as is highlighted in this research, 12 per cent of all deceased road accident victims in 2013 were found to have had a cocktail of alcohol and drugs in their system.

As a government we are proud to be moving on this. We are introducing the expanded use of alcohol interlock devices. These are very important. Thankfully I have never had to use one. Drink driving is still a major problem; it accounts for 25 to 30 per cent of deaths and 11 per cent of serious accidents on our roads. Governments of all ilks have been trying to do something to address this issue. These interlock devices have been effective. Research shows that interlock devices reduce the incidence of repeat offending by

around 60 per cent when drink drivers are required to use them.

We are introducing an expanded interlock program. As members know, the interlock program commenced in 2002 and was extended in 2006. Unfortunately more than 35 000 interlock devices have had to be installed in cars.

This shows there is a big problem right across Victoria. Expansion of the interlock program will commence in October 2014, and it will affect the first group of drink drivers upon relicensing. It will mean that every first offender who has a probationary licence or learners permit will have to put the interlock on. Every driver who has a blood alcohol content (BAC) between .07 and .15 will have to put it on, as will various other categories of drivers and particularly repeat offenders with a BAC reading under .07. These are very severe penalties for people who drink and drive. This is another step in our road safety campaign, and there is a lot of work going on in relation to that.

The other issue I want to talk about in the last little bit of time I have left is newly licensed motorcycle riders. There are more and more of these vehicles on the road. They are a cheaper vehicle to buy, and with the cost of living these days being higher a lot of people are riding them. The minister has been working very closely with the motorcycle community and road safety experts on implementing a new graduated licensing scheme for motorcyclists in Victoria. The high crash risk for inexperienced riders has highlighted a need to update licensing conditions, particularly as they apply to novice riders. For inexperienced motorcycle licence-holders this bill provides that a rider will be subject to a zero BAC requirement for three years rather than 12 months. Again it introduces more severe penalties if people do not do the right thing. At the end I want to say this is a very important bill. It is improving our road safety, and I am happy to support it.

Mr EREN (Lara) — As a member of the Road Safety Committee from 2002 to 2006 under the leadership of the member for Geelong, who is in the chamber at the moment listening to this very important debate, and subsequently being the chair of the committee from 2006 to 2010, I find that I must make some comments in relation to the Road Safety Amendment Bill 2014.

The bill seeks to create a new offence of drink and drug driving, expands on when an alcohol interlock condition may be applied and allows for new technology, provides for immediate impounding of vehicles with discretion for blood alcohol content

readings of .10 or higher and introduces safety measures for newly licensed motorcycle riders. I wish I could say we do not need bills like this before the house, but unfortunately common sense does not always prevail out there in the community. I saw in the news just tonight that a young lady driving at about 100 kilometres an hour was speaking on her phone. As the phones get smarter, unfortunately some people are getting dumber. When does the message sink in? We are losing far too many people on the roads, and that needs to be put on the radar in relation to making sure there is an education program about the dangers of using smart phones in cars, particularly when young people are involved. Usually it is those people who are most inexperienced on the road who take the most risks.

This is yet another example of having a bill before the house when common sense should prevail, but unfortunately we have to get the message out there that if you do break the law in relation to drink driving or drug driving, the penalties are severe. There are a number of in-car technologies assisting drivers at the moment such as electronic stability control (ESC) and side curtain airbags, which by the way are now mandatory in every new car purchased or registered in Victoria. Every one of those cars must have ESC and side curtain airbags. That will save hundreds of lives on the road, and obviously that policy was initiated by the Labor government. We are very proud of the advancements we have made in reducing the road toll, and as has been mentioned before that very important committee works in a bipartisan manner so that all Victorians benefit from some of the policies that come out of its inquiries.

The bill is further evidence that we need to be vigilant. Only a couple of years ago I highlighted that synthetic drugs, for example, were a big problem as they could not be detected because they were synthetic. It was in fact not against the law at that point in time to use them and then drive, but those synthetic drugs severely impaired the people who consumed them. Someone could go into a normal store, purchase that synthetic drug and use it, be totally off their head from the effects of the drug, then get into their car and drive. In some instances the effects of those drugs were far more dramatic than those of the banned substances themselves, like marijuana as an example. We always need to be vigilant.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Essendon level crossing

Mr CARROLL (Niddrie) — I rise to address a matter to the attention of the Minister for Roads. The action I seek is that the minister request that VicRoads investigate the traffic light sequencing at the level crossing on Buckley Street, Essendon. This level crossing is a thorn in the side of my local community. Every morning and every night traffic banks up for hundreds of metres on either side of the intersection while trains from two directions — on the Craigieburn line as well as V/Line trains — keep the boom gates lowered. After the boom gates rise, the traffic light sequence favours the side streets to let buses out before vehicles on Buckley Street are given a go.

More and more local commuters are contacting me with their everyday stories of traffic delays. Locals report to me that often after the boom gates have lifted, the traffic light sequence favours the side streets at the intersection rather than immediately allowing traffic to disperse from Buckley Street. Often by the time the lights at Buckley Street become green, another train has come and the boom gates have descended again. Residents of Aberfeldie, Essendon and Niddrie, right up to Keilor East and Avondale Heights, who daily traverse Buckley Street experience exceptional delays at this level crossing due to the traffic light sequencing not working in an optimal manner.

On 23 May I received an email from Andre Fontanini of Keilor East in which he outlines that his daily commute often involves delays due to vehicles which are heading east over the level crossing being subordinated to cars and buses which head in all other directions, particularly from such side streets as Rose, Russell and Sherbourne streets. In his email Mr Fontanini outlines that each morning a V/Line city-bound train and a Craigieburn-bound train converge at around the same time — at 7.50 a.m. — and that while the boom gates go up and down, eastbound vehicles often remain at a standstill at a red light while vehicles heading in other directions are free to move. Mr Fontanini says he often waits 10 minutes. Another constituent, Robert Cook of Aberfeldie, recently took up the issue in a letter to the editor of a local newspaper. He seeks diversion of the V/Line traffic and measures to address the traffic light sequencing, which appears to favour the single-lane side streets over the double-lane Buckley Street.

Over the past couple of years works have been undertaken at this level crossing, including the installation of additional traffic lights and a pedestrian crossing which was built to improve the safety of students at nearby schools, such as St Columba's College, Lowther Hall and Essendon Keilor College. However, the traffic light sequencing does not appear to be working to an optimal standard, which impacts locals who travel along Buckley Street. I am extremely pleased that Labor has promised to remove this level crossing once and for all should it have the honour of forming government after 29 November. The minister may wish to match this commitment tonight. However, in the meantime the congestion caused by this level crossing could be eased by a simple change to the timing of the traffic light sequencing. On behalf of local communities I seek the minister's urgent attention to have VicRoads investigate the traffic light sequencing at this most busy and important level crossing, which will ensure that traffic flows as freely as possible up and down Buckley Street over the level crossing.

Emergency services

Mr SOUTHWICK (Caulfield) — The matter I raise is for Minister for Police and Emergency Services. The action I seek is that he provide an update on the extreme weather that hit Victoria today and that he provide details of the action taken by Victoria's emergency service agencies in response to today's flooding.

Victorians are and will continue to be at risk from a broad range of natural and human-induced hazards. Reports from the CSIRO predict that Victoria is likely to see more extreme bushfires, floods, droughts and storm surges, and that many communities, industries and vital infrastructure will be affected by extreme weather conditions. It is important that municipal councils, communities and individuals are supported to develop skills to navigate risks and local impacts of weather events during times of crisis.

Over recent times our emergency services have built resilience and developed emergency management plans. During recent bushfires Victoria has taken an all-hazards, all-agencies approach to dealing with such emergencies. As members of Parliament we are sitting in this building today debating a number of different matters, but many people in the community would say that we are in a bubble and are not necessarily aware of some of the extreme weather conditions being experienced outside.

We are fortunate to be connected by technology that informs us of some of the activities that are happening

as we speak. Extreme weather has hit right across Melbourne, including my electorate of Caulfield and the nearby electorate of Albert Park. The severe weather conditions have included flooding. Many homes have been affected by power outages. I am told that Jerry's Milk Bar, a store I frequent, is under water. Commuters have also had difficulty getting home tonight.

Further investigation indicates that gale-force winds, flooding and severe winds have hit the Melbourne metropolitan area, the Mornington Peninsula and the Dandenongs. I understand that blackouts have affected some 80 000 homes across Melbourne. Extreme weather conditions also hit the electorate of my colleague the member for Mordialloc, including the bridge. Port Phillip Bay has been whipped into a frenzy. I believe the State Emergency Service has had a huge number of call-outs. We will face extreme weather conditions over the coming days. Therefore I ask the minister to advise us about what actions and plans are being put in place to ensure that Victoria is prepared for both this and future emergencies.

St Kilda laneway name

Mr FOLEY (Albert Park) — The matter raise is for the attention of the Minister for Environment and Climate Change, although I could be wrong in terms of machinery of government changes. If that is the case, I am sure he will let me know. The matter relates to the processes whereby locally important places are named or renamed.

The action I seek is that the minister agree with Labor's proposal that he use his powers to direct the relevant officers of his department, the Department of Environment and Primary Industries, to name a particular unnamed laneway in St Kilda after the sadly missed Australian and St Kilda rock legend and guitarist, Rowland S. Howard. I do so because of the odd way the regulatory system works in relation to place names. This has hamstrung the local community in its efforts to progress this widely supported campaign.

The naming of the small but currently unnamed laneway running between Jackson Street and Eildon Road in St Kilda after Rowland has been promoted by many as appropriate recognition of his cultural and musical contribution to Australia, St Kilda and the wider global rock community. However, the oddities of the regulatory system mean that when a place name is to be proposed through local government channels it is often hamstrung. Statutory officers are required to go through a process that then binds the relevant state

officer, who has to consult with various agencies, which can only advise the officer about single names. In this case the lane could be called either Rowland Lane or, Lord forbid, Howard Lane, which would be anathema to the late Rowland S. Howard.

Over 2000 locals have signed a petition. There is a Facebook site, which has garnered the support of many thousands of people. The City of Port Phillip also supports this campaign. We are in an odd position where, due to a set of circumstances, the local community, Rowland's family, traders, legends such as Nick Cave, who has raised this matter with the City of Port Phillip, and other community members are prevented from achieving their aim, which has garnered widespread support over a number of years.

The relevant statutory officer has advised that he would be happy to be directed by the minister along these lines. Labor supports this commitment. We ask that the minister ensure that this matter is dealt with quickly and along the same lines as the series of other things that were announced by the government today.

Shop Local

Mr BATTIN (Gembrook) — Tonight I rise to call on the Minister for Small Business to visit the electorate of Gembrook to support its proactive campaign of shopping local. In 2007 I purchased a Bakers Delight at Wheelers Hill shopping centre. During this time I learnt about the risks, skills and rewards of running my own small business.

Mr Herbert interjected.

Mr BATTIN — I would never ever have bought a Brumby's, and there is more than one reason why.

The DEPUTY SPEAKER — Order! The member for Gembrook knows it is wrong to reply to interjections. If the member for Eltham wants to make his contribution, he should desist from interjecting or he will not be here to do so.

Mr BATTIN — He had better get used to not interjecting, because you cannot do that in the upper house.

The DEPUTY SPEAKER — Order! I remind the member for Gembrook that while the Deputy Speaker is speaking, he should desist from interrupting.

Mr BATTIN — The store I purchased was part of a large franchise, and this assisted with learning and understanding the day-to-day operations. I would like to thank Roger and Lesley Gillespie and the team who

worked with Jo and me, helping us to become self-motivated operators. It became apparent at the time that success was reliant on many factors, including business location, staff training, customer service and personal commitment. I doubt members will find many people who would argue that these are not the key points for the successful operation of a small business. The question was how to attract customers to our store. At the start we had a very narrow view, with signs on the windows, localised discounts and some small-scale advertising. In August 2007 we decided to work with other local stores to promote the area and attract customers to the shopping centre. As a local MP, I understood the concerns of local small businesses in Berwick, Beaconsfield, Officer, Pakenham, Emerald, Cockatoo, Gembrook and Beaconsfield Upper, the main shopping areas in our electorate, as to how to get people to the shopping centres.

After meeting with shop owners and chamber of commerce members I have decided to run Shop Local 2014. This campaign has been publicised in the media, on social media and through direct letterbox drops. It is a way to support local stores. The campaign features more than 100 active stores, many of which have placed prizes in a voucher draw for one lucky supporter to win. The concept is to encourage local shop owners to engage customers and encourage them to use other local stores. It is vital to use local small businesses, as they are the ones that will return the support to local sports and community groups.

There was a saying we used in the past: local shops are like your muscles — use them or lose them. I would like to ask the minister to come to the area and meet with our local store owners and encourage them to look at other government initiatives that support our local shops. Minister Northe knows very well how important the local economy is to the community. I know in his playing days in the Latrobe Valley it was vital to have small local businesses support the clubs to ensure that they survived. If the local town is doing well, you see this reflected in sports clubs, community groups, youth employment and the general health of the community. I look forward to seeing the minister in the Gembrook electorate to meet with our local small businesses and discuss ways we can continue to support our local shops.

Vocational education and training

Mr HERBERT (Eltham) — I raise a matter for the Minister for Higher Education and Skills. The action I seek is for the minister to release the vocational education and training market report for the first quarter of 2014, January to March, first-term enrolment data.

Following allegations of a cover-up last sitting week, the minister was shamed into finally releasing the much-delayed 2013 training report. It was so late that it has now backed up against the report for the first quarter of this year. No wonder the sector is asking what this government is trying to hide.

When we had a look at the details — not the summary document, but the details — of the 2013 training report we found that in 2012–13 apprenticeships dropped by 4 per cent, traineeships dropped by a massive 35 per cent, apprentice enrolments by people aged 15 to 19 years dropped by 12 per cent, enrolments by course level diploma and above dropped by 28 per cent, and enrolments dropped right across the state. We saw that accredited enrolments with adult and community education providers dropped by 19 per cent, and in the south-western region, the Premier's own region, they dropped by a massive 41 per cent. We have seen enrolments by unemployed students drop by 19 per cent and enrolments by early school leavers drop by 24 per cent. This massive drop comes at a time of rising youth unemployment and massive stress on our key industries.

If you think that is bad enough, think again. The situation is going from bad to worse this year due to more funding cuts. In November we saw 2000 course fees change, most of them slashed. It gets even worse. Only last week we saw another 80 fee subsidies slashed. No notice was given and it was done at a time when providers had already signed up students for courses starting on 1 July. It is no wonder that Claire Field from the Australian Council for Private Education and Training has called on the government to rethink these funding cuts and rethink its unstable funding policy — a policy where chaos rules supreme and stability is a rare occurrence. No wonder TAFEs are deteriorating in this state. It is clear that enrolments are down, particularly in Melbourne's north and in Gippsland. It is clear that TAFEs that were actually in a positive financial position last year are now plummeting into operational deficit. This is all as a result of these funding cuts.

The minister sits here, too petrified to reveal the truth about what is happening in our training system. There are rumours coming from his own department that the government is about to abandon quarterly reports for the training sector, throw the last vestiges of accountability in the bin and refuse to release training data before the next election. It is a disgrace. In the face of this government's chaotic policy, people have a right to know what is happening with our training system. Training providers have a right to know where the system is going. This minister needs to come out from

hiding under his desk, defend his rhetoric and actually release this data. He is in the chamber today, and I hope he will come out and say, 'I will release this data immediately'.

Mildura Country Music Festival

Mr CRISP (Mildura) — I raise a matter for the attention of the Minister for Tourism and Major Events, and the action I seek is support for the Mildura Country Music Festival. The festival is run in Mildura over 10 days in September and October each year; this year the event will be held from 26 September to 5 October. The festival had very humble beginnings many years ago. It began as a small festival but has grown into a major event. This has not been without a considerable amount of support from various sections of the Mildura community in the building up of this festival to what it is today. The 2014 festival will take place at multiple venues in Mildura and surrounding towns. It is primarily a non-ticketed event, and it appeals to country music lovers Australia wide. Many of the venues are outdoors. Some are in service clubs and others are special venues.

The festival also includes the Southern Stars — the Australian Independent Country Music Awards, which are considered by many in the industry to be the most influential country music awards for independent artists in Australia. These are held on the last Saturday of the festival at various venues in Mildura, including both our arts centre and the Mercy Theatre. The festival is managed by Mildura Country Music Festival Inc., a not-for-profit organisation, and Mr John Arnold, the previous mayor of Mildura and current rural city councillor, manages the events. John has done a wonderful job with managing this event over the years. The event has attracted large crowds. It often happens that you can have 10 000 to 12 000 people in Mildura for a week or so. It is a significant economic stimulus for our community.

Last year there was a slight decrease in attendance, but when you are doing outdoor venues and you find the weather is against you, you are going to have some issues. Despite that little dip last year in our growing attendances, we continue to attract large numbers of people from within the state and from interstate. Interstate is where 44 per cent of festival attendees come from, while 9 per cent come from Mildura and 40 per cent come from other parts of Victoria. The average stay of visitors is about 9.5 nights.

The event attracts significant visitation and is also a valuable part of the economy, and funding is generated from the Mildura Rural City Council, the Wentworth

Shire Council, corporate sponsorship and local industry. However, some additional funding is required to help with marketing the event. I hope the minister can support the Mildura Country Music Festival.

Melbourne Airport

Mr McGUIRE (Broadmeadows) — My adjournment matter is for the Premier. The action I seek is an end to the triumph of politics over common sense in the coalition's pre-election promises. The coalition is the most unstable administration in modern Victorian history, and taxpayers are still paying for its lack of credibility. Playing base politics by courting the vote of the advocates for taking Sunbury out of Hume advocates has placed uncertainty over one of Victoria's most strategic assets for economic development, Melbourne Airport. This pre-election promise is a folly matched only by the coalition's search for 'big cats'. Both have wasted significant amounts of taxpayers' money and were destined to dash the expectations of their believers.

The coalition government has been negligent in allowing the debate to run; it has turned into a tug of war between Hume City Council and the breakaway faction over Melbourne Airport. The risks are too high for authority over Melbourne Airport to be handed over to a new council without the experience or nous to deal with the complexity of such a major and significant asset.

I remind the house that Melbourne Airport is the gateway to Victoria, makes a major contribution to the local, state and national economies and is a critical transport infrastructure asset. The airport connects Victorians in both metropolitan and regional areas with the rest of Australia and the world, facilitates regional and tourism development and supports significant economic activity. In turn Melbourne Airport has become a major employment cluster. Given the folly of this debate, the airport's future has ended up being argued about throughout the area, with claims that it should be handed over and that the rate base and money that it provides — of more than \$10 million — should be given to this new council, if it emerges.

Since the outset my argument has always been that this is a folly. It should never have happened. It has increased uncertainty at a critical moment. This is one of Melbourne's growth areas. I want to make sure that when this decision is made by the panel set up to examine the issues — which will happen shortly — we actually get the facts on the table. If the Sunbury out of Hume people want to be independent, they have to be truly independent and pay their own way. The people of

the rest of the city of Hume should not pay one cent for this folly, and the people of Broadmeadows particularly should not be duded again.

This was always just a pre-election stunt, and it will not stand up to rational scrutiny. It should never have been allowed. The Premier and the Minister for Local Government should have sorted this out a long time ago and not allowed it to drift. You cannot run a state, manage an economy or build communities if you allow these sorts of follies to be perpetuated or to be run in the media; they only undermine certainty. Jobs at the City of Hume are now being put on hold while we wait for this result, which will be as inevitable as the search for the big cats.

Moorabbin Airport

Ms WREFORD (Mordialloc) — I raise a matter for the Minister responsible for the Aviation Industry. The action I seek is for the minister to write to the Kingston City Council to clarify the council's role in relation to Moorabbin Airport. In particular, councillors west of centre are creating uncertainty about council's role with the site, the site's advantages and its zoning. Moorabbin Airport, in my electorate, is a fascinating and significant place on many levels. It is a 294-hectare site 21 kilometres south-east of the CBD. Two-thirds of the site is reserved for aviation and one-third is reserved for commercial uses that subsidise the aviation uses. With over 250 000 aircraft movements per year, it is the second or third busiest airport in all of Australia, depending on the figures used. Sydney is the busiest, and Melbourne is ranked about sixth.

Moorabbin Airport is Australia's largest centre for commercial flight training for both fixed and rotary wing aircraft. There are 11 flying schools at the airport, and they make up two-thirds of the aircraft movements on the site. They train about 800 pilots each year, most of whom become commercial pilots for freight companies and major airlines like Qantas, Virgin, Jetstar, Tiger, Singapore Airlines and so on. The airport generates over \$50 million each year in exports for Australia from training alone. Of course, significant air traffic is a challenge. When the airport was founded in the 1940s, the area around it was semirural. Today it is largely urban. The airport is watched closely and has been very proactive with fly-friendly procedures, safety guidelines and flight circuits.

The airport is home to 200 businesses, 50 of which are aviation related. Within these businesses there are 1100 aviation jobs and 2200 other jobs — that amounts to 5 per cent of the workforce of the city of Kingston — and there are over 1100 more jobs in the pipeline. Of

course, many more businesses in the region exist or are significantly strengthened by having the airport close by.

The site is owned by the commonwealth government, and it is largely controlled by federal legislation. For instance, whilst it is technically a special use zone, state and local planning guidelines are superseded by the site authority and the federal minister. The federal government generally tries to work with the state and local governments, but ultimately the airport is the responsibility of the site authority and federal minister. This is an important point, especially because one particular Kingston councillor frequently refers to the site as green wedge. It most certainly is not green wedge. If it were, thousands of jobs would be lost. However, the site's green expanses do offer the feeling of a green wedge, and it is far preferable to the ugly, smelly tip sites and run-down farms that constitute much of Kingston's actual green wedge.

Finally, the airport is home to the Australian National Aviation Museum, which has one of the best collections of historic planes and flight memorabilia anywhere in the country. I hope the minister can write to Kingston council to — —

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

Cranbourne rail services

Mr PERERA (Cranbourne) — I raise a matter for the Minister for Public Transport. The action I seek is for the minister to address, as best as possible, the regular cancellation of Cranbourne-to-city trains during peak hours in the morning and city-to-Cranbourne trains in the evening. At least twice a week, morning peak hour trains are cancelled.

A constituent, Kunjai Desai from Lyndhurst, tells me that if she misses her regular train in the morning, she is about 25 minutes late to work. Her husband, Shiral, faces the same public transport challenges. In the past Kunjai has missed crucial meetings. She cannot go home and connect electronically because internet connections in Cranbourne drop out regularly.

As the member for Cranbourne I have been holding regular mobile offices in the local area during this term of Parliament and I have been doorknocking, and I have heard many unhappy stories from commuters who use the Cranbourne line to get to and from their places of employment and education. Commuters are also quite annoyed that they need to change trains at Dandenong when they are travelling from Cranbourne to the city

and back, as it delays their commute by up to 30 minutes.

As the minister knows well, the two Liberal governments — the Napthine and Abbott governments — have hit everyone who owns a car in their respective budgets. The Abbott federal government's unfreezing of the fuel excise levy will lead to petrol prices increasing twice a year, adding about 2 cents a litre to the cost of petrol from August this year. Then there is the Napthine government's \$25 increase in motor vehicle registration fees on top of consumer price index increases, plus the motor vehicle sales stamp duty increase of 4 cents on every \$200.

Many residents are now looking for alternative ways to commute. They want me to raise this issue with the minister so the minister can take some action. They say the minister should acknowledge that there are issues and address them rather than trying to put the blame on somebody else after being in office for three and a half years. One commuter recently advised me that it is not out of left field for passengers on Cranbourne-bound trains to be told to swap trains at Dandenong station of an evening. Unfortunately this happens two or three times during a working week. I urge the minister to improve the train service to Cranbourne.

Wonthaggi Secondary College

Mr K. SMITH (Bass) — My adjournment matter is for the Minister for Education. I ask the minister to come out with me to Wonthaggi on the Bass Coast and visit the McBride campus of Wonthaggi Secondary College, which is a secondary college that was built on the site in 1922 as a technical college. I also ask the minister to look at a site for an education precinct where a new secondary college, along with other educational facilities, could be built.

This old building, with a range of other buildings around it, is situated on a very small site in the township of Wonthaggi. It has expanded over the years to keep up with the large number of students coming to the area. This campus will hold approximately 900 students, with the junior campus holding about 600 students. Over the years the playing fields and recreational area have been covered by portable classrooms, and there is no room left for the kids to even kick a footy around.

Very little has been spent on this school over the years. Certainly very little was spent in the 11 dark years of Labor government, and little has been spent by the current government, which has obviously realised the school is due for a complete rebuild very soon. A

committee was formed some years ago to look at a site for the school, and the land that will be shown to the minister when he is down there is more than ideal for the new school and the new education precinct.

A lot of time has gone into this proposal. Mr Don Paproth, an educational facility organiser, and a former City of Bass Coast CEO, Mr Allan Bawden, led this committee. It was regarded very highly and had great support from the local community. I would like the minister to arrange a time to visit the school with me, then he can understand the great need we have down there for a new facility on a new site. This is a great school with a great principal who oversees both facilities. It has a great lot of students who have a wonderful record as far as the Victorian certificate of education is concerned, and it has a great school band. They have everything going for them except that they are working out of a building that was built in 1922.

Wonthaggi was once, as the minister would understand, a coalmining town, and the school was built around that time. It is time that the minister made a visit, if he could, with me to Wonthaggi —

Honourable members interjecting.

Mr K. SMITH — I can see the minister there. The Minister for Higher Education and Skills can come too. I hope the Minister for Education can come down with me, have a look and see whether he can make some quick decisions on this land and on the possibility of a new school going in there.

Responses

Ms ASHER (Minister for Tourism and Major Events) — The member for Mildura has raised the issue of the annual Mildura Country Music Festival and has requested funding for the 2014 festival, which is to be held between 26 September and 5 October. The member has raised this matter over a number of years and has a very strong understanding of the economic value of tourism and tourism events to Mildura. I am pleased to advise the member that the government will again be supporting the festival as a consequence of his representations and will provide \$18 500 for marketing purposes to increase visitation and event-related economic yield to the region.

As the member for Mildura mentioned, last year's event attracted almost 11 000 visitors, including significant visitation from outside the region, and we are keen to build on those figures. It is very important to recognise that these country events, although small by city standards, provide a significant economic boost

to country communities. It is very important that city members understand the economic drivers that these events are for country tourism. With the average length of stay being nine nights, this event clearly injects significant economic benefits into the local economy. Tourism Victoria's events program will assist with television, print and radio marketing to attract visitation from across the border in New South Wales and from other parts of Victoria, including Melbourne. I thank the member for prosecuting the case so efficiently, and I hope that the country music festival in Mildura is a great success, as it has been previously.

Mr WELLS (Minister for Police and Emergency Services) — I thank the member for Caulfield for his concern on behalf of his constituents. He has sought my action and an update on how we are addressing the storm damage across the state. As people know, Victoria has been battered by gale force winds and lashed by rain, with severe weather warnings for damaging winds still current for communities in the North Central, North East, South West, Central, West, South Gippsland and East Gippsland forecast districts. All our emergency services have been doing a fantastic job.

I can advise the member that there has been some minor flooding in Elwood, with trees down all over the city of Port Phillip. The State Emergency Service, the Country Fire Authority (CFA) and the Metropolitan Fire Brigade (MFB) attended 3850 requests for assistance between midnight and 9.15 tonight. Two-thirds of these have involved fallen trees and one-third have involved building damage. There are still 1050 requests to be dealt with, and that is happening as we speak. There are currently 76 volunteer units active and receiving assistance from CFA, MFB and Department of Environment and Primary Industries (DEPI) personnel.

Victoria's Emergency Services Telecommunications Authority put on extra staff in its call centres from yesterday to deal with the increase in calls. Paramedics have been attending increased emergency calls, including to deal with car accidents, fallen trees on vehicles and a wall collapse. At 5.00 p.m. today there were approximately 79 500 customers across the state without power, and due to the volume of calls restoration times have varied from 8 to 16 hours. At 9.15 p.m., 30 000 services were still not working, some of which will be connected tomorrow morning. The Belgrave and Hurstbridge train services have been restored, and buses are in place on the Frankston and Stony Point train lines.

The port of Melbourne has had to suspend operations due to gale force winds. Extreme weather conditions across the state have caused several parks to close, including Kinglake National Park, Dandenong Ranges gardens and the Great Otway National Park. Parks Victoria and DEPI staff are currently undertaking risk assessments across the state. There has been damage to the Brighton and Mordialloc piers, and some boats have been grounded on shores around Port Phillip Bay. I can assure the member and the house that all our emergency services are doing a great job responding to this severe weather event and are working well together. As Minister for Police and Emergency Services I will continue to monitor the situation overnight and bring the house up to date.

Mr NORTHE (Minister for Small Business) — I am pleased to rise to acknowledge a request from the member for Gembrook. He has asked me to visit his electorate and support his Shop Local campaign, for which I commend him. He mentioned that in the past, with his wife Jo, he has been a small business operator in a Bakers Delight franchise, so he would well understand the challenges and opportunities of operating a small business. With the electorate of Gembrook covering many busy shopping strips it is obviously important that campaigns such as the one the member for Gembrook is undertaking are there to support local businesses. His Shop Local 2014 is a great initiative.

You, Deputy Speaker, would be aware of other campaigns such as Putting Locals First, which The Nationals have run for a long time. It is important to recognise that small businesses are not only good employers in our local areas but also great contributors to our schools, community groups and sports and recreational clubs. Therefore it is important that wherever we can we try to support the small business sector in our local communities.

On some of the initiatives that the government is undertaking to support small businesses, particularly in our shopping strips, we have reinvigorated the Streetlife program, with \$6 million over four years. That has been provided to ensure that our trader associations or councils are able to improve and develop some of their core retail management skills and help revitalise their local shopping strips. In the most recent budget we also announced additional funding of \$4 million for the Local Area Capital Improvement program to support councils by providing capital to ensure that our shopping strips are enhanced.

There have been a couple of other initiatives, including the Small Business Festival, which I remind all

members is coming up and will run throughout the whole calendar month of August. Around 340 events have been programmed, and from memory nine of those events will be in the Gembrook electorate. In metropolitan Melbourne and across regional Victoria there will be a whole host of events, including a diverse range of workshops that small business people can attend.

One of the initiatives that the government has undertaken was the Support Small Business Day, which was held on 19 October last year for the very first time. Local businesses can register to be part of Support Small Business Day and consumers can do the same. Consumers are provided with vouchers that they can redeem at the registered small businesses that wish to participate in the day. The government is doing that again this year, so on 4 October the same will apply. The second Support Small Business Day is just another initiative through which the coalition government is supporting our small business sector. I encourage all members to be involved in that.

In conclusion, I again thank the member for Gembrook for his strong support of the small business sector. I look forward to arranging a date when I can meet with him in his electorate, discuss his initiative of Shop Local and meet a number of the business traders in his electorate.

Mr DIXON (Minister for Education) — The member for Bass asked me to come down to his electorate and look at a number of educational issues regarding the future provision of senior secondary schooling in Wonthaggi. As the member said, Wonthaggi has changed incredibly from a mining town to a centre of growth in the area. It has been identified as a town that will grow even further and be a regional centre for that area of Gippsland.

Obviously an important part of such a town centre, which services a large district, is having the educational facilities to go with the growing population and the growing need for skills that are required in the area. The member pointed out the restricted nature of the McBride campus of the secondary school and referred to the possibility of using other Crown land on the outskirts of the town as an educational precinct.

Bass Coast Shire Council has been very proactive in terms of having an educational precinct for the whole area, based at Wonthaggi, and it is a very good concept. Some of that land has already been used for educational purposes by the special school, which has been established for a number of years now and is a great school, as well as by the senior secondary campus

there. I understand that a number of other partners are very keen to be part of that educational precinct. It is time that I went back down there to reacquaint myself with both the senior campus and the McBride campus and also, more importantly, that block of land that has extremely good potential for future educational facilities to service that growing population. I will make a time with the member's office and get down there as soon as I possibly can.

Mr MULDER (Minister for Public Transport) — The member for Niddrie raised an issue with me in relation to the Buckley Street level crossing in Essendon. I am sure the member is aware that this is a very busy and complex intersection. The signals down there need to accommodate the level crossing operations, multiple turning movements and high pedestrian demand. There are about 12 bus routes that use that particular intersection, and there has been an increase in the number of trains running through that particular location because of the number of services we have added to the metropolitan rail network.

I have had discussions with the member recently in relation to this particular matter. I can inform him that on Tuesday, 17 June, VicRoads did some work in relation to changes to the signal operation at that particular location to improve the mobility and access to Buckley Street. As a result of the request from the member, I asked VicRoads to monitor the performance at the location of the intersection and to make further adjustments if they are warranted, but I suggest that the member keep in touch with me on that matter. If issues are brought to him by his constituents in relation to how that particular level crossing is performing, then I will most certainly go back and have further discussions with VicRoads in relation to that matter.

The member for Cranbourne raised an issue with me in relation to train cancellations on the Cranbourne line. Some of his constituents have raised concerns with him in relation to train cancellations. The last time I looked reliability in terms of train services delivery was over 98 per cent and punctuality across the network was running at about 94 per cent, so there has been substantial improvement to the rail network under the coalition government.

There are many reasons a train can be cancelled. Quite often it could be in relation to an ill passenger, an accident, stolen copper wire, a police operation or vandalised trains. There are a whole range of reasons why a service will be cancelled. I understand it can be quite frustrating for people who turn up for a train service and that train service is cancelled, but all I can

say is that across the board there have been significant improvements made to the network.

I know, and I am sure the member will recall, that there was a commitment by the Labor government to what it called triplication of the Dandenong corridor. That referred to a third track between Caulfield and Dandenong to provide better reliability along that part of the network, and that was duly dropped by the Labor government. The coalition government picked that challenge up. When we were elected I had a briefing from staff of the department, who said to me, 'Look, you understand that the issue along that corridor is that it won't be long before people are left stranded on the platforms because there simply isn't enough capacity on the corridor to cater for the patronage growth'.

We have added some additional shoulder-peak services. We will be working hard to see if we can do any more in relation to providing additional services along that line until our \$2 billion to \$2.5 billion Cranbourne-Pakenham-Dandenong corridor project commences and is delivered for the people who live in that particular part of Melbourne. That is going to create around 300 jobs. There will be 25 next-generation trains, a new signalling system, the removal of level crossings at Murrumbeena Road, Koornang Road, Clayton Road and Centre Road and planning for further removals of level crossings at Corrigan, Heatherton and Chandler roads, Noble Park, Grange Road, Carnegie, and Poath Road, Murrumbeena. We are going to rebuild the stations at Clayton, Murrumbeena and Carnegie. We will build a new train maintenance facility at Pakenham East and a new power substation to support the high-capacity trains and signalling. This really is a cure for that Cranbourne-Pakenham-Dandenong corridor. I can understand that there is some frustration among people when trains are cancelled or running late.

I say to the member for Cranbourne that it is a hell of a lot better than it was in the past. We have made significant improvements to the network since we came to government. Not only have we made improvements by investment in simple things such as drainage, ballast, sleepers, rails, power substation upgrades and overhead power — all of the things that make a railway network function — but we are now also putting money into building the new facilities to make that corridor function in a far better manner than it has in the past.

I am sure the member will also know, understand and appreciate that the program for having protective services officers at stations will start to be rolled out along this corridor. I know protective services officers are greatly appreciated by members of the community

and commuters who use trains, particularly those who travel late at night.

Mr WAKELING (Minister for Higher Education and Skills) — The member for Eltham raised a question with me with respect to the release of data from the *Victorian Training Market Report 2013*. The opposition is clearly off the target when it comes to this important issue. It has been running a campaign suggesting that this government has been hiding reported information, whereas one of the first things I did when I came to this portfolio was to release the highlights data, which provided an overview of the statistics that were going to be released in the full document. Any suggestion that this government was hiding information is completely and utterly false.

I was very pleased with the release of the document entitled *Victorian Training Market Report 2013*. One need only look at the executive summary to see how this government has operated in the past 12 months with respect to the portfolio of higher education. It states on page 7:

Government subsidies — —

Mr Herbert — On a point of order, Deputy Speaker, the issue was about the first quarter of the 2014 data — not last year's data but this year's data.

The DEPUTY SPEAKER — Order! I have heard enough. There is no point of order.

Mr WAKELING — The report states:

Government subsidies supported the training of 484 300 students in 2013 ...

That is 43 per cent more than under the previous government. The report goes on to state:

There were 116 900 TAFE domestic fee-for-service enrolments in 2013, higher than 2010 by more than 13 per cent.

The report further states:

Access to training in regional Victoria has increased, with enrolments up by almost 30 per cent, from 106 900 in 2010 to over 130 000 in 2013.

The government understands the significance of skilled shortages. The report also states:

Between 2010 and 2013 training enrolments in specialised or skill shortage occupations increased by 59 per cent ...

It further states:

Sixty per cent of enrolments were delivered in the six highest employing Victorian industry sectors, which account for 59 per cent of all Victorian jobs.

I would have thought that this document is a positive demonstration of how this government is committed to the higher education portfolio.

We know that those opposite only saw fit to invest just over \$800 million when they were in office. This government has committed \$1.2 billion — 50 per cent more funding — and has committed in this year's budget to spend almost \$5 billion over the next four years. That is in stark contrast to what was done by those opposite.

We understand that members of the opposition are not very good at reading documents. We saw the shadow Treasurer make a billion-dollar bungle, and we also understand that the member for Bendigo East made a bungle. But in regard to my portfolio, if I may, a media release on the Victorian Labor website says, 'Meanwhile, Denis Napthine is spending \$124 million less on TAFE'. Uh-oh, they made a mistake — they did not read the budget papers. If they had read the budget papers, they would have known that that \$124 million cut had nothing to do with expenditure by the Victorian government. That claim of a \$124 million cut is no longer being peddled by the opposition. Like the billion-dollar bungle and the \$500 million bungle, it is just another example of a bungle by the Victorian opposition. The reason I raise that — —

An honourable member interjected.

Mr WAKELING — I point out to the member that, if he were to read the *Victorian Training Market Report 2013*, he would see that on page 5 it outlines the future release of training data. He may well not have a copy of the document, but I am happy to provide him with one. If he had read the document, he would have known that as a consequence of consultation with the sector the data will be released on a six-monthly cycle, as is stipulated on page 5 of the report.

Mr Foley interjected.

The DEPUTY SPEAKER — Order! The member for Albert Park is warned.

Mr WAKELING — I can only assume, since the document stipulates that from 2014 the data will be released on a six-monthly cycle as a result of requests from the sector for better analysed data, that will be adhered to — —

Mr Herbert — When?

Mr WAKELING — I thought the member would have realised that we have not yet completed the first six months of 2014. I thought he would have read his documents. He cannot stand up in this house and start questioning the government about the release of data when this is specified in the document. Like the budget and the \$124 million fudge, one can only assume the member failed to read the document. The member should go away and read the document for himself. If he cannot get access to the document, I am more than happy to provide him with a copy.

The member for Albert Park raised an issue for the Minister for Environment and Climate Change in respect of a request to have a currently unnamed lane in St Kilda named after Rowland S. Howard. I will have that matter referred to the minister.

The member for Broadmeadows raised an issue for the Premier regarding the potential location of Melbourne Airport in respect of the Sunbury out of Hume proposal and asked that it be identified whether it will be located in Hume or Sunbury. I will have that matter referred to the Premier.

The member for Mordialloc raised a matter for the Minister responsible for the Aviation Industry seeking his clarification regarding the future zoning of Moorabbin Airport and asking that he make representations on her behalf. I will pass that matter on.

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

House adjourned 10.54 p.m.