

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 25 March 2014

(Extract from book 4)

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

By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

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

Legislative Assembly committees

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

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Speaker:

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

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

Deputy Speaker:

Mr P. WELLER (from 4 February 2014)

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

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

Leader of the Parliamentary Liberal Party and Premier:

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

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

Deputy Leader of the Parliamentary Liberal Party:

The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

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

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 18 February 2013

⁴ Resigned 27 January 2012

⁵ Elected 21 July 2012

⁶ Elected 19 February 2011

⁷ Elected 27 April 2013

⁸ Resigned 7 May 2012

⁹ LP until 6 March 2013

CONTENTS

TUESDAY, 25 MARCH 2014

MINISTRY	805	<i>Parkdale Tennis Club</i>	825
DISTINGUISHED VISITORS.....	805, 851	<i>Chelsea Heights Primary School</i>	825
QUESTIONS WITHOUT NOTICE		<i>Chelsea Bowling Club</i>	825
<i>Hazelwood mine fire</i>	805, 806, 807, 808, 810, 812	<i>Boral Western Landfill</i>	825
<i>Child protection</i>	806, 809	<i>City of Monash Neighbourhood Watch</i>	826
<i>Regional higher education</i>	811	<i>Waverley RSL</i>	826
<i>Public transport</i>	812	<i>Deakin University</i>	826
OMBUDSMAN.....	813	<i>Multiculturalism</i>	826
CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014		<i>Racial discrimination legislation</i>	826
<i>Introduction and first reading</i>	813	<i>Mildura South Kindergarten</i>	826
JUSTICE LEGISLATION AMENDMENT BILL 2014		<i>Healthy Together Mildura</i>	827
<i>Introduction and first reading</i>	814	<i>O'Connors Farm Machinery</i>	827
CRIME STATISTICS BILL 2014		<i>Clontarf Foundation football carnival</i>	827
<i>Introduction and first reading</i>	814	<i>Beulah Lake Committee</i>	827
BUSINESS OF THE HOUSE		<i>Victoria Police bands</i>	827
<i>Notices of motion</i>	814	<i>Labor government</i>	827
<i>Standing orders</i>	816	<i>Supreme Sikh Council of Australia</i>	828
<i>Program</i>	816	CORRECTIONS AMENDMENT (PAROLE) BILL 2014	
PETITIONS		<i>Second reading</i>	828
<i>Health practitioner abortion referral</i>	814	GAMBLING AND LIQUOR LEGISLATION AMENDMENT (REDUCTION OF RED TAPE) BILL 2014	
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE		<i>Second reading</i>	831
<i>Alert Digest No. 4</i>	814	TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014	
DOCUMENTS	815	<i>Second reading</i>	851
ROYAL ASSENT	815	ADJOURNMENT	
APPROPRIATION MESSAGES	815	<i>Ann Nichol House</i>	867
RESIGNATION OF LEGISLATIVE COUNCIL MEMBER		<i>Scotchmans Creek and Valley Reserve</i>	868
<i>Hon. Peter Hall</i>	815	<i>Fishermans Bend urban renewal project</i>	868
PARLIAMENTARY COMMITTEES		<i>Spring Creek Valley</i>	869
<i>Membership</i>	815	<i>Cranbourne North primary school</i>	870
JOINT SITTING OF PARLIAMENT		<i>Hazelwood mine fire</i>	870
<i>Legislative Council vacancy</i>	821	<i>Manor Lakes railway station</i>	871
MEMBERS STATEMENTS		<i>Caulfield Racecourse Reserve</i>	871
<i>Major events</i>	821	<i>Calder Freeway noise wall</i>	872
<i>Huntly pedestrian safety</i>	821	<i>Glen Eira Sports and Aquatic Centre</i>	872
<i>Marong emergency services complex</i>	822	<i>Responses</i>	873
<i>Wally Curran</i>	822		
<i>Julie Aldous</i>	822		
<i>Benalla RSL film screening</i>	822		
<i>Upper Kiewa Valley Lions Club</i>	822		
<i>Falls Creek mountain bike trail</i>	822		
<i>Doreen and Mernda schools</i>	823		
<i>Don Smith</i>	823		
<i>Ringwood Private Hospital</i>	823		
<i>Epworth Eastern Hospital</i>	823		
<i>Allan Whittaker commemoration</i>	823		
<i>Damien's Favourite Event</i>	824		
<i>Get Wyndham Moving</i>	824		
<i>Horsham College</i>	824		
<i>Dunkeld Community Centre</i>	824		
<i>Dartmoor Football Netball Club</i>	824		
<i>Halls Gap Zoo</i>	825		
<i>School bullying</i>	825		

Tuesday, 25 March 2014

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

MINISTRY

Dr NAPHTHINE (Premier) — I wish to advise the house of changes in the ministry consequent of advice I provided to his Excellency the Governor on 17 March 2014. The new ministers are as follows. The Honourable Louise Asher, MP, was sworn in as Minister for Innovation. She will do that task in addition to her ministries of tourism and major events, and employment and trade. The Honourable Tim Bull, MP, was sworn in as Minister for Local Government and Minister for Aboriginal Affairs. The Honourable Damian Drum, MLC, was sworn in as Minister for Sport and Recreation and Minister for Veterans' Affairs.

The Honourable Matthew Guy, MLC, was sworn in as Minister for Multicultural Affairs and Citizenship, and he retains his ministry of planning. The Honourable Russell Northe, MP, was sworn in as Minister for Energy and Resources and Minister for Small Business. The Honourable Nick Wakeling, MP, was sworn in as Minister for Higher Education and Skills.

For the information of honourable members, I will provide to the Clerk copies of the ministry list and a list of ministers responsible for portfolios in the Legislative Council and the Legislative Assembly.

DISTINGUISHED VISITORS

The SPEAKER — Order! Before calling for questions, I announce that we have a very distinguished group of people in the gallery. We have the Honourable Judy Maddigan, former Speaker; the Honourable Alex Andrianopoulos, former Speaker; and the Honourable John Delzoppo, former Speaker. We also have three former Legislative Assembly Clerks: Mr P. Mithen, Mr J. Campbell and Mr R. Boyes. Welcome.

QUESTIONS WITHOUT NOTICE

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Energy and Resources, who is also the Minister for Small Business. Can the minister confirm that on Friday, 21 March, he and the Deputy Premier issued a media release confirming that the government will provide high-pressure water hoses

to local Morwell residents and businesses to assist with the Hazelwood fire clean-up?

Mr NORTHE (Minister for Energy and Resources) — I thank the Leader of the Opposition for his question. Firstly it is an honour to be the Minister for Small Business, and I thank the former minister for the great work she has done in this portfolio over the preceding years. In terms of the question asked by the Leader of the Opposition, the government has put a range of measures in place to support the business community, and indeed the community of Morwell, with respect to a response to the Morwell mine fire.

For the information of the house, this fire started on 9 February and threatened the western end of the township of Morwell. On behalf of us all I thank the Country Fire Authority (CFA) personnel and volunteers, Hancock Victorian Plantations and industry firefighters who have done a marvellous job in responding to this incident. I remember very vividly being in my office on that Sunday and seeing the fire encroaching on the township of Morwell — and I was amazed to see the CFA personnel tackle the fire front-on. In respect of this particular incident, it is amazing that no homes were lost, no businesses were lost and no lives were lost, because it was a very scary day. It was said by the fire services commissioner that it was the most dangerous day since 2009 and the Black Saturday bushfires.

In response to this incident the government has put a whole range of measures in place. We have established a respite centre in Moe, in which hundreds of people have participated, and we have joined with not only departmental people but also the Red Cross and many other volunteers who have played an integral role in responding to this incident. The health assessment centre that was established in Morwell has been attended by over 2000 people over a period of time. Our thanks go to the paramedics, Latrobe Regional Hospital staff and Latrobe Community Health Service personnel.

District nurses have been involved in that health assessment centre, seeing over 2000 people. More than 5000 people have been the recipients of relocation and respite grants over this period of time. On top of the clean-up grants just referred to by the Leader of the Opposition, there is a \$2 million package to support clean-up measures. Also, from a small business perspective, \$2 million has been put into the business community. Auspiced by the Victorian Employers Chamber of Commerce and Industry, small businesses can access grants of between \$1000 and \$10 000. In addition, through Rural Finance, low-interest,

concessional-rate loans of up to \$100 000 are available to the small business sector.

In terms of the clean-up provisions, we are making sure that we are supporting the Latrobe City Council in the administration of the clean-up program. Again, we have provided funding to assist the council with the clean-up. It has come to government with a number of measures to support health and community care clients — those most in need in the community who are unable to conduct their own clean-up. We are making sure that we are offering professional cleaning services to those people, so that those in our community who are most vulnerable have the opportunity to have professional cleaners come into their residence to assist with the clean-up. That is not just the health and community care clients but also other members of the community who fall into the category of vulnerable persons.

Support is available to the remainder of the Morwell community through a number of products and services. The Deputy Premier has made it very clear that we have put a halt on pressure cleaning while we assess and analyse the asbestos component of that process. We will make further announcements with respect to the clean-up in due course.

Child protection

Ms RYALL (Mitcham) — My question is to the Premier. What action is the coalition government taking to further protect vulnerable children in our community?

Dr NAPHTHINE (Premier) — I thank the honourable member for Mitcham for her question. Protecting children from sexual abuse is of fundamental importance to our government and our community. The Victorian coalition government led the way by conducting an inquiry into the handling of child abuse by religious and other organisations. Led by Georgie Crozier, a member for Southern Metropolitan Region in the other place, the parliamentary Family and Community Development Committee tabled a groundbreaking report entitled *Betrayal of Trust* in November last year. This report recommended three major changes to our laws to better protect Victoria's children. The first of those has now been passed by both houses of this Parliament, and that is the law with respect to grooming. I thank members on all sides of the house for their support of that law being passed through the Parliament.

Today I can advise the house that the coalition government will be introducing legislation to create two new offences: firstly, the failure to disclose child sexual

abuse; and secondly, the failure to protect a child from sexual abuse. The Victorian coalition government is absolutely committed to protecting our children. The first new offence, the failure to disclose child sexual abuse, means that all adults in Victoria must report any suspected child sexual abuse directly to the police. That means all adults in Victoria have not only a moral responsibility but will now also have a legal responsibility to act to protect our children and bring perpetrators to justice.

The second offence applies to people in positions of authority and people in organisations that care for or work with our children. They will be obliged to ensure the safety of the children in their care. They simply cannot put the interests of alleged perpetrators ahead of those of child victims of sexual abuse. They simply cannot relocate alleged perpetrators to other positions in the organisation, to other parts of the state or even interstate or overseas. That will be totally and utterly unacceptable.

The era of cover-up and the era of silence is over. We must speak up to protect our children. That is what the report entitled *Betrayal of Trust* says. The report was groundbreaking work, and I thank Georgie Crozier and all the members of her committee from both sides of the house. I thank those people who made submissions to the inquiry, and I particularly thank those brave people who were victims of child sexual abuse who, years later, spoke up at the inquiry and made their views known so that the Parliament was better informed, so that our law-makers were better informed and so that we can now enact this sort of legislation. These laws are an important, positive step forward in protecting our children.

As I said before, we need people to speak up. We are now making it not just a moral issue; we are making it a legal issue that people who are adults in Victoria who have a reasonable suspicion that a child is being sexually abused must report that matter to the police so that the matter can be investigated, so that the child can be protected and so that the alleged perpetrator can be brought to justice. This is an important step forward, building on the great work done by the parliamentary committee. We must speak up to protect our children. These new laws are a positive step forward in protecting Victoria's children from sexual abuse.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Energy and Resources and Minister for Small Business, and I ask: when did the minister first become aware that the government's

high-pressure hose program, announced last Tuesday, could expose Morwell residents to deadly asbestos particles?

Mr NORTHE (Minister for Energy and Resources) — I thank the Leader of the Opposition for his question on this very important matter. As I have just outlined to the house, the government has undertaken a whole range of initiatives to support the community — our business community and the wider community — of Morwell and beyond. This is just one of many measures that we have adopted through the clean-up process. As I said, the clean-up process was put to us by Latrobe City Council and the community to ensure that we have a practical measure in place to support people in our community during the clean-up process.

As I said before, there are a whole host of other measures we have put in place, which I will not go on to talk about during the course of question time. It is very important also to understand the importance of making sure that our community will have a say in the future. One of the most important things we have done is to announce a board of inquiry that will go to the heart in finding out what occurred with respect to this particular incident. It will have a look at the regulations that exist with respect to the mine fire and the response of the agencies, which are required as a matter of course to conduct their own reviews and inquire into this particular incident. The board of inquiry will also look at the community response with respect to the mine fire.

Justice Bernard Teague has been appointed as chair of the board of inquiry, and I am sure all members of the house will support the notion of his taking up the position of chair of this board of inquiry. He did a fabulous job during the course of the Black Saturday bushfires inquiry and is respected in all circles. We take the board of inquiry very seriously, and expect it to make sure that we have measures in place and that everything was done in terms of responding to the fire itself. The inquiry covers all agencies, it covers all departments and it covers the owner of the mine, so they are very broad terms of reference which we have put in place to ensure that we get to the bottom of what occurred.

I am sure that with the panel of Professor John Catford, former Justice Teague and Sonia Petering, who is well known in Transport Accident Commission and Rural Finance circles, we have a board of inquiry, as has been announced, with broad terms of reference that will be able to plumb the depths in finding out what occurred

and making sure we do not see this type of situation happen again.

With respect to the question asked by the Leader of the Opposition, last Friday I attended an Order of Australia Medal ceremony with Vicki Hamilton from Gippsland Asbestos Related Disease Support, or GARDS, which does a fantastic job in relation to that. Once that became known publicly there were some concerns expressed. On the same day an announcement was made that high-pressure hoses would be withdrawn because of those concerns. That was what was said at the time.

I go back to my initial point that council came to us with the community with some ideas around clean-up, and the government is funding those clean-up provisions. Because of the concerns raised by GARDS and others, we have withdrawn the provision of high-pressure hoses from the clean-up at this point in time and will make further announcements in due course.

Hazelwood mine fire

Mr BLACKWOOD (Narracan) — My question is to the Minister for Regional and Rural Development. What is the coalition government doing to support the Latrobe Valley community in the wake of the Hazelwood mine fire?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for his question. Last Friday, as has already been indicated to the house, in company with the local member, who is also the Minister for Energy and Resources, I had the great pleasure of again being in Morwell to make a number of announcements regarding outcomes pertaining to the Hazelwood coal mine fire. Amongst those announcements was one dealing with the terms of reference and details of the persons who will comprise the board of inquiry. Those terms of reference are broad. In essence they are as follows.

Members of the board will inquire as to the origin and circumstances of the fire, including how it spread into the Hazelwood coalmine. They will also deal with the adequacy and effectiveness of the measures taken by or on behalf of the owner-operator and licensee of the Hazelwood coalmine to prevent the outbreak of fire; the application and administration of relevant regulatory regimes in relation to the risk of and response to the fire; and the response to the Hazelwood fire by the various stakeholders listed in the terms of reference.

The inquiry will be headed by the Honourable Bernard Teague, who had 21 distinguished years as a justice of

the Supreme Court of Victoria. He will be assisted by Professor Emeritus John Catford, a senior health professional and executive director of medical services at Epworth HealthCare. He was the chief health officer of Victoria from 1998 until 2002. The third member of the board will be Ms Sonia Petering, an experienced corporate lawyer, who since 1997 has been a member of the Transport Accident Commission board and since 1999 has been the chair of the Rural Finance Corporation. She was also an inaugural board member of the Bendigo Bank. She has broad experience of rural and regional Victoria and, as I said, she will be the third member of the board of inquiry. I wish the members of the board well in what will be a very significant undertaking on their behalf.

The secretariat will be based in Morwell. It will have all the resources available to it to enable it to do its job. It will have powers of investigation very similar to a royal commission, including the power to conduct examinations, to summon documents and to examine witnesses under oath. The board is being asked to report by the end of August.

While we were there the local member and I also launched the one-stop shop which has been established by the Latrobe City Council. This is a facility located in Hazelwood Road, where people are able to obtain a variety of items of clean-up equipment to enable them to remove ash and other residue arising from the fire. Of course for many people in the community, as has been so eloquently outlined by the member for Morwell, there are free services available, and the member in his ministerial role was thrilled to be able to be there to announce these measures with me.

One issue we referred to in a joint press release was that high-pressure hoses would be made available. That offer stands. What the council found though, through the agency of matters raised by Vicki Hamilton on behalf of Gippsland Asbestos Related Disease Support, or GARDS, was that there was a concern that were high-pressure hoses to be used in close proximity to asbestos sheeting that could inadvertently result in the asbestos sheeting being damaged. No-one wants that to happen. The council having developed this package and taken it to the government so that we would fund it to the tune of \$2 million, we decided in concert with the council that we would temporarily withdraw the use of high-pressure hoses while a protocol was developed by the council for their use. That is happening as I speak. It will be done, and I wish the people of Morwell well.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Energy and Resources and Minister for Small Business. I refer the minister to the extensive promotion in Morwell of the government's high-pressure hose program — —

Honourable members interjecting.

The SPEAKER — Order!

Mr ANDREWS — What is funny about that? What is funny about asbestosis?

The SPEAKER — Order! I call the house to order. The Leader of the Opposition, to continue.

Mr ANDREWS — What is funny about cancer?

The SPEAKER — Order! The Leader of the Opposition!

Honourable members interjecting.

Mr ANDREWS — Who has got the call here? A bit of protection or what — what is the go?

The SPEAKER — Order! I have called for order three times. I ask the Leader of the Opposition to continue with his question.

Mr ANDREWS — My question is to the Minister for Energy and Resources and Minister for Small Business. I refer the minister to the extensive promotion in Morwell of the government's high-pressure hose program, including media statements and newspaper, radio and television reports. Can the minister confirm that despite the program's suspension due to the risk of asbestos exposure, no public health warnings have been issued by the government?

Mr NORTHE (Minister for Energy and Resources) — I thank the Leader of the Opposition for his question once again. Might I say, we take safety very seriously over here. It does not matter whether it is people fighting these fires, people responding to these events or people responding to community needs, we take safety very seriously, and asbestos is a very serious issue. We know of the work that has been done by Gippsland Asbestos Related Disease Support (GARDS) in the Latrobe Valley over many years, and we have seen a great number of initiatives around asbestos and awareness of it for making sure that better information and kits are available for people with respect to dealing with asbestos over a period of time. Asbestos-related diseases are insidious for those who are affected by

them, and we have got to make sure we do the right things.

The Deputy Premier has just outlined the version of events which occurred, and we take very seriously the health issues related to asbestos. That is why, on the very day the concerns were raised with us by way of radio — and I spoke personally with Vicki Hamilton from GARDS — that particular program with respect to high-pressure hoses was withdrawn. The Deputy Premier, on that same afternoon — —

Honourable members interjecting.

The SPEAKER — Order! Members of the opposition will cease interjecting.

Mr NORTHE — Let us make it very clear: on that Friday afternoon when the Deputy Premier joined me at the information centre in Hazelwood Road, Morwell, he very diligently went through the issue with the media and with everybody in the room and said very clearly that the high-pressure hoses would be withdrawn from that point in time until there was further understanding and measures were put in place to deal with the clean-up activities in and around Morwell. You cannot get any clearer than that.

The Deputy Premier came out very strongly, very clearly, making sure that staffs of the council, the department, at the places people can walk into, such as the community information centre, or on the numbers people can ring, such as the 1800 phone number administered by Latrobe City Council, are all very aware that at this point in time the high-pressure hoses are not able to be used for that purpose, that they will be assessed going forward and that they have been taken away from the clean-up program. The Deputy Premier has come down to Morwell on a regular basis to say very clearly that that is the case. People working at the ground level through council and through the department are very aware of our position, and we will consider that into the future.

Child protection

Mr CRISP (Mildura) — My question is to the Minister for Community Services. Can the minister outline the coalition government's plan for the protection and safety of vulnerable children and young people in Victoria?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the honourable member for Mildura for his question and for his very important work on behalf of vulnerable children and families in his community. I am very pleased to inform the house

that today the coalition government and I as minister have released an out-of-home care plan over a five-year period and a funding package that will accompany that plan to enable it to be delivered. The coalition's new plan for out-of-home care will fundamentally transform the care provided, particularly to the more than 500 young people in residential care but also importantly to the thousands who are in foster care and kinship care.

By the end of this five-year plan, every young person in residential care will be in a therapeutic placement that appropriately and effectively addresses their needs. Research on therapeutic placement shows that it reduces risk-taking behaviour. It helps young people with a range of complex needs to engage more effectively with schools. Their health and wellbeing is improved and, importantly, they can work productively on getting their lives back on track.

From 2011 we had 40 therapeutic residential care placements, and by the end of this year we will have 152, and that will continue to grow over time. In fact Micaela Cronin, the CEO of MacKillop Family Services, in response to some of the issues we have been debating in this house over the last couple of weeks, is quoted in the *Herald Sun* as having said:

Building the safety and stability required to counter these gangs needs a therapeutic approach. All residential care homes should be resourced to operate at the therapeutic level.

And that is exactly what the coalition government is delivering.

At the same time as we are enhancing our therapeutic support, we are making sure that we are trying to reduce the number of young people in residential care so that they can be supported in therapeutic placements in home-based care, in foster care and in kinship care. The funding package that supports the delivery of this is \$128 million, which is a very significant investment that builds on and makes it a more than \$250 million investment under this coalition government in out-of-home care services specifically. There will be new residential care beds, including a new model of flexible secure care for the most vulnerable who need that option to be able to have a secure environment but on site and on location rather than always having to be moved.

There will be 100 new therapeutic home-based care placements and an upgrading of our workforce in residential care, so not only those who have the therapeutic placements but all young people in residential care have staff trained to provide them with the support they need to address the complexities and

the challenges they have had in their young lives. There are new IT systems to improve and monitor outcomes and also improve our reporting of incidents, and importantly further support for the incredible work that foster carers and kinship carers do across the board in our state. This is a very significant plan. It will make a very significant difference for young people who are the most vulnerable in our community. We know they have experienced abuse, neglect and a lot of trauma in their lives, and what we are doing is making sure they get a therapeutic response which enables them to address those complexities, address those challenges and get their lives back on track.

It is a coalition government that has taken the time to work this through, to work with the community sector, to work with the Commission for Children and Young People to come up with a plan that enables us not just to do more but to make sure we transform the system, think strategically, have a plan and drive the change that we need to so that children and young people now but also importantly into the future will be getting the care and support they need to address the issues of abuse and neglect that they have had in their childhoods and get their lives back on track for a productive future — and that is what we should wish for all young people in this state.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Energy and Resources and Minister for Small Business. I again refer the minister to a statement he issued with the Deputy Premier last Friday, the day the minister says the hose program was withdrawn. It states:

Residents doing their own cleaning will also be able to book a range of equipment ... including high-pressure cleaners for exterior surface cleaning.

I also refer to a copy of exactly the same press release which now appears on the Premier's website and The Nationals website in which this exact paragraph and all references to the government's high-pressure hose program have been deleted, and I ask: can the minister explain the discrepancy between the website and his last answer?

Mr NORTHE (Minister for Energy and Resources) — Again I thank the Leader of the Opposition for his question. I reiterate that we take very seriously the issues around safety and particularly around asbestos. Concerns about contact with asbestos have been a long-running issue in the Latrobe Valley, particularly for the generators. I repeat my earlier answer. On Friday when, with me, the Deputy Premier

attended at Hazelwood Road, Morwell, we talked to a number of local residents who, by the way, were very supportive of the measures the coalition government has put in place to assist with the clean-up activities in and around Morwell. At the time, in concert with the council and people from the department and with media in tow, the Deputy Premier made it clear what measures we were putting in place to assist with the clean-up activities in and around Morwell.

Those on the ground who are administering the program are acutely aware of the decisions being taken in respect of the high-pressure cleaning hoses and other clean-up activities. Indeed expert advice and information is being provided — —

Mr Andrews — On a point of order, Speaker, on relevance, the minister was asked to explain the discrepancies between his press release of Friday morning, apparent quotes made to the media in Morwell on Friday and doctored media releases on the Premier's website. That was the question, and it should be answered.

The SPEAKER — Order! The Leader of the Opposition knows that taking a point of order is not an opportunity to repeat the question or to debate it.

Mr NORTHE — I reiterate that on Friday afternoon the Deputy Premier announced the measures that we are putting in place in respect of the high-pressure cleaning hoses. There is information and expert advice available to all residents in respect of any of the clean-up activities they might want to take place. They can attend at the information centre in Hazelwood Road, Morwell, to pick up supplies to assist with the clean-up through self clean-up provisions or, if they are a health and community care client or a person within the community who does not have the capability to undertake their own clean-up, there is support available through the professional cleaning that the government is supporting and subsidising. Again, the council is administering this program — —

Mr Andrews — On a point of order, Speaker, the minister was asked to explain the obvious discrepancy between bragging about the program one minute, secretly cancelling it the next and doctoring the official record — —

The SPEAKER — Order! I ask the Leader of the Opposition to resume his seat.

Mr Ryan — On the point of order, Speaker, it is not in order because from the very factors that the Leader of the Opposition set out himself — on the issue of

relevance — that the press conference was conducted, the issue was accommodated — —

Honourable members interjecting.

The SPEAKER — Order! I remind all members that points of order will be heard in silence. I also remind all members that points of order are not an excuse for engaging in debate or repeating the question.

Mr Merlino — On the point of order, Speaker, this was a specific question about a discrepancy. The answer should be related to the very real public health concerns, the discrepancy and the cover-up by the minister and the Deputy Premier.

Ms Asher — On the point of order, Speaker, for the second time today the Leader of the Opposition has used a point of order to restate the question. It is not in order for him to do this, nor is it in order for the Deputy Leader of the Opposition to hurl abuse at the government and make a statement. I ask that you, Speaker, rule the point of order out of order.

Ms Allan — On the point of order, Speaker, in support of the Leader of the Opposition's point of order, standing order 58 directs ministers to answer questions in a factual and direct way. The minister was asked about important public safety issues, not about cover-ups in the interests of the government. We ask you to bring the minister back to answering the question that was asked.

The SPEAKER — Order! I believe the minister's answer was very relevant to the question that was being asked, and I do not uphold the point of order. I ask members once again to not use points of order to engage in debate or repeat questions.

Mr NORTHE — I reiterate what I said previously: that at the community information centre in Hazelwood Road, Morwell, where we have council staff and departmental staff and expert advice and information being provided to the community with respect to the clean-up provisions, it was appropriate on Friday to make sure that the high-pressure cleaning was withdrawn at that time. That is what we have done.

Regional higher education

Mr KATOS (South Barwon) — My question is to the Minister for Higher Education and Skills. How is the coalition government building a better Victoria by supporting students and investing in regional university campuses?

Mr WAKELING (Minister for Higher Education and Skills) — I thank the member for South Barwon for his question. It is a great honour to serve in this house as a minister, and at this point I would like to pay tribute to my predecessor, the Honourable Peter Hall.

The member for South Barwon has been a very strong supporter of this government's work in bettering vocational and university opportunities for Victorian students. I had the great pleasure last week of visiting the Deakin University Waurin Ponds campus in Geelong to officially open a new multimillion-dollar student accommodation facility. At that event I was joined by Sarah Henderson, the federal member for Corangamite; Darryn Lyons, the mayor of the City of Greater Geelong; Professor Jane den Hollander, the vice-chancellor of the university; and the member for South Barwon, who is a strong advocate for and a former student of Deakin University.

On that day I was very pleased to officially open the new facility, which saw the Victorian government investing \$10.2 million over two campuses — the Waurin Ponds campus and the Warrnambool campus — to deliver 411 student rooms. I was pleased to see that on the same day the Premier officially opened the new facility at Warrnambool. This demonstrates that the Victorian government can work with the federal government to help lever significant investment to deliver important accommodation for Victorian regional students. It will accommodate people from low-socioeconomic backgrounds through the national rental affordability scheme, providing for rent at 20 per cent below market rates.

On the day I had the opportunity to talk to many students. They told me of the significance of this new facility. Many are from regional Victoria, and they said that this is a great opportunity for them to study. Certainly the students that I spoke to on the day spoke very favourably of this investment by both the state and federal governments. Importantly research has shown that 70 per cent of students who study in regional Victoria go on to live and work in regional Victoria, and I think that is an important outcome for regional Victoria.

When I was in Geelong I had the opportunity to meet with representatives of the Gordon Institute of TAFE. The institute is doing some fantastic work for the Geelong region. Speaking about collaboration, the institute recently launched a new facility in Werribee in conjunction with Deakin University. It will be offering certificates, diplomas, bachelor degrees and associate degrees for students in the western suburbs. That is a

new initiative, and I congratulate Gordon and Deakin on this wonderful initiative.

I was reminded when I was at the Gordon of how this government has delivered for the institute. In fact when we came to government \$53.1 million was being invested by the former government in the institute. Today that figure is \$80.1 million — a 50 per cent increase in investment by this government on spending by the former government. But, and more importantly, it is not just about investment in terms of dollars; it is about ensuring that students have the opportunity to get a job. What we have seen is that there has been a 23 per cent increase in students who are training in those jobs where there is an identified skills shortage, which is helping to ensure that these students get a job as a consequence.

I am very pleased to have visited the Geelong region, and I am very proud of the work that this government is doing in higher education and skills.

Hazelwood mine fire

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Energy and Resources and Minister for Small Business. Can the minister explain why he had time to doctor a media release promoting high-pressure hoses in Morwell but did not have time to issue one single statement warning the people of Morwell that these hoses may expose them to deadly asbestos particles?

Mr NORTHE (Minister for Energy and Resources) — I thank the Leader of the Opposition for his question. I do not accept the premise of his question. I must also thank the previous Minister for Energy and Resources for his work in the portfolio. As I have already outlined to the house, the coalition government has undertaken a number of measures to support the Morwell community and the business community of Morwell through a range of measures, whether that be with respect to the establishment of a respite centre in Moe; whether it be a health assessment centre in Morwell, which over 2000 people have attended; whether it be through business grants that have been put in place through a \$2 million fund announced by the Premier, administered by the Victorian Employers Chamber of Commerce and Industry, where businesses can access grants from \$1000 to \$10 000; the availability of — —

Mr Andrews — On a point of order, Speaker, the minister was very directly asked about why he had not issued a statement to the people of Morwell. It is a simple matter, and I ask you to direct him to answer in

accordance with the standing orders. It is a simple question: why has he not said boo to the people of Morwell? He has lots to say here, but no warnings in Morwell.

The SPEAKER — Order! The Leader of the Opposition is continuously taking points of order and turning them into a repeating of the question or the making of a statement. The minister has been speaking for 1 minute. He is being relevant to the question that was asked.

Mr NORTHE — As I said, we have put a number of measures in place to support not only the general community but the business community as well. We have announced a number of clean-up provisions. As I mentioned in my earlier answer, last Friday the Deputy Premier and I visited Hazelwood Road, Morwell, and spoke with Latrobe City Council staff, departmental staff and community members who were absolutely thrilled with the measures put in place by our government with respect to the clean-up.

At that time the Deputy Premier also announced that we would be having another look at the high-pressure hoses to ensure that the safety of the community is protected and ongoing. So we will re-examine that particular provision, but we will not implement those measures until it is safe to do so. We are seeking expert advice on that through council and others who will administer the program on behalf of our community. I am proud of being part of a coalition government that is supporting our community through a very difficult time.

Public transport

Mr SOUTHWICK (Caulfield) — My question is to the Minister for Public Transport. How is the coalition government's investment in our public transport system helping to build a better Victoria and a better transport network for commuters?

Mr MULDER (Minister for Public Transport) — I thank the member for Caulfield for his question and for his strong interest in public transport. Last Tuesday I joined the Premier and the mayor of the City of Moreland, Lambros Tapinos, to announce a station precinct enhancement program. This is a great program for local communities and also for commuters. We know people want to live close to public transport.

This program will create in the order of 2000 new dwellings adjoining railway stations across the metropolitan network. It will also be great for the economy. It will generate \$1 billion worth of direct

investment, \$5 billion worth of economic stimulus, create 3000 project delivery jobs, 5000 indirect jobs and up to 800 commercial and retail jobs.

The great thing about the program is that there is no call on the public purse to get this great outcome. People who live near these projects will have the ability to live close to public transport, get a train from 6 o'clock until the last train at night, seven days a week, with protective services officers patrolling the areas where they live. It is a fantastic outcome.

There will be new hubs for buses, new station forecourts, accessible ramps, walkways, landscaping, bicycle cages, and connecting bike paths to these particular precincts. It is great news for people who use the following stations: Alphington in the seat of Northcote, Collingwood and East Richmond in the seat of Richmond, Essendon in the seat of Essendon, Jewell in the seat of Brunswick, Watsonia in the seat of Bundoora, West Footscray in the seat of Footscray, and Ringwood, Hampton and Windsor. It just goes to show the major level of neglect that was present in Labor government-held seats at the last election. Those seats have the most neglected and run-down stations, and we are putting a lot of money into and emphasis on those stations.

The great thing about this is that the profits that come from these projects are delivered and directed straight back into public transport outcomes. It means looking after the buildings that VicTrack controls — somewhere in the order of 1500 buildings — and around 150 of those are heritage buildings. We are putting the profits they generate back into public transport, which means looking after the telecommunications network, looking after the open fibre, looking after pedestrian crossings and upgrading level crossings. That is the work that this money will be directed to, and it is a great outcome for public transport.

The Property Council of Australia had some comments on this issue:

By opening these key sites to investment, the government is enabling the private sector to do what it does best — invest, employ and grow the economy.

What a great endorsement. When the Premier and I stood at Jewell station, Mayor Lambros Tapinos said:

... we think that it's a great project and we welcome the state government's announcement today.

And it is a great project.

I moved on from there to Bombardier, where, with the Premier, I announced a further three rail cars on the back of the order for 40 that we had already made. How can we do this without going back to Treasury? It is because we managed the original investment so well that we were able to put those savings back into an order for three additional rail cars. As the people from Bombardier pointed out, this will secure 70 jobs.

It is a great project that supports the regional rail link. The member for Lyndhurst, who is the former Labor government's Minister for Public Transport, was the only knocker of this outcome, which is three new rail cars. This is a manufacturing hub in his own electorate, and he is out there bagging a government investment in manufacturing jobs — —

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

OMBUDSMAN

The SPEAKER — Order! I wish to advise that on 19 March I administered to Deborah Anne Glass, the Ombudsman, the oath required by section 10 of the Ombudsman Act 1973.

CRIMES AMENDMENT (PROTECTION OF CHILDREN) 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 Crimes Act 1958, the Working with Children Act 2005, the Children, Youth and Families Act 2005 and the Serious Sex Offenders (Detention and Supervision) Act 2009 in relation to the sexual abuse of children and for other purposes.

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

Mr CLARK (Attorney-General) — This is a bill to introduce the new offences referred to by the Premier during question time: namely for persons who fail to take action when they know there is someone associated with an organisation who poses a risk of sexually abusing children or fails to provide relevant information to police if a person knows or believes that a child has been sexually abused.

Motion agreed to.

Read first time.

JUSTICE LEGISLATION AMENDMENT BILL 2014

Introduction and first reading

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

That I have leave to bring in a bill for an act to amend the Country Fire Authority Act 1958, the Emergency Management Act 1986, the Emergency Management Act 2013 and the Emergency Services Telecommunications Authority Act 2004 and for other purposes.

Mr PAKULA (Lyndhurst) — I ask the Minister for Police and Emergency Services for a brief explanation of the bill.

Mr WELLS (Minister for Police and Emergency Services) — The bill introduces a number of amendments, including the Country Fire Authority moving to a skills-based board and removing the need for local government to designate fire refuges.

Motion agreed to.

Read first time.

CRIME STATISTICS 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 provide for the publication of crime statistics and the employment of a chief statistician for that purpose, to amend the Commissioner for Law Enforcement Data Security Act 2005 and for other purposes.

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

Mr WELLS (Minister for Police and Emergency Services) — This bill will provide for a stand-alone crimes statistics agency so Victorians can have confidence in the release of crime statistics.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 10 to 19 will be removed from the notice paper unless

members wishing their motion to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petition presented to house:

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 the 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 don't require referral.

By Mr TREZISE (Geelong) (8 signatures).

Tabled.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 4

Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 4 of 2014* on:

Corrections Amendment (Further Parole Reform) Bill 2014

Mental Health Bill 2014

Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014

Victoria Police Amendment (Consequential and Other Matters) Bill 2014

Vexatious Proceedings Bill 2014

Witness Protection Amendment Bill 2014

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS**Tabled by Clerk:**

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit of Environmental Management Systems in Victorian Government 2012–13

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over the Lorne Foreshore Reserve

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 2 (*Gazette G12, 20 March 2014*)

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

Campaspe — C100
 Cardinia — C181
 Casey — C91, C191
 Central Goldfields — C25
 Corangamite — C34
 East Gippsland — C116
 Greater Bendigo — C183, C189
 Greater Geelong — C304
 Maroondah — C88
 Melbourne — C142
 Mildura — C64
 Moonee Valley — C108
 Moorabool — C6 Part 2
 Moreland — C128
 Mornington Peninsula — C155, C175, C195
 Port Phillip — C78
 Stonnington — C109
 Surf Coast — C66, C79, C95
 Wellington — C81
 Whitehorse — C156
 Wodonga — C111
 Wyndham — C182, C205
 Yarra — C117.

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

Sustainable Forests (Timber) and Wildlife Amendment Act 2014 — Part 1, ss 4(3), 5, 7 and 13, Part 3 and Part 5 — 14 March 2014 (*Gazette S72, 11 March 2014*)

Tobacco Amendment Act 2013 — Whole Act — 1 April 2014 (*Gazette S81, 18 March 2014*).

ROYAL ASSENT**Message read advising royal assent to:****18 March**

**Corrections Legislation Amendment Bill 2013
 Drugs, Poisons and Controlled Substances
 (Poppy Cultivation and Processing)
 Amendment Bill 2013**

Small Business Commissioner Amendment Bill 2013

Summary Offences and Sentencing Amendment Bill 2013

Travel Agents Repeal Bill 2013

25 March

Legal Profession Uniform Law Application Bill 2013.

APPROPRIATION MESSAGES

Message read recommending appropriation for Transport Legislation Amendment (Further Tax Reform and Other Matters) Bill 2014.

RESIGNATION OF LEGISLATIVE COUNCIL MEMBER

Hon. Peter Hall

The SPEAKER — Order! I have received the following letter from the Governor, dated 20 March 2014, addressed to me:

I write to advise that the Honourable Peter Hall, MLC, called on me on Monday, 17 March 2014, and handed me his letter of resignation as member of the Legislative Council for Eastern Victoria, effective from that date. It seems that section 27A of the Constitution Act 1975 requires a joint sitting of the Council and Assembly to fill this vacancy.

I have advised the President and the Premier in like terms.

I enclose a copy of Mr Hall's letter for your records.

PARLIAMENTARY COMMITTEES**Membership**

The SPEAKER — Order! I have received the resignations of Mr Shaw and Mrs Peulich, MLC, from

the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, effective from 20 March 2014 and today respectively; Mr Northe from the Electoral Matters Committee, effective from 14 March 2014; Mr Bull from the Environment and Natural Resources Committee, effective from 19 March 2014; Mr O'Brien, MLC, from the Family and Community Development Committee, effective from today; Mr Drum, MLC, from the Rural and Regional Committee, effective from 24 March 2014; and Mr Newton-Brown and Ms Hennessy from the IBAC Committee, effective from 21 March 2014 and today respectively.

Ms ASHER (Minister for Innovation) — By leave, I move the following motion for the appointment of members to joint investigatory committees:

That:

- (1) Mr Delahunty be appointed a member of the Electoral Matters Committee;
- (2) Mrs Powell be appointed a member of the Family and Community Development Committee; and
- (3) Ms Kanis and Mr Kotsiras be appointed members of the IBAC Committee.

Motion agreed to.

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 Wednesday, 26 March, or Thursday, 27 March 2014, 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, 27 March 2014:

Children, Youth and Families Amendment (Security Measures) Bill 2013

Corrections Amendment (Parole) Bill 2014

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014

Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014

Transport (Safety Schemes Compliance and Enforcement) Bill 2014

Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014

Water Amendment (Water Trading) Bill 2014.

I will make a couple of comments in relation to the government business program. There are seven items on the program. I note that in the last term of the Labor government seven items were frequently on the government business program. On 11 occasions there were seven items on the government business program; on 11 occasions, five items; and on 10 occasions, six items. As I looked over the number of bills that were introduced by the previous government, it seemed to me that seven items was a reasonable workload for the house. I do not want to do anything onerous, because I know those opposite would complain over an onerous workload. I believe this is reasonable.

It is particularly reasonable because we have already seen two bills on the Assembly program debated in the Legislative Council. There was very little debate in the Legislative Council on two of the bills that are before the house today — that is, the Corrections Amendment (Parole) Bill 2014 and the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. I acknowledge that the Legislative Assembly may have a different approach from that of the Legislative Council, as is our right. I completely acknowledge that, but we saw that there was little debate in the Legislative Council on these bills. There was no committee stage on those two bills; in fact, there was very rapid debate in relation to them. These bills were handled expeditiously in the Council, so it is not unreasonable for me to assume that they can be handled reasonably expeditiously in this chamber.

The process will not be an exact replica; the houses are different, and every member is entitled to make comment. I would think, given that the opposition indicated it was in favour of two of the bills that have already been handled by the upper house, that those bills could be handled quite expeditiously here. That would allow greater time for debate on the remaining bills. However, I am always open to a discussion with the manager of opposition business about Labor's preferred allocation of times. I hope I have been quite reasonable in my approach to that.

As has already been indicated, there will be a joint sitting on Wednesday at 6.15 p.m. to swear in the new member replacing the former Minister for Higher

Education and Skills, the Honourable Peter Hall. I also indicate at this point of the debate that, as members would have seen, there will be three second-reading speeches in the lower house and two in the upper house this week. Again I thank the manager of opposition business for giving leave to allow for the incorporation of second-reading speeches. This will mean that these three second-reading speeches will be expeditiously incorporated into *Hansard* on Wednesday and will not occupy very much time at all on the government business program.

I also understand — again subject to vagaries of proceedings and to how the upper house wishes to handle business — that the Legislative Council will be handling an amendment or two to the Mental Health Bill 2014. We had a debate on this in a consideration-in-detail stage on the last sitting day. The government will propose amendments to that bill, which is before the upper house, and they will of course come back to this house. I have indicated to the manager of opposition business that while we are prepared to move a postponement of this debate until later this day, if the opposition would like to proceed with handling those amendments, the government would be more than happy to do so in the Assembly this week.

Obviously if the opposition has an objection to that method of handling the amendments, we can look at debating them next week. I will do whatever the Labor Party wishes on the matter of the amendments, which of course were not able to be part of the government business program this week. I am more than happy to accommodate what the opposition wishes to do. If the opposition wishes to handle the amendments this week, that is fine by the government; if it would like to defer consideration, that is fine by the government. The program contains a reasonable workload, and I urge the opposition to support the government business program for once.

Ms ALLAN (Bendigo East) — Let us recall those words from the Leader of the House — that she will do ‘whatever the Labor Party wishes’. I welcome that invitation from the manager of government business. I think that is a great move forward from her in terms of progressing the government business program for this week. If she starts every government business program debate with those words, the program may have a smoother passage through the house.

However, I note that the Leader of the House made comments around the amendments to the Mental Health Bill 2014. In addressing the government business program motion moved this afternoon, the

Leader of the House made reference to the Mental Health Bill, which is before the upper house and which we anticipate, as a result of house amendments being made in that chamber, will come back to our chamber for further consideration. The Leader of the House made much of, and is desirous often of, having things dealt with expeditiously in this chamber. This bill would have been dealt with expeditiously if the government had accepted the amendments put forward when it came before this house last sitting week — if it had moved them through at that point in time rather than trying to save face for the embattled Minister for Community Services.

We know that the Minister for Community Services has been awfully distracted in recent weeks and months. She has been focused more on saving her own political skin than on addressing important issues before the Parliament. This issue was highlighted by the opposition during the last sitting week, and it could have been dealt with expeditiously at that point in time. The embattled Minister for Community Services rejected that opportunity, and now time is being taken up in the upper house — and most likely subsequently in the lower house — to make these amendments. We hope that other ministers do not follow the practice of the embattled Minister for Community Services and recognise — as the minister for WorkCover did previously in relation to a bill that was before him for consideration — that the opposition can make reasonable and sensible amendments that could be accepted by the government, should it choose to do so.

As the Leader of the House said, there are seven bills on the government business program. It is interesting that the Leader of the House has been doing some research. She is quite obsessed with Labor’s time in government, and she is spending a lot of time looking at the good work we did. She mentioned that there were often seven bills on the government business program under the Labor governments. Can I say that it has not been a feature of this government to have seven bills on the business program. It is now a feature because, as we know, the government business program continues to be backed up to billyo. This is the legacy of problems that were caused in the two weeks over the last couple of months when the government did not have a business program in place and the Parliament was thrown into chaos and crisis. That is why we have seven bills this week, as we have had previously — because there is a significant backlog in the government business program.

However, there is one bill that is of particular concern to the opposition — a bill that has significant revenue implications; a bill that would have addressed issues

that have been raised in the community by the fire services property levy that was introduced by this government — and that is of course the State Taxation Legislation Amendment Bill 2014, which is not on the government business program this week. That is of concern to the opposition because this is an important bill.

Once again this bill has not appeared on the government business program. We had the farcical situation in the last sitting week where it was on the program, then it was off the program, all at the behest of the member for Frankston, who as the Leader of the House has already told us calls the shots when it comes to this government. We wonder whether he has ticked off this government business program as well and that is why the state taxation bill is not on the program once again. I wonder how the Treasurer is explaining to his colleagues and to other people the revenue hole this is blowing in his budget. I guess we will find out more in a month or so, when it comes to budget time.

Finally, I once again acknowledge the reform of the second-reading speeches being incorporated. The Leader of the House thanked us for our facilitation of this process. We would like to thank her for taking on our idea and recognising that it was a good idea. We always welcome our good ideas being picked up. With those few comments and with our concerns around the state taxation bill not being part of the program, the Labor opposition will not be supporting the government business program.

Mr TILLEY (Benambra) — Why am I not surprised at the lugubrious contribution of the member for Bendigo East? I will make my contribution very short, simple and concise. I rise in support of the motion moved by the Leader of the House. This is a more than manageable business program, with seven bills. I say once again, paying credit where credit is due, that my opposite number, the Opposition Whip, and I have discussed how after this motion goes through the smooth running of the house is assured. I think the Opposition Whip, from the negotiations that we conduct from time to time, would do a far better job than the manager of opposition business of seeing a thoroughly smooth program for the Assembly. With that, I support the motion moved by the Leader of the House. Let us get down to business.

Mr PALLAS (Tarneit) — I rise to oppose the government business program, and in so doing I want to reinforce the basic message that for a smooth flow of legislation the government needs to have a consistent legislative regime and the bills introduced into this place need to move within a reasonable period of

expectation through the processes of scrutiny and debate. They should neither be moved quickly nor be delayed to a point where their continued tenure as bills before this place is brought into question.

What we have effectively heard from the Leader of the House is that it is not unreasonable to expect that bills can be dealt with reasonably. But what is unreasonable is that a bill has disappeared off the government business program, and it deals with matters that are very substantial — matters that go not only to substantial amounts of revenue that the government seeks to garner but also to issues of principle.

Mr Morris — On a point of order, Speaker, the debate on the government business program is about the government business program, not about the hundreds or perhaps thousands of other matters that could be on the government business program but are not. I ask you to bring the member back to the matter under discussion.

The SPEAKER — Order! I do not uphold the point of order at the moment. I believe the member for Tarneit was coming back to the government business program.

Mr PALLAS — I am, yes; thank you, Speaker. An appreciation of the actions that the government seeks to initiate in this program can only be viewed through the milieu and the context of the omissions in this program. They go very much to the attitudes and the disposition that the opposition brings to this debate around the appropriateness of the government's business program. What we see is a government program of some seven items. I think the member for Bendigo East adequately described it as 'backed up to billyo'. If this was plumbing, it would be in serious need of repair. Essentially what it tells us is that this is a government that has failed to effectively manage the smooth flow of legislation through this place and that has failed to deal with bills that are critical. As the member for Benambra said, it is a 'more than manageable business program', which is seen for its deficiencies, for what it lacks, rather than for what it incorporates.

This place is capable of dealing with a government business program, but not one that is both shambolic and illustrative of the blind panic that seems to underpin every daily action that this government takes before this place. We continue to see a government that expects the opposition to support and manage its business program, when what this government fails to do is manage its own business program and bring bills before this place and move them through this place in a timely and reasonable fashion. That failure goes very much to the

heart of the frustration and dissatisfaction that the opposition has had and continues to have with the government's failures in this respect. You cannot simply look at the bills before this place and say that they are sufficient to justify support or otherwise for a government business program. You must look at the overall management that this government has brought to its legislative agenda in a broader and more fulsome context.

Those failures are quite telling, perhaps no more telling than the fact that we have had the Leader of House tell us that the government intends at some point to bring amendments to the Mental Health Bill 2014 into this place after they have been considered by the upper house, when the government had the opportunity to make those amendments in this place through the consideration-in-detail stage. What this government has done is once again demonstrate its inflexibility and its inability to address issues of substantial concern that go to a capacity to engage the opposition around its government business program and more importantly to engage the Victorian people around the substantial nature of the issues that it has put not only on the business program but on the public agenda, and those issues need to be adequately dealt with.

If the government wants a smooth flow of legislation, it must be consistent in that which it introduces and ultimately moves through this place. For bills to disappear and for there to be processes to effectively have this place subverted as an appropriate forum for moving amendments in favour of the upper house, is inappropriate. On that basis I oppose the government business program.

Mr CRISP (Mildura) — I rise on behalf of The Nationals to support the government business program. It is a program that has a number of bills on it. They include the Children, Youth and Families Amendment (Security Measures) Bill 2013. Surely in this house there can be no objection to the amendments proposed in this bill and those that were flagged earlier. The Corrections Amendment (Parole) Bill 2014 deals with the Julian Knight affair, and the less said about that the better at this stage. Another is the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014, and red tape is something I am sure we all want to see unwound. Again I can see that there should be little objection from the opposition to that bill.

There is also the Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014. This is a straightforward bill but again it is tightening up on how serious sex offending matters are dealt with, something I am sure this house would universally

support. The program includes the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. This is about harmonising and enacting some national legislation, which is something I am sure everyone would welcome.

The program also includes the Water Amendment (Water Trading) Bill 2014, which is very close to the hearts of The Nationals. Water is the lifeblood of the north and the east and is extremely important to those we represent. The bill allows for some more flexible trading and the availability of future allocations, and that is something that needs to be done. It needs to be done reasonably soon, as the water trading season traditionally begins on 1 July. If the government is going to make any changes, the water industry and the people I represent would very much like to know well in advance about those and have them enshrined in law.

Having listened to speeches of the member for Bendigo East and the member for Tarneit, I am confused. If the aim, as they stated, is to seek the smooth flow and capable management of bills in this house, then they are certainly going about that the wrong way. Opposing the government business program does exactly what they say they do not want to do. There is a word for that, and it is hypocrisy. This will be the last time I undertake this task, as the member for Lowan is going to take over as Nationals Whip in the house. With the Speaker's indulgence, I would like to thank the other whips and the Leader of the House; I have had a lot of fun doing this job over the last three and a bit years. No doubt members will be well taken care of by the member for Lowan.

Mr McGUIRE (Broadmeadows) — There have been some developments in the approaches made by the Leader of the House. I think we on this side of the house were all delighted to see that she made the proposition, 'I will do whatever the Labor Party wishes' in an effort to provide greater cooperation. That is appreciated on this side of the house. I also note that the incorporation of second-reading speeches is an initiative that has been put on the table. I particularly remember in a previous contribution saying to the Leader of the House as the Minister for Innovation that this would be a worthwhile innovation that would take the business of the house into the modern era. That has occurred.

The Labor Party has also gone to a couple of the key concerns we have. One is with the Mental Health Bill 2014, which went through this house. There was an opportunity at that time to have leadership on this issue because the critical point that I and others were deeply concerned about was how to provide the best scrutiny,

accountability and, most importantly, compliance for young people who are vulnerable. I say this in the context of the way we have seen systemic failure in different areas through the betrayal of trust and the way we take care of children. This bill makes provision for children who are 12 and younger to have electroshock therapy. It was raised at that time that we should have the best regime we can possibly have, and my view has been that that should be through scrutiny within the Parliament and then by the media. I think that is important.

We have been told now that this legislation will be looked at in the upper house and then it will come back to this house for further scrutiny. I place on the record that my argument was about what is in the best interests of vulnerable children. We were hoping the last time we had this debate that that would be taken up. It was not. It was an opportunity missed, as I said during my contributions. But let us see if we can redress that issue when the bill comes back to this house before the end of this week. I think that would be clearly in the public interest and not a matter of politics; this issue is too important for us to play politics with it. Let us get a regime in place that is in the best interests of some of our most vulnerable citizens. Even when you believe there has been systemic change, too often we can all be disappointed and we can all see the failures that have occurred. I say that in reference to a number of different areas of administration, both government and non-government. These failures have only been too plain and painful for us all to observe over the last couple of years.

The other bill the opposition is taking exception to is the State Taxation Legislation Amendment Bill 2014. What is at the heart of the issue there is not just the income and the revenue to be raised but also the stability of government. The fact that the bill has been on the notice paper and then has been withdrawn and is not on it again this week goes to the issue of stability and certainty. That has been something that the opposition is concerned about, and again we raise our deepest concerns because it goes to the whole proposition of government business.

Mr Morris — On a point of order, Speaker, again the opposition is taking the discussion to areas that have absolutely no relevance to this debate. If we are going to go down the track of talking about everything that is not on the government business program, we could potentially spend the entire week debating the program.

The SPEAKER — Order! I uphold the point of order. I ask the member to come back to speaking on the government business program.

Mr McGuire — On the government business program, as I was framing it, there are issues about not just scrutiny, accountability and compliance — I have dealt with those — but also about the stability of the administration in Victoria. This is a fundamental proposition that needs to be addressed. We have seven bills on the business program. I do not think they are onerous — we will take care of those — but it goes to the greater understanding of the community about stability. That is what people want from government, and that is why I raise this point and why it is pertinent to this debate. It goes to whether we can have certainty about bills being passed by this house, and the answer is: no. Why is that? The State Taxation Legislation Amendment Bill 2014 is emblematic of that proposition, and that is why I raise it in debate on this motion. For those reasons the Labor Party will be opposing the government business program.

House divided on motion:

Ayes, 43

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

Noes, 42

Allan, Ms	Howard, Mr
Andrews, Mr	Kairouz, Ms
Barker, Ms	Kanis, Ms
Beattie, Ms	Knight, Ms
Brooks, Mr	Languiller, Mr
Campbell, Ms	Lim, Mr
Carbines, Mr	McGuire, Mr
Carroll, Mr	Madden, Mr
D'Ambrosio, Ms	Merlino, Mr
Donnellan, Mr	Nardella, Mr
Duncan, Ms	Neville, Ms
Edwards, Ms	Noonan, Mr
Eren, Mr	Pakula, Mr
Foley, Mr	Pallas, Mr
Garrett, Ms	Pandazopoulos, Mr
Graley, Ms	Perera, Mr
Green, Ms	Richardson, Ms

Halfpenny, Ms
 Helper, Mr
 Hennessy, Ms
 Herbert, Mr

Scott, Mr
 Thomson, Ms
 Trezise, Mr
 Wynne, Mr

Motion agreed to.

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

The SPEAKER — Order! I have received the following message from the Legislative Council:

The Legislative Council acquaint the Legislative Assembly they have agreed to the following resolution:

That this house meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Peter Hall and proposes the time and place of such a meeting to be the Legislative Assembly chamber on Wednesday, 26 March 2014, at 6.15 p.m.

with which they request the agreement of the Legislative Assembly.

Ordered that message be taken into consideration immediately.

Ms ASHER (Minister for Innovation) — I move:

That this house meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Peter Hall and, as proposed by the Legislative Council, agrees that the place and time of this meeting be the Legislative Assembly chamber on Wednesday, 26 March 2014, at 6.15 p.m.

Motion agreed to.

Ordered that message be sent to Council informing them of resolution.

MEMBERS STATEMENTS

Major events

Ms ASHER (Minister for Tourism and Major Events) — The coalition government is committed to supporting the Victorian major events industry, which injects \$1.4 billion into Victoria's economy and attracts tourists from interstate and overseas. That helps support our retail, hospitality and tourism industries. It also provides employment for over 3300 people and investment opportunities. I am delighted to advise that two relatively new major events to the calendar, the Australian Goldfields Open snooker tournament and the Ironman Asia-Pacific Championship Melbourne, have been renewed. The Australian Goldfields Open,

which was first held in 2011 and was secured by this government, will return to Bendigo in 2014 and 2015. It is the only Australian event on the World Snooker Tour.

The Ironman Asia-Pacific Championship, which had its inaugural race in 2012 — obviously another event secured by the coalition government — has been renewed for 2015 and 2016. These events provide an economic boost to the local tourism industry and provide significant international broadcast exposure for Victoria — in the case of Bendigo in relation to the snooker event and for Frankston and Melbourne bayside in relation to the Ironman event. Victoria has had success over many years in its major events program. It is very important to renew the program, and the coalition has been doing so.

Huntly pedestrian safety

Ms ALLAN (Bendigo East) — Huntly is a delightful and growing community to the north of Bendigo. The very busy Midland Highway passes through the town, and increasing traffic and the lack of a safe pedestrian crossing are causing concern in the local community.

Last Wednesday I was very pleased to join with Kathryn Stanislawski, Huntly Primary School principal Craig Burnett, City of Greater Bendigo councillors Peter Cox and James Williams and other parents and their children in Huntly to discuss their concerns about the lack of a safe crossing across the highway. Kathryn has initiated a petition that is being circulated widely in the local community calling for the installation of a pedestrian crossing somewhere across the Midland Highway. I am pleased to support this petition and call for a pedestrian crossing in Huntly. The Huntly Primary School and Huntly Kindergarten are attracting more students who need a safe crossing as more young families move into the area. Older residents also feel anxious when they are crossing the highway, which carries many cars and trucks, particularly through to northern Victoria. I would like to thank Kathryn for her efforts in organising the community and for highlighting the community concerns about not having a safe crossing.

In addition to raising the issue in Parliament I undertook to the group that I would write to the Minister for Roads. I have also offered to accept the petition on behalf of the community when the collection of signatures is completed in the near future. I look forward to having further discussions about this important issue.

Marong emergency services complex

Mr WELLS (Minister for Police and Emergency Services) — It was an honour to open the new Marong Country Fire Authority (CFA) fire station and State Emergency Service (SES) building complex on Sunday, 16 March. This project was a joint initiative between the CFA and the Victorian SES. I was joined by two members for Northern Victoria Region in the Council — Amanda Millar and Damian Drum — and local Liberal candidates Greg Bickley and Jack Lyons. I take this opportunity to thank them for the hard work they do in making representations on behalf of the SES and the CFA. This complex will see Marong become a new hub for emergency service management in Bendigo's booming west and will allow for more effective collaboration and coordination between SES, CFA and other emergency services during emergencies. The Victorian coalition government has continued its commitment to strengthen Victoria's emergency services in this particular area. To date 113 stations have been completed, including three co-located SES facilities.

I want to make one thing perfectly clear. Contrary to a recent misleading letter to the editor in local Bendigo media, this project in Marong to replace its ageing 45-year-old facility was developed and delivered by the Victorian coalition government in its first term of office. The member for Bendigo East had 11 years under the previous Labor government to upgrade this facility and, as usual, she failed to deliver.

Wally Curran

Ms BEATTIE (Yuroke) — I stand to pay tribute to the great Wally Curran. Wally was the embodiment of true commitment and passion for the rights of workers. His years of service to the union movement are testament to the dedicated manner with which he pursued an ongoing battle for a better deal for workers. He joined the former Meatworkers Union in 1954, and served as its assistant secretary for 16 years before taking on the role of secretary from 1973 until 1997. Amongst the many achievements he delivered during his service was the long and ultimately successful fight to provide for superannuation for meatworkers. He campaigned tirelessly for improved safety standards which brought about the introduction of life-saving equipment that is still used in the meat industry today and which has saved the lives of numerous workers. His legacy and achievements will continue to add value to the union movement for many years to come. He also actively campaigned for and delivered the Meat Market Craft Centre at the site of the old and at the time

disused Metropolitan Meat Market in North Melbourne back in 1979.

Wally was a straight-talking mentor to many within the labour movement, including me, and his loss will be felt far and wide. To Wally's partner, Kay, his daughters, Lisa and Cyndy, and his grandchildren I offer my sincere condolences. Vale Wally Curran — a great unionist, a wonderful mentor, a true friend and a true comrade.

Julie Aldous

Dr SYKES (Benalla) — Congratulations to Julie Aldous on winning the Rural Industries Research and Development Corporation's Victoria rural women's award for 2014. Julie teaches agriculture to school-based apprentices at Mansfield Secondary College. Julie's enthusiasm is infectious. She has gained the support of many local farmers who help provide hands-on experiences to her students. I am sure that Julie will use the \$10 000 bursary to further her leadership skills and to further promote agricultural education in our schools. It was wonderful that Julie's three adult children were present to celebrate her achievements. Well done Julie.

Benalla RSL film screening

Dr SYKES — I thank local World War II veterans and current serving member Corporal Louis Van Der Heyden from Mansfield, for their presence at the showing of the film *Railway Man* at Benalla. It was shown to Benalla secondary school students and to the public. Our young people and people in the broader community now have a much greater appreciation of the price paid by our servicemen and women and their families for the freedom that we enjoy today. Lest we forget.

Upper Kiewa Valley Lions Club

Dr SYKES — I also congratulate members of the Upper Kiewa Valley Lions Club on celebrating their 50th anniversary recently. The members of the club are very much givers, as are members of the community in the Upper Kiewa Valley and throughout regional Victoria.

Falls Creek mountain bike trail

Dr SYKES — Whilst I was in that neck of the woods I opened the mountain bike trail for Falls Creek and managed to do a face plant coming down, much to the amusement of the locals.

Doreen and Mernda schools

Ms GREEN (Yan Yean) — This morning Doreen and Mernda, which have the fastest growing postcode in Victoria and Australia, finally got some good news. I thank the Leader of the Opposition and the shadow Minister for Education for one of the many visits they have made to assist me in my advocacy for that local community to have a fully functional secondary college in that postcode.

Labor's \$10 million pledge will fund the construction of the next stage of Hazel Glen College — this follows on from Labor's funding of the land purchase in 2010 — which was put on hold by this minister upon the change of government.

Honourable members interjecting.

Ms GREEN — Had Labor been elected in 2010, we would have a fully functional high school right now, but as usual the minister is not listening — he is interrupting. The minister needs to stop interrupting, look at the brief on his desk and confirm the governance structure for this school. Eight weeks out from when the parents need to make a decision about grade 6 there is no governance structure for what should be a K–12 school and no principal has even been appointed. Currently teenagers are running the gauntlet of underfunded school buses, dangerous bus stops — —

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

Don Smith

Ms RYALL (Mitcham) — On Monday, 17 March, my wonderful and loving father, Don Smith, passed away. On behalf of my family I would like to extend our appreciation to the incredible medical expertise of Professor Hatem Salem, Associate Professor Paul Coughlin and Dr John Lubel, who cared for my father during his battle with myelofibrosis. Don often spoke of how his doctors were so committed to keeping him alive, and indeed they did.

While not a guarantee, the clinical trial gave us, his family and friends, years extra to enjoy his wonderful company and create many special times. We also thank members of Monash University's eastern clinical research unit, including Lesley Poulton and Claire Gollogly, for their love and support. When Don was diagnosed with prostate cancer a further wonderful team treated and supported him. Our appreciation goes to Mr David Angus, Dr Daryl Lim Joon and Associate Professor Mathis Grossmann.

Ringwood Private Hospital

Ms RYALL — The care and support provided to my father, Don, and my mother, Marion, during my father's extensive radiotherapy as both an inpatient and an outpatient at Ringwood Private Hospital were second to none. The nursing team, as well as his oncologist, Dr Lionel Lim, helped him at every stage of his care. We thank Heather Dunning for her regular visits, which filled his days with positive messages, words of hope and a shoulder.

Epworth Eastern Hospital

Ms RYALL — To the Epworth Eastern Hospital oncology day unit team and to the nursing, catering and cleaning staff of ward 4 south oncology: where would we have been without you? You brightened every day and provided comfort, reassurance and a warmth that was so important.

Allan Whittaker commemoration

Mr FOLEY (Albert Park) — Allan Whittaker died on Australia Day in 1929, having been shot by Victoria Police; on 25 April 1915, 14 years earlier, he was shot by a Turkish bullet at Anzac Cove. On both occasions he was shot in defence of the ideals of the young democratic nation he was a part of. His story is one of the Anzac stories that are being promoted by the government as we enter the Anzac centenary. Allan Whittaker was among the first troops to land at Gallipoli. After recovering from his injuries in Egypt, Allan returned to Port Melbourne, where he worked under the savage terms offered by the stevedore employers on the waterfront. He and thousands of others were locked out in 1928 when they refused to accept the terms of the infamous 'dog collar act', which cut wages and changed hiring conditions. Malnourished after having been refused work for many months, Allan was shot by police on 2 November 1928 and died of his injuries on 26 January 1929.

Now the local community wants to erect a memorial plaque alongside Princes Pier in Port Melbourne commemorating Allan Whittaker and marking his service. The Victorian government's major projects group has refused permission. This comes as a great disappointment to many locals. I call upon the government to recognise this site as an important part of Port Melbourne's connections to World War I, its maritime industrial history and the story of the Great Depression. This is a man who was wounded on 25 April 1915 and who died on 26 January 1929 — two days of great significance to all Victorians. The community wants to honour him with a simple

commemorative plaque. As we approach the centenary of the Anzac landing it is shameful that the government refuses to allow the community to honour a man wounded and killed in the service of his nation and community.

Damien's Favourite Event

Mr BATTIN (Gembrook) — I commend one of the residents of an electorate next door to mine, Wendy Patella, who came to my office. Wendy has a son with multiple disabilities, and she is working very hard to get a vehicle that has full disability and wheelchair access at the rear. When she originally came into my office it was to talk about getting a hamper to use as an auction item or a raffle prize in one of her fundraisers. When I walked out to the car and witnessed what Wendy has to go through every day to get her son Damien, who currently weighs 30 kilograms, in and out of the vehicle, I understood why she was trying to raise the funds for a new vehicle. Rather than just putting her hand out, she was out there working hard for that. I also commend her daughter Laura — what an amazing sister to Damien she is. She is there every day for Damien when she can to ensure that he has a better life.

I thank Craig Ondarchie, a member for Northern Metropolitan Region in the other place, who came out to do the auctions, and deputy mayor Amanda Stapleton for her support on the evening. I thank all the carers of those with disability who were there on the night for their support for Damien and Wendy getting this car. I thank Qantas for supplying the main auction item. More importantly, I thank Travis Bell, who is known as 'The Bucket List Guy'. He spoke to us about how we could get the most out of our lives and how people with disability can only improve our lives. I commend everyone who was there on the evening.

Get Wyndham Moving

Mr PALLAS (Tarneit) — I rise to speak about the Get Wyndham Moving campaign, which aims to tackle congestion issues across road, rail and bus transport in Wyndham and highlight the need for adequate investment in transport infrastructure. As I have mentioned many times in this chamber, Wyndham is the fastest growing municipality in Australia, with a growth rate of around 8 per cent every year, and last year it had about 13 000 new residents. This growth has put a huge strain on the community's transport system. Across Tarneit, Werribee and Hoppers Crossing traffic volumes increased on average by a massive 17 per cent in 2013. Recently released Public Transport Victoria statistics show Werribee trains are right up there as the most overcrowded trains in the metropolitan train

network across peak times. Bus routes in Wyndham extend more than twice as far as most of the direct routes, making them the most inefficient in Melbourne.

While this campaign originated within the council, the local community has been the real driver behind it. As part of the campaign, the council has recruited transport champions — local residents who each use different types of transport and come from a range of backgrounds. These champions have highlighted the need for the metropolitan rail link, which would allow for a threefold increase in the number of trains to and from Wyndham in peak hour, grade separations and a duplication of arterial roads at capacity, as well as an increase in train services. The local community deserves better, and through this campaign it has shown it is not afraid to advocate for better either.

Horsham College

Mr DELAHUNTY (Lowan) — Last Wednesday I was very proud to announce funding of \$10 million from the state budget to rebuild Horsham College. This announcement was met with great delight by students, staff and community members, who received nothing from Labor during its 11 years in government. I congratulate the school council president, Rowan Smith, the acting principal Graeme Holmes, the school and the Horsham community, all of whom have advocated for this college upgrade. This was a great day in the history of the college, and it continues the good work of the Minister for Education and the coalition government, who have also funded, built and opened a new special school in Horsham.

Dunkeld Community Centre

Mr DELAHUNTY — Last Friday I was privileged to turn the first sod for the \$1.6 million Dunkeld Community Centre, which will provide the district with a modern facility capable of hosting community events and RSL meetings as well as accommodating locals in times of emergency. The coalition government has provided \$500 000 towards the project through its \$1 billion Regional Growth Fund.

Dartmoor Football Netball Club

Mr DELAHUNTY — Last Friday I had the opportunity to attend the launch of the new look Dartmoor Giants, along with the Greater Western Sydney Giants Football Club board member Kevin Sheedy, members of the Dartmoor Football Netball Club and community members. The change of the club's colours and identity from those of the Sydney Swans to those of the Giants signals a new era for this

tight-knit, passionate sporting club and a community that loves its sport. This was a great way to honour the achievements of home-grown rising star, last year's AFL All-Australian full-forward, Jeremy Cameron.

Halls Gap Zoo

Mr DELAHUNTY — Last Sunday I opened facilities at Halls Gap Zoo, which was granted \$100 000 in funding for the installation of a biosecurity fence and upgrade of the giraffe complex. It is a great complex that everyone should visit.

School bullying

Mr BROOKS (Bundoora) — As last Friday, 21 March, was National Day of Action against Bullying and Violence, I congratulate all the school communities that have been working hard to build safer and more inclusive schools. The day of action provided an opportunity to consider the action the state government is taking to address bullying in schools. Unfortunately it is all too clear that the Napthine government has simply walked away from bullying programs in Victorian schools in 2014, with no funding having been allocated. This year the government has ceased funding the cybersafety eSmart program that had been initiated in Victorian schools by the Labor government.

The eSmart program was delivered by the Alannah and Madeline Foundation, with funding from the government, to help schools combat cyberbullying and to promote online safety for students. The funding for schools to participate in this program ended in 2013, and the Napthine government seems to be hoping no-one will notice that there is no further funding this year. Even a small grants program to assist school communities to reduce bullying has now wound up, with no new funding this year. The last round of Bully Stoppers grants of up to \$10 000 per school closed in the middle of last year, and no new funding appears to have been allocated to continue support for schools.

When the lack of specific funding this year is combined with the Napthine government's massive cuts to education, schools will find it very difficult to build safer, more inclusive schools where the incidence of bullying is reduced, and 2014 will go down as the year that the Premier gave up the fight against bullying in our schools. While the government has talked tough on stamping out bullying in schools, this year it has run up the white flag of surrender.

Parkdale Tennis Club

Ms WREFORD (Mordialloc) — The Parkdale Tennis Club is a very active club under the leadership of Colin Crawford and the team. Recently I was invited to one of the club's social nights to meet the members. It is a terrific club; the members really make every effort to branch out into the community and get more people involved in tennis. They are clearly succeeding. They often get 30 to 50 people along to their social nights. I say very well done to the club.

Chelsea Heights Primary School

Ms WREFORD — Yesterday I had the privilege of presenting the 2014 Chelsea Heights Primary School leaders with their badges. Jack, Ruby, Zoe, Louis, Calvin, Bethany, Teaghan, Mitchell, Kamaree, Thomas, Kiara, Chloe, Charlotte and Viktor will certainly be good leaders, alongside the principal, Jane Satchwell, and her team at the school. I also visited them last week for Ride to School Day, when they had more bikes than the bike shed could handle. Good luck to the new leaders in 2014. I am sure they will do well.

Chelsea Bowling Club

Ms WREFORD — On Sunday I attended the Chelsea Bowling Club open day. It was an incredibly successful day and was extremely well attended. It is a terrific club which really looks after its members in a great environment. It holds a good range of events each week, and will launch its Friday night barefoot bowls this week at 6.30 p.m. I am sure it will do very well. Congratulations to the club.

Boral Western Landfill

Ms HUTCHINS (Keilor) — I rise today to speak against the planned expansion of Boral's Western Landfill, which is currently being considered by Melton City Council. The community response against this expansion has been enormous. The City of Melton has already received nearly 2000 letters of objection — the largest response it has ever had to a planning permit application in the area. Over 3000 people have signed a petition opposing the expansion, and it is pretty clear that the community does not want to see this tip expansion go ahead.

It is also clear that the community has a pretty good reason for this, and that is that Boral is seeking to expand the size of the landfill site by the equivalent of over 100 MCGs. The current site is already plagued by existing concerns over constant odour pollution. Environment Protection Authority Victoria (EPA) has

received 48 odour reports in and around the Caroline Springs area since July last year, and it does not look like a solution to the current problem has been found. The expanded site is proposed to have a 500-metre buffer located around the perimeter of the existing and proposed landfill sites. The EPA's best practice would normally require a 1000-metre buffer. The site is situated in Ravenhall, in the middle of Melbourne's western growth corridor, among rapidly growing suburbs such as Caroline Springs, Deer Park, Derrimut and Rockbank. I take the opportunity to thank the member for Kororoit and a member for Western Metropolitan Region in the other place, Cesar Melhem, MLC, for all the work on this issue they have done to date.

City of Monash Neighbourhood Watch

Mr GIDLEY (Mount Waverley) — I recently met with Neighbourhood Watch City of Monash group MON 059 to discuss public safety in the Waverley area and other matters of interest. The evening provided me with the opportunity to listen to the concerns of local residents whilst also providing information on the many programs that are being delivered to improve public safety. I thank the area manager, Neil Williams, the committee and members of Neighbourhood Watch for that opportunity.

Waverley RSL

Mr GIDLEY — I was pleased to have the then Minister for Veterans' Affairs and member for Lowan recently visit Waverley to meet with the Waverley RSL to discuss matters of importance to returned servicemen and women throughout the state. Over morning tea in my electorate office, the minister outlined programs available from the Victorian government to support communities in their efforts to recognise the sacrifices of our servicemen and women. Thereafter we visited the Waverley RSL to meet with local residents utilising RSL facilities to gain a firsthand look at those facilities. I take this opportunity to thank the secretary of the Waverley RSL sub-branch, Dennis Everitt, and an executive member, George Cooney, for taking the time to meet with me and the minister during his visit. I commend the Waverley RSL on its continued efforts in the community.

Deakin University

Mr GIDLEY — I appreciated the opportunity to visit Deakin University during its orientation week to meet with students and hear their views and ideas about further improving government in our state. During the visit I also met with members of the Deakin University

Liberal Club and talked with students committed to liberal ideals. I recognise and thank the club president, Angela Sterjova, her fellow Deakin University Student Association representative, committee member Jean-Luc Corelli and other club members for their continued efforts

Multiculturalism

Mr PANDAZOPOULOS (Dandenong) — Last week was Cultural Diversity Week, an event that started when I was Minister Assisting the Premier on Multicultural Affairs. I congratulate the government on the many events during the week and on having a bipartisan approach to the event. It was a pleasure to see the article in the *Herald Sun* today of the member for Bulleen, the former Minister for Multicultural Affairs and Citizenship. I commend him on the work he has done as a minister. I totally agree with what is said in that article and its sentiment, encouraging the federal government to take a stronger view on multiculturalism and to implement a multicultural act, as has happened in this state and in Canada.

Racial discrimination legislation

Mr PANDAZOPOULOS (Dandenong) — Last week was Harmony Day, which is the International Day for the Elimination of Racism and Discrimination. It therefore astounds me that today, for the first time in Australia, a federal Attorney-General has proposed to wind back racial discrimination laws. This is the first time anywhere in the Western world that racial discrimination laws have been wound back. Ethnic communities right across the board, and religious communities, rightly, including within the conservative parties, have been telling the federal government this is a totally inappropriate way to go. It is highly inconsistent with what we have all been celebrating and were encouraged to do last week. We have a racial and religious tolerance law here in Victoria, and if these proposed changes are passed they will be inconsistent with our law. Victoria is the diversity capital of Australia. The Australian government should be doing more, not winding back accepted racial discrimination laws.

Mildura South Kindergarten

Mr CRISP (Mildura) — It was my pleasure to open the extensions to the Mildura South Kindergarten, which has doubled the size of this vital service to a growing community in my electorate. This is the continuation of the government's commitment to providing access to preschool education for all. It brings to over \$1 million the investment the government has

made to preschools run by the Mildura Rural City Council.

Healthy Together Mildura

Mr CRISP — Together with the Parliamentary Secretary for Health I received a briefing on the rollout of Healthy Together Mildura, a coalition government-funded program for preventive health. The parliamentary secretary's visit was to celebrate the 29th business to sign up to the program. Congratulations to the Mallee Catchment Management Authority on its commitment. The Mildura Rural City Council, through its community development department, is implementing the program. This is important work in primary health to secure a healthier future for Mildura's residents.

O'Connors Farm Machinery

Mr CRISP — Recently I attended the official opening of O'Connors Farm Machinery new premises in Birchip recently. Congratulations to O'Connors, which is a leading dealership, for having the confidence in the Mallee to invest in the state-of-the-art parts and administrative centre. The attendance on the night could well lay claim to the biggest celebration in the Mallee for a long time. I say well done to O'Connors.

Clontarf Foundation football carnival

Mr CRISP — Robinvale hosted the annual Clontarf Academy football carnival. Clontarf academies from Warrnambool, East Gippsland, Swan Hill, Robinvale and Mildura competed in a round-robin football competition. The players were well supported by parents and friends. Well done to the Warrnambool-Swan Hill team, which won the competition. However, the Aboriginal men are the real winners.

Beulah Lake Committee

Mr CRISP — Congratulations to the Beulah Lake Committee. Boy, do they know how to throw a party!

Victoria Police bands

Mr NOONAN (Williamstown) — I place on record this Parliament's deep appreciation for the members of the recently disbanded Victoria Police bands. I understand that many members have now been redeployed or have since left the force. Sadly, it has been reported to me that Victoria Police refused all requests for a final performance and that the handling of the process to resolve the individual futures of each band member lacked the necessary dignity and respect.

It is important that this Parliament publicly acknowledge the outstanding contribution the bands have made to the community since 1891 and to thank the final members for their service. Given that they delivered more than 650 performances each year, there would be very few Victorians who would not have experienced firsthand the wonderful energy and excitement that these bands generated across the state. In addition, the bands connected with hundreds of thousands of Victorians through their work, building positive relationships and assisting many communities to fundraise and recover from natural disasters. I, for one, have enjoyed countless memorable performances by each of the bands at Victoria Police Blue Ribbon Foundation events.

While I believe the decision to shut down the bands is regrettable, I recognise that the Chief Commissioner of Police, rather than politicians, should appropriately determine how to use the resources available to police, although I am very pleased to see that a civilianised pipe band will be retained. Once again we thank each and every one of the former members of the Victoria Police bands. We thank the communities that have supported them in their work. We thank their families, friends and supporters.

Labor government

Mr MORRIS (Mornington) — As we approach the business end of the political season and as the people of Victoria decide who they will trust to govern for the next four years, I invite them to consider the track record of the alternative. In the three elections that gave them government, Labor members made many promises. Sadly, they failed repeatedly to keep them. In 1999 they promised to reduce the number of planning appeals, yet the numbers went through the roof. They promised to work in true partnership with local government, to give local government real influence over metropolitan planning policy. Did they keep that promise? No. They introduced Melbourne 2030, and made every residential street a potential growth area. They amended the planning act so that every significant application, in every principal activity centre in 27 locations in the metropolitan area, plus the city of Greater Geelong, had to be determined by a committee hand-picked by the Minister for Planning.

Labor government members made every bus route across the metropolitan area a candidate for high-rise, high-density development. Far from working in partnership, they stripped councils of their decision-making powers. In 2002 Labor members promised to end Melbourne's urban sprawl. Did they keep this promise? No. In 2003 they expanded the

boundaries by 40 000 hectares, in 2005 by 7000 hectares and in 2010 by 43 600 hectares — 90 000 hectares in eight years, after promising there would be no more. When it comes to planning, Labor simply cannot be trusted.

Honourable members interjecting.

Supreme Sikh Council of Australia

Ms D'AMBROSIO (Mill Park) — My colleague sitting next to me interjects and is absolutely right. I inform the house of a special event held in Epping on 14 March to mark the Sikh New Year 546. The Supreme Sikh Council of Australia is a team of highly motivated and dedicated community members who work very hard in their local community to promote Sikhism. Harkirat Singh and Gurninder Singh have been inspirational leaders in the broader community, and they have brought the benefits of the philosophy of Sikhism to the broader community in very tangible ways. They and the council are renowned for their blood donation drives, for example, which started several years ago in response to the Black Saturday bushfires. Other guests in attendance were Rob Mitchell, the federal member for McEwen; the member for Yan Yean; the member for Yuroke; Cr Kris Pavlidis and Cr Mary Lalios; and Chin Tan. I congratulate Harkirat and his team at the Supreme Sikh Council of Australia, and wish them a very happy new year.

CORRECTIONS AMENDMENT (PAROLE) BILL 2014

Second reading

Debate resumed from 13 March; motion of Mr WELLS (Minister for Police and Emergency Services).

Mr PAKULA (Lyndhurst) — I am pleased to rise to speak on the Corrections Amendment (Parole) Bill 2014. In doing so, allow me to indicate on behalf of the opposition that the Labor Party supports Julian Knight staying in prison for the term of his natural life. We believe that the vast majority of Victorians also support this. Julian Knight is an individual who took seven lives and destroyed many more lives than that. He is an individual who has shown no sign of remorse for his actions and who has continued to seek to contact the families of victims. We in government acted to stop him from continuing to send letters and correspond with one of his victims. We indicated that he ought to be serving multiple life sentences. The offences that he is responsible for were heinous. They destroyed and affected many more lives than those of the seven direct

victims who were killed during his rampage in Hoddle Street all those years ago.

We on this side of the house imagine that even without this bill it would be highly unlikely that Julian Knight would be granted parole, now or at any stage. However, for the 27 years that he has been incarcerated he has caused numerous difficulties for the corrections system, and given that he is eligible for parole in 2014 it is timely that this Parliament act to ensure that parole is not available to him.

The legislation itself goes to the question of the circumstances in which Mr Knight could in the future be granted parole. Under new section 74AA the Adult Parole Board of Victoria can only make an order for parole for Mr Knight if he is in imminent danger of dying or is seriously incapacitated and as a result no longer has the physical ability to do harm to any person and if he has demonstrated that he does not pose a risk to the community. The board must be further satisfied that because of those circumstances the making of the order is justified. The bill does not say that there are no circumstances in which Julian Knight can ever be granted parole in the future, but it says that those circumstances are exceptionally limited. Effectively he can only be released when he could no longer pose any physical threat to the community.

There has been commentary from sections of the media, from organisations such as the Australian Lawyers Alliance and from prisoner advocates and others that has expressed a degree of community unease and disquiet about this legislation. I do not believe that any of the individuals or organisations expressing this unease or disquiet do so because they want to see Julian Knight released. In fact I am quite sure that many of the individuals and organisations which have been critical or have at least expressed concern about this bill would be quite happy to see Julian Knight remain behind bars for the rest of his life. Those organisations, to give them their due and their credit, are approaching this far more as a matter of principle.

The principle that has been causing a degree of concern for those organisations is one about the separation of powers: the separation between the judiciary, the Parliament and the executive. This is a rational and reasonable concern for those organisations to raise, and it is one that we as members of Parliament must be mindful of and alive to. To put it crudely, there are two types of legal systems and societies: one in which the government of the day decides who stays in jail and for how long, and one in which an independent judiciary makes those decisions. All of us know which society we would rather live in: one in which the independent

judiciary makes decisions about who goes to prison and for how long, rather than those decisions being left to the government of the day or indeed being the subject of political debate and pressure.

This is a rational and understandable concern for those organisations to have raised. In response to this concern the Attorney-General has said that it is and has been the case that the granting of parole is an executive rather than a judicial function. Without question there appear to be precedents from the High Court that would tend to support that assertion, such as the case of *Crump v. New South Wales and Another*. It is likely that this assertion will be tested, and it may well be tested by Mr Knight in response to this legislation. We understand from the briefing we received from the government that it is confident this legislation will withstand a High Court challenge, if such a challenge is presented. We are hopeful the advice that has been given to the opposition and the government by the Department of Justice and whoever else has been engaged to provide that advice is correct, and we hope this legislation stands up in the way it has been suggested to us that it will.

Having said that, even if one accepts that the granting of parole and the circumstances that surround the granting of parole are an executive function, it still behoves us as members of Parliament to exercise this kind of power exceedingly sparingly and with great reluctance. I do not think any of us — any of us who may one day be Attorney-General or Minister for Corrections or who may sit on the government benches in whatever capacity that might be — wants to be in a situation where members of Parliament or government ministers are called upon by whomever to change, vary or extend in some kind of willy-nilly way prison sentences handed down by the judiciary. At the point we start to do that, our society and the legal system will become entirely different. Even if we accept that the granting of parole and the circumstances surrounding it are an executive function, to legislate in the way we are proposing to do today is something that ought to be done only in the most extreme cases and exceedingly rarely.

The opposition is satisfied that the case of Julian Knight is one of those extreme cases and warrants the intervention of the Parliament in this manner. I say that because we should not delude ourselves and imagine that this is the last time there will be a clamour from somewhere for a person who becomes eligible for parole to have that eligibility legislated away. There are lots of really bad people in prison at the moment, some of whom have lengthy non-parole periods — sometimes 30 years or 35 years. I do not intend to put

their names on the record in this debate, but it would take only a brief Google search for members to discover to whom I might be referring. There are some people in jail in the state of Victoria who have committed heinous crimes and are not serving sentences of life with no parole — they are serving sentences of life with a minimum of 30 or 35 years — and no doubt when those individuals become eligible for parole there will be an expectation of the government of the day, whoever that might be, that it legislate to remove the possibility of that person being granted parole.

It is incumbent on us to ensure that there is a parole system in place under which the government and opposition, and the community more generally, can have sufficient confidence in and respect for the parole board that they are able to imagine and accept that the parole board will make correct, justifiable and appropriate decisions in the interests of community safety, without the government having to legislate on each and every occasion to take that decision away from the board. I make the point that when the recent changes to the parole system were made by this government — changes that put community safety first, as the government described it — it was said by ministers and the Premier at the time that those changes would ensure that individuals of this nature would not be released by the parole board. In those circumstances the only curiosity about this bill is: if the government accepts its own rhetoric about the changes it recently made to the Adult Parole Board of Victoria system, why does the government not believe those changes will lead to the outcome it seeks with the implementation of this bill — that is, the refusal to release Julian Knight?

It is important that in future we have in place a system in which all parties and all members of the community have confidence that the parole board will make a decision that is in the interests of the community when it comes to assessing parole for some of these exceedingly dangerous individuals who remain behind bars with non-parole periods that will expire sometime in the future. I re-emphasise that while we believe the Parliament legislating in this way is something it ought to do in only the most rare and extreme cases and while we believe it is not ultimately desirable to have a situation where in any kind of consistent way the Parliament is being called upon to vary, extend or change sentences that have been handed down by a court — while we believe it ought to be in only the rarest of cases that we do so — we believe Julian Knight is one of those exceedingly rare cases. We believe his crimes and his behaviour since he has been incarcerated are such that they allow us to arrive at the

view that community peace of mind and the community protection we all seek are best assured by the house passing this bill. I commend the bill to the house.

Mr McINTOSH (Kew) — Every Victorian is painfully aware of the horrific mass murder committed by Julian Knight. Victorians still recall that night in Hoddle Street and remember the lives that were lost and the grief and suffering of those who were left behind. We recognise that the trauma experienced by the injured and everyone else at the scene, including members of Victoria Police, can only be described as horrific. Knight committed one of the worst crimes in Victoria's history. He was sentenced to life imprisonment with a non-parole period of 27 years. Importantly this legislation changes the preconditions for Julian Knight's eligibility for parole — it does not change the sentence — and it has the effect of preventing him from being released on parole unless the Adult Parole Board of Victoria is satisfied that he is in imminent danger of death or is seriously incapacitated such that he is physically unable to commit further crimes.

The bill builds on the significant changes to the parole system this government has introduced: legislation providing for the automatic cancellation of parole for serious sex offenders and violent offenders who commit such crimes while on parole; legislation making breach of parole an offence; legislation enshrining the principles that parole is a privilege not a right and that community safety must be the paramount consideration of the parole board in determining whether to grant parole; and legislation for administrative changes, implementing the recommendations of the review of the adult parole system by former High Court judge Mr Ian Callinan, AC. This legislation builds on those reforms by providing that Julian Knight will never be released, except in very restricted circumstances. The coalition government is fulfilling its commitment to the people of Victoria in relation to this bill. Victims' families, emergency services personnel and the Victorian people deserve that certainty.

Justice Hampel sentenced Knight to seven life terms for murder and also 10 years for each of 46 counts of attempted murder, all to be served concurrently. A non-parole period of 27 years was set, which means Knight's earliest eligibility date for parole is 8 May this year. This bill implements a key commitment of the Victorian coalition government in relation to community safety — to make certain to protect the community from Julian Knight by keeping him in jail until he poses no further threat to the community. This legislation delivers on that promise and removes any

risk that Julian Knight will be free to harm again. Of current Victorian prisoners, Julian Knight is in a class of his own. I adopt the words of the shadow Attorney-General in his description of Julian Knight and do not propose to take that matter any further. The bill changes the preconditions of Julian Knight's eligibility for parole, as I have said.

It has the effect of preventing Julian Knight from being released on parole unless the Adult Parole Board of Victoria is satisfied that he is in imminent danger of death or seriously incapacitated with the result that he lacks the capacity to harm another and that he has demonstrated that he does not pose a risk to the community. In such circumstances the making of the order is justified. The government has made sweeping reforms of the adult parole board, and indeed the parole system here in Victoria, making it the toughest in Australia. This legislation builds on those reforms. The bill changes the preconditions for Mr Knight's eligibility for parole. Most importantly — and I emphasise this — it does not change his original sentence. Essentially the same preconditions are contained in New South Wales legislation that was recently upheld by the High Court in the decision of *Crump v. New South Wales*. The government is confident that this legislation is valid.

The minister has tabled a comprehensive statement of compatibility. I do not propose to go into detail except on one issue. In relation to the question of whether or not to extend Victoria's existing laws for the continued detention of serious sex offenders, I remind the house that the Serious Sex Offenders (Detention and Supervision) Act 2009 provides for a post-sentence regime that applies at the end of a sentence. The problem is that Julian Knight is serving a life sentence. He remains under sentence for life. Prisoners serving life sentences are not eligible for parole under the Serious Sex Offenders (Detention and Supervision) Act, as they are always under sentence. The main purpose of the act is to enhance the protection of the community by requiring that offenders who have served custodial sentences for certain sexual offences and who present an unacceptable risk of harm to the community be subject to ongoing detention and supervision. As I said, this does not apply in the case of Julian Knight because he has a life sentence and, of course, that life sentence continues for his entire life, no matter what happens to him with parole or otherwise. Accordingly, for all the reasons that I have adumbrated, and adopting the eloquence of the contribution by the shadow Attorney-General in expressing his concerns about Julian Knight and his possible reoffending, I commend the bill to the house.

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

Debate adjourned until later this day.

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

Second reading

**Debate resumed from 12 March; motion of
Mr O'BRIEN (Treasurer).**

Ms KANIS (Melbourne) — I rise to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. I would like to put on the record from the outset that the opposition will not be opposing this bill. The bill is probably more remarkable for what it does not do rather than for what it does. I do not think it is a surprise to anyone in this house that gambling and alcohol consumption have the capacity to cause great harm in our community. The amendments in this bill do nothing to address the concerns that Victorians have about problem gambling and the problematic consumption of liquor in our community.

As I will mention later in my contribution, this bill targets venues where liquor is only a small part of the business. The real trouble spots are not addressed at all. Similarly, the gambling amendments only address the playing of two-up at RSLs on Anzac Day and do not deal with any of the very real gambling problems that are evident in many RSL clubs across the state on a daily basis. When faced with serious problems such as the social harm caused by drinking and gambling, this government chooses to dance around the edges rather than tackle these issues in a serious way. It is almost as if the government is trying to distract our attention from those issues. I note that while the opposition will not oppose this bill, we will not be distracted from the need to address the harm caused by these lawful activities in our community.

This bill proposes to reduce unnecessary and burdensome red-tape requirements that apply to Victorian businesses, clubs and other licensed premises. The changes are uncontroversial. In relation to gambling, the amendments in this bill relate to the playing of two-up on Anzac Day at RSLs. Currently the law provides that an RSL must seek ministerial approval to conduct a two-up game on Anzac Day. In the briefings on this bill we were unable to find any circumstances where that approval was refused. Given the very limited time and places in which this gambling

takes place, given the strong cultural attachment to and symbolic significance of the practice, and given the very limited possibility for problematic gambling to occur at a two-up game on Anzac Day, we do not oppose this proposal. The amendments in the bill will allow RSLs to concentrate on some of the more important activities they undertake on Anzac Day. My local RSL club, the Flemington Kensington RSL, is — like many RSL clubs, I expect — run by a dedicated group of volunteers. I know they are very busy around Anzac Day and they will welcome the chance to take this task, which seems to serve no real purpose, off their list.

In relation to liquor consumption, this bill removes some notice and licensing requirements. Currently certain businesses are not required to hold a liquor licence, but they need to notify the Victorian Commission for Gambling and Liquor Regulation (VCGLR) if they intend to supply liquor. These businesses are bed-and-breakfast operators, florists and giftmakers, butchers and hairdressers. The requirement for these businesses to notify the VCGLR is removed in this bill. The rationale is that there is a very low risk of harm from the supply of liquor by these businesses.

Many businesses, such as florists, giftmakers and butchers, supply liquor in gift baskets and gift hampers; others, such as hairdressers, supply a drink with their service — I think it is colloquially known as a 'clip and sip'; and bed and breakfasts often supply a bottle of wine to guests on arrival. We do not oppose this change in the notification requirement; however, we call on the government to ensure that all businesses are aware of their responsibilities in regard to the supply of liquor, regardless of whether they need a licence or whether they need to notify the VCGLR.

The bill also stipulates some businesses and services that will no longer be required to hold a liquor licence. These businesses are hospitals, residential care services and retirement villages, which will only be able to supply limited amounts of alcohol and must ensure that alcohol is not supplied to minors. I am sure that many people do or would like to enjoy a drink with a loved one in one of these facilities, and we would agree that the supply of alcohol in these businesses is very limited and low risk and that the removal of a licence requirement is warranted. We support these changes as they support businesses and will allow alcohol to be consumed in a way that is ancillary to their other activities. They are also places where there is little or no harm associated with the consumption of alcohol.

The bill clarifies that a cruise ship in Victorian waters does not need a Victorian liquor licence in order to

serve alcohol on board. It is our understanding from the briefing that while there was never an explicit requirement for cruise ships to have a liquor licence, there was some uncertainty in the law, and I think it is sensible to clarify that position. It is also a sensible clarification given that the consumption of alcohol occurs wholly on board the ship. However, I note that cruise ships are not like the other categories of businesses that do not need a liquor licence. Unlike having a drink at the hairdresser or buying a gift basket with a bottle of wine in it, there is the possibility — and we know that it occurs — of alcohol being consumed at dangerous levels on cruise ships, and there are some horrific examples in the media and in our courts of the impact of that alcohol consumption. I ask the government what it will do to reduce the dangerous consumption of alcohol on cruise ships and what measures it will take to support and protect Victorians on cruise ships from alcohol-related harm.

The current law is very clunky in the way that it deals with under-age events at licensed venues. This bill allows under-18 live music events to be held at licensed venues without the need for VCGLR approval, provided that no alcohol is served to any person at the event. The current requirement is that a licensed venue has to provide 45 days notice in order to have an alcohol-free under-18 event, and that is not nimble enough to allow a full range of under-age events to be held. The impact of this has been particularly felt in country and regional areas where venues are limited. I welcome this change as it allows under-18s to enjoy live music without the consumption of alcohol. I am sure we all know of under-18s who have entered venues where they probably should not have gone to hear live music, and I welcome the opportunity to allow under-18s to listen to and to see live music without the need to break the law. But I call on the government to provide sufficient funds to enable such venues to be visited by an inspector, because I think it is very important, if these are going to be alcohol-free events, that they are indeed alcohol free and that that is followed up to ensure that no alcohol is being served.

The bill also makes a minor change to the provisions for holders of restricted club licences, which are typically held by volunteer-run organisations such as small sporting clubs. This bill changes the way those restricted club licence-holders are permitted to purchase alcohol for resale. I was not aware that currently those licence-holders can only purchase supplies from retail outlets. This bill removes that restriction so restricted licence-holders can now purchase supplies from elsewhere, including from wholesalers. This is an uncontroversial change. It has no impact on the consumption of alcohol at restricted-licence venues and

I think giving those licence-holders more flexibility in where they purchase their alcohol is warranted. I know that sometimes restricted licence-holders want to purchase from wholesalers because it is much easier to get delivery from a wholesaler than from a retail outlet. These licence-holders are generally volunteers, so that time saving can be important.

There is not a lot in this bill that is controversial, so my comments are limited. The final change in the bill is to allow holders of general full club and late-night licences to supply liquor for consumption on the premises until 1.00 a.m. on 1 January each year. In essence, it allows these sorts of venues to trade through New Year's Eve into 1 January. Given the very limited circumstances of this change in trading hours, we do not oppose it.

I will close by saying that these amendments are not controversial or offensive and we do not oppose them, but we call on the government to ensure that the reduction in and relaxation of certain licence requirements are met with a correlating increase in education around the consumption of alcohol. We would like to see education around the responsibilities of businesses that serve alcohol, regardless of whether a licence is needed. We also call on the government to address some of the more devastating consequences that alcohol and gambling have in our community. Some members were able to see a live performance in Parliament in the last sitting week put on by a number of recovered gambling addicts. It was a very moving, very personal and very touching performance. I think no-one came away from it without a greater understanding of the harm that can be caused in our community by gambling.

Similarly, when you hear of some of the domestic and public violence that occurs as a result of alcohol consumption, it is clear there is a real need to make sure that those people who cannot drink in a sensible manner or who spoil the drinking experience for everyone else are brought into line. It is important that we accept and understand that the consumption of alcohol is a lawful and enjoyable activity and an activity that we celebrate. It is an activity that we do in a whole lot of circumstances but we need to make sure that we respect and address the harm that is caused by this activity.

In closing, we do not oppose this bill. We wish it a speedy passage through the house. I am not sure if this bill is going to enable RSLs to not have to apply for their two-up permits this year, but I hope that in the future RSLs are able to concentrate on some of the more serious aspects of their Anzac Day activities.

Mr McCURDY (Murray Valley) — I am delighted to rise and make a contribution on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. I was pleased with the contribution by the member for Melbourne, and I am also delighted that the opposition is not opposing the bill. This is another practical piece of legislation the government is introducing. Reducing red tape is something we highlighted that we wanted to do when we came to government, and we are getting on and doing something about it.

The main objective of this legislation is to make a number of amendments to the Gambling Regulation Act 2003 and the Liquor Control Reform Act 1998 to remove the unnecessary red tape that currently applies to Victorian clubs and other licensed venues. As I said, when we came to government we made that commitment and we continue to honour that commitment. This bill will remove red tape by removing the requirement for the minister to approve the conduct of, for example, two-up at an RSL club on Anzac Day. It removes the requirement for certain clubs to purchase liquor from bottle shops instead of wholesalers — for example, a local tennis club whose primary activity is not selling alcohol, although that is sometimes very successful at tennis clubs and football clubs. The bill gives them flexibility in where they purchase their alcohol.

The bill also extends the existing exemption from requiring a liquor licence that applies to businesses where the supply of liquor is incidental to their business operation, such as hospitals, nursing homes and retirement villages. This will reduce the burden on small businesses such as hairdressers and butchers that currently provide liquor under those exemptions. The bill provides for the automatic extension of trading hours for most liquor licensees serving liquor on New Year's Eve. This is another practical outcome because it is no good having all this red tape.

As we get closer to the Christmas period we all know that all of these organisations are going to look for extensions and changes to the liquor licensing agreements they have, and this will provide a practical outcome for all. Up until now that extension has been provided at the discretion of the relevant regulator. That has been the case since 1999. These changes will provide certainty to those industries. Wherever we go small businesses tell us that what they need more than anything is certainty and to understand what they can and cannot do. As I said earlier, the bill provides for reduction of red tape so that they can just get on and plan for their business and not be sweating about whether a liquor licence is going to be granted or the

timing that might take place. Finally, the bill removes the requirement for under-age and mixed-age live music events at liquor-licensed premises to be approved by the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

I will go into a bit of detail in the time that I have, and I will begin with two-up on Anzac Day, a very important day in our calendar. The bill will remove the requirement for RSL clubs to seek ministerial approval to conduct two-up on or before Anzac Day each year. Currently two-up may be played in Victoria with that ministerial approval. Two-up obviously commemorates Anzac Day. It is heavily associated with the RSL, and the minister accepts the recommendation of the RSL clubs as to where two-up should be played on Anzac Day or in the week leading up to Anzac Day. Removing the requirement for ministerial approval will allow the RSL to determine where two-up is played, again reducing the red tape involved in seeking approval for what it can and cannot do. This is another common-sense approach that we are very pleased to uphold.

Anzac Day in the Murray Valley electorate is a huge day, and I am sure it is in many other electorates throughout regional Victoria and metropolitan Melbourne. I regularly attend the dawn service at Rutherglen, Wangaratta, Cobram or Numurkah; I try to get to their services throughout the day. What always inspires me on those days is not just the two-up and the Anzac Day services themselves but the involvement of young people in the services these days. Everybody considers Anzac Day to be a really important day in the calendar, and it is always heart-warming to see the number of young people who come and get involved. This reduction in red tape will go a long way towards encouraging their participation.

The bill also provides some minor exemptions for business. It removes the existing requirement for exempted businesses to notify the VCGLR that they intend to supply liquor. Currently exempted businesses must notify the commission if they intend to supply liquor in accordance with the relevant conditions and the commission assesses and advises on each notification. This is — I will not say a waste of time — unnecessary paperwork that needs to be completed. The notification requirement for these businesses is another unnecessary burden and is probably disproportionate to the risk of alcohol-related harm that would be posed by them.

The bill amends the definition of 'bed and breakfast business' in relation to the minor business exemption. The effect of these amendments is to allow

bed-and-breakfast operators, where proprietors do not live on the premises, to be eligible for the exemption to bring them into line with other businesses by placing a limit on the amount of alcohol that can be served — that is, 750 millilitres a day, equivalent to a bottle of wine. This amendment means that proprietors of those businesses are no longer required to be on site or to complete responsible serving of alcohol training. Bed-and-breakfast businesses are another important aspect of the tourism industry in the Murray Valley region. With the Wangaratta Jazz Festival and the Rutherglen Winery Walkabout we often find that all of the accommodation is booked, even bed-and-breakfast venues, and even people's homes are booked because there is such a demand for bed and breakfast. The amendments to requirements we are providing for in this bill will make life a lot easier for all of those small business operators.

Currently it is in order for proprietors of bed and breakfasts to take advantage of the exemptions, but as I said, they must reside on the premises and there is no limit on the amount of alcohol that can be supplied, but that will be changed by this bill.

Cruise ships are another beneficiary of this legislation. The exemption relating to the supply of liquor on cruise ships relates to those that can sleep 100 passengers or more. Both New South Wales and Tasmania exempt cruise ships from the requirement to hold a liquor licence, so we need to be competitive when those ships dock in our waters and we need to provide the same advantages. If we remain competitive, those cruise ships will continue to dock on our shores and we will experience the flow-on effects that come from cruise ships, such as people spending money on fine wine and food and in shops at the respective dock. Let us be clear, this is not about booze cruises, it is not about a boat that just gets a heap of people on board; those exemptions do not apply. As I said, it is about genuine cruise ships that can sleep at least 100 people. Let us be clear that this is not an opportunity for loopholes.

The bill also covers under-age and mixed-age live music events on liquor licensed premises. The Liquor Control Reform Act 1998 prohibits any person under the age of 18 from entering licensed premises, subject to different exemptions along the way. Prohibition does not apply to any part of a licensed premises for an event at which entertainment is provided for people predominantly under the age of 18 and where liquor is not supplied on site. Currently a liquor licensee must seek approval to host an under-age or mixed-age live music event at least 45 days before the proposed event. Again, this is quite impractical, and the process for approval is time consuming and a burden for all those

applying. This will make life a whole lot easier in those circumstances. The licensee will be required to notify the VCGLR of an event at least 7 days before the event is held, as opposed to the current 45 days as it sits at the moment.

The Victorian government is committed to helping Victorian businesses cut costs. We made a commitment that we will reduce red tape by as much as 25 per cent by July 2014. This bill is another step along the way. Reducing red tape for all clubs will result in clubs being able to direct those savings towards delivering additional direct and indirect benefits to the community. My electorate of Murray Valley is an example of that. If you free up resources in country towns, instead of spending money on red tape and burdensome licence fees and costs, small businesses will reinvest back into those towns, spend in the towns and everybody will be a winner. There has certainly been extensive consultation. With those words, I commend the bill to the house.

Mr PANDAZOPOULOS (Dandenong) — It is a pleasure to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014, which Labor will not oppose. There are some small, technical improvements to the legislation, but as with all the initiatives in cutting red tape, we need to understand what drives the agenda. Is it the cutbacks in funding to the Victorian Commission for Gambling and Liquor Regulation that is driving the agenda? When I look at this bill, it is obvious to me that most of these obligations will now no longer require notification, permits or approval from ministers. In effect it is really about notifying the commission.

The idea of having to notify, as an example, is really just that the RSL has notified the commission that these things are happening — and having been a minister who has had to technically approve two-up on Anzac Day, I can say that no minister has ever rejected those requests; it is just a piece of paper that comes from the commission and it gets signed on the same day. One of the reasons we have notification to government is to help build data and knowledge about what is happening, such as whether there is a growth or a decline in two-up game locations. If it is growing, where is it growing? Is it growing on racetracks versus in RSL clubs? Or is it growing in pubs versus RSL clubs? That might be useful information for the government to have and for the agencies when they are setting policies or making recommendations to ministers. None of this is really groundbreaking stuff. I would say that most of it is useful, but it is probably most likely driven by the cutbacks that occur within those agencies where we have seen widespread

cutbacks in public sector employment right across the board, including in areas of service and regulation.

I will talk a little more about the bill. Two-up on Anzac Day is an Australian tradition. It is one of those things that we should promote and encourage, not because people gamble a lot of money but just because it is part of remembering what the day is all about. The diggers did this in every part of the world where there were Australian diggers in all the conflicts and wars we have been involved in. It is a bit of fun and for many people it is the first time they will see it. At picnic day races where two-up events have been approved, it has been quite popular and it gets people involved in that activity, many of them for the first time. Of course in RSL clubs it is part of the tradition of the day, and we remember those who have fallen. Anything that symbolises that is fine. There could come a day when government is blindsided about the real situation in many activities on the ground simply because it does not have the facts, and that is why we have notification systems that in effect require a rubber stamp rather than a significant and detailed analysis and process that is very costly to government in order to assess some of these sorts of applications.

Likewise with bed-and-breakfast establishments, which are an important part of the boutique tourism industry. It is a good way for regional communities to participate and be involved in the tourism industry at a much lower cost than would be involved in setting up a motel or a hotel. Those businesses focus on service to their customers. bed and breakfasts are often used for romantic getaways, and maybe having a bottle of champagne or a liqueur or a port could be a useful service to provide. There is nothing to restrict people who are going to bed and breakfasts from taking their own alcohol. In effect there is no control of consumption in any accommodation provider's establishment, apart from any requirement that they offer liquor if it is for sale. In this particular case it is a matter of providing a service and an attempt to remove this as red tape from the statute book. I think it will be welcomed by bed-and-breakfast operators, and they will themselves consider what type of additional service they would like to offer their customers.

There are exemptions that have been expanded in areas where the primary purpose of the business is not selling alcohol, and that is similar to the comments I have made about bed-and-breakfast services. It covers residential care services and retirement villages, which are in effect people's homes where they live in joint communities, supported by each other. My dad is in a nursing home, and when we take him out every Saturday night he likes to have a bit of ouzo, as he did

the other day, just to have a sip and remember what it — —

Ms Green — Does it run in the family?

Mr PANDAZOPOULOS — No. The reality is that in a lot of these places people do not go over the top. Many of them are on medication and are being supervised. In addition, the serving of liquor is not the primary purpose of such businesses, so they do not offer large amounts of liquor to their clients. I understand the need for this amendment.

Clause 4 of the bill inserts some new definitions into the Liquor Control Reform Act 1998 relating to exempting certain minor businesses from the requirement to have a liquor licence if they comply with certain conditions relating to the safe supply of liquor. Clause 9 inserts new section 6H into the Liquor Control Reform Act 1998 to exempt cruise ships from the requirement of having a liquor licence. I understand the need for incentives to attract cruise ships, but I also understand that there are a number of public arguments about how to reduce barriers to cruise ship operators. The cruise ship industry is very competitive, and Australia and Victoria have been doing well in increasing the number of cruise ships which visit. All the forward projections indicate that this trend will continue as more baby boomers and retirees embark on cruises. I understand that exemption from having to have a liquor licence would be of concern to operators in the cruise ship industry because those businesses operate across various jurisdictions, so I can understand why those operators would see the need to have a liquor licence as a nuisance and a barrier.

Nevertheless we all know about the pricing of liquor on cruise ships and all-you-can-drink cruise packages. Some people in the cruise ship industry are concerned about this trend in particular instances. Clause 4 of the bill inserts a new definition into the Liquor Control Reform Act 1998 — that is, that 'cruise ship' means a ship that has sleeping facilities for at least 100 passengers, other than crew members. That is a sizable venue. If it were any other sort of venue, it would be regulated differently to what is proposed in this bill, so it is important that the government explain this provision. Is it part of a strategy to ensure that we can attract cruise ships? If so, what is the rest of the strategy? I can understand why we need to regulate cruise ships a bit differently in a whole lot of areas, including gambling on site et cetera, but it could be argued that this legislation is only partly consistent with that aim.

Clause 10 inserts a new section 8(1)(ba) into the Liquor Control Reform Act relating to the serving of alcohol on licensed premises on New Year's Eve. This is very useful. One other measure that I think is useful, compared to removing anticompetitive restrictions, is that holders of restricted club and renewable limited club licences will no longer be able to purchase alcohol only from retail outlets but will also be able to purchase from wholesalers, where liquor can normally be bought at a better price. On many occasions wholesalers can also offer a greater diversity of product range than is stocked at some retail outlets.

Clause 16 of the bill relates to provisions to allow minors on licensed or authorised premises, including the times live-music venues will be able to entertain people aged under 18 years. It is important to see how this provision is implemented and how we separate the viewing and listening of a live music event from the consumption of alcohol. Often these venues and bars have numerous rows of different types of spirit and alcohol that are normally available to customers. I am not sure that is necessarily what we would want to observe in under-age venues. Victoria has done a whole lot of good work on tobacco reform so products are not visible. I am not saying that we should make alcohol products visible only to adults, but I would like to see the details of how this measure will be implemented.

The reality is that the bigger issues involved in alcohol abuse go well beyond this bill. Victoria — Australia — has a problem with binge drinking, and we also have a liquor industry that mostly works very well. The liquor industry is a core part of Victoria's tourism industry; it is part of what we are known for. After all, Melbourne is the restaurant, bar and nightlife capital of Australia, and that is a competitive tourism strength for Victoria. However, we also know that we have a cultural issue compared to other countries inasmuch as we have a binge drinking problem and sometimes alcohol is abused to an extent we normally would not see in other parts of the world. Other countries have a different culture around the drinking of alcohol. There are lessons to be learnt from those countries about how we can change. Nevertheless, I know that venue operators do not want to have troublesome people who have drunk too much alcohol on their premises. Those operators try to do what they can. Opposition members will not oppose this bill.

Mr SOUTHWICK (Caulfield) — It is a pleasure to rise to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. As other members have said, the gambling and liquor industries certainly need proper monitoring and regulation, so it is very important that we put in place

measures to ensure that those who want to gamble are able to gamble and that we do not promote situations where gambling gets out of control. That is why this government established the Victorian Responsible Gambling Foundation, of which I am a proud member, along with the member for Geelong and the member for Murray Valley. The coalition government has made some substantial changes in our first term of government.

This bill focuses on arrangements for exempting minor businesses and not-for-profit clubs from the need to apply for a liquor license in certain circumstances. This legislation will cut red tape to allow many organisations, such as those in the not-for-profit sector, including RSL clubs, to do what they do best — that is, service their membership and allow such small organisations and businesses to compete against larger operations. The Victorian government made a commitment back in 2010 to cut red tape by 25 per cent right across the board — through all agencies, through all areas and through all ministries and departments. This bill goes to the crux of that commitment. It is great to be able to talk about a series of amendments which will reduce red tape. These measures include removing the requirement for the minister to approve the conduct of a game of two-up if it is conducted or approved by an RSL club, and they remove the requirement for certain clubs to purchase liquor from bottle shops instead of liquor wholesalers.

On the two-up scenario, in my electorate is the Caulfield RSL club, and each year on Anzac Day it runs its own game of two-up. This bill provides that, rather than the club having to wait for approval from the minister year in, year out, it can work through its membership body of the RSL to be able to operate such activities in a more nimble manner. That is what this sort of red-tape-reduction amendment is all about. Removing the requirement for clubs having to purchase liquor from bottle shops instead of wholesalers is very important because such a restriction is anticompetitive. Although, as many of us might know, in some instances bottle shops might be cheaper than wholesalers in the marketplace, clubs should have the opportunity to make that choice and to purchase as larger clubs and larger organisations do, whether it be from wholesalers or from bottle shops, and this bill will enable them to do so.

The bill also extends the exemption from requiring a liquor licence to businesses where the supply of liquor is incidental to their operations, including hospitals, nursing homes and retirement villages. The amendment will also reduce the regulatory burden on small businesses, such as hairdressers and butchers, who

currently provide liquor under the exemptions. This bill is about introducing more competitive measures. For some businesses, providing alcohol to their customers is not a core part of their business. This bill provides such businesses — including retirement villages, hospitals and nursing homes — with the ability to serve their customers and clients a glass of wine or another alcoholic beverage as part of a meal. My father is in a nursing home in Caulfield. He is in Arcare. Each Friday at 5 o'clock is happy hour, when the residents are served a drink. It is a great way for the residents to sit down, socialise and have a drink before their meal. They really look forward to it as an activity they can all participate in. As the member for Dandenong said, such people are not going to get absolutely drunk over a period of 1 hour; they have a drink before having their meal. The same will apply for hairdressers and butchers, who currently do the same sort of thing. When you are having your hair cut, if you are offered a glass of champagne it is simply a nice gesture by the salon as part of its business, and this bill will exempt such a business from having to have a liquor licence.

Cruise ships, which are not based in Victoria specifically but operate in international waters, will also be exempt from that process. The current law applies in other states. What we are doing here is ensuring that we are competitive and that we are keeping up with what is happening in other jurisdictions, and that is why this is very important. The bill provides automatic extensions for trading hours for most liquor licensees serving on premises on New Year's Eve. Again this allows the discretion of the regulator to extend trading hours. This is allowing that important flexibility for venues to operate as they do once a year during the New Year's Eve period.

The last part of the bill looks at removing the requirement for under-age and mixed-age live music events at liquor licensed premises to be approved by the Victorian Commission for Gambling and Liquor Regulation. This means that young people will have the opportunity to experience live music in venues with great acoustics that are set up for live music, provided that alcohol is not being served. The current situation is that applications have to be made 45 days in advance — again, more red tape — and that needs to be approved by the regulator, and only then can somebody start to market this under-age event. Quite often the opportunity is missed, particularly considering how young people operate — a good idea comes up when there is an opportunity to promote an event as part of a festival or something else that is happening — especially in rural and regional communities.

I had the opportunity to be involved in the Education and Training Committee inquiry into music education in schools. Throughout the regions we saw that the opportunity for live music events was being lost. Quite often the problem was that young people could not find a venue to hold these concerts in. As I said earlier, the flexibility to hold events at clubs that are perfectly set up with all the right equipment — providing alcohol is not being served at the venues — is important. It certainly goes to the crux of being able to promote live music and encourage young people to participate in the live music industry. I know providing that flexibility would give the FReeZA program, Blue Light and a number of other organisations that promote live music and try to get more people involved in it the opportunity to do so. It is a great experience for a young person to be able to do that.

This legislation is all about reducing red tape. It is very specific. I have the ability to stand here in this place and look at things that are not getting in the way of small business — people who are flat out trying to keep their doors open — and in particular not-for-profit organisations, which are often made up of elected volunteers. They have put their hands up to do something for the community. They spend most of their time filling in paperwork, complying with requirements, and have little time to do what they want to do — that is, to provide a service to the community. This enables them to do that. I am sure that many people within the community will say this is a step in the right direction. As I said, it is important to distinguish between the promotion of gambling, which is not what this is about, and the promotion of an equal footing. This will ensure that opportunities are there for all organisations — whether they be small enterprises or not-for-profit organisations — to participate on an equal footing. As I said earlier, most importantly, while ensuring that businesses comply with requirements, the bill reduces red tape and makes it easier and more appealing for those who want to participate to do so.

I commend the bill. I commend the minister on the work he has done in this area. It is a step in the right direction. It is not the first step; we have had a series of bills to reduce red tape and compliance costs in liquor and gaming regulation. It is important that we continue to do that, that we continue to make things easier and that we give small businesses an easier run so they can compete on the broader platform. I commend the bill to the house.

Mr SCOTT (Preston) — I will make some brief comments on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. As has been stated previously, Labor is not opposed to this bill.

The particular provisions I would like to speak on are those that relate to changes to the regulation of two-up on Anzac Day and in the week leading up to Anzac Day. Currently two-up may be played in Victoria, but there is a requirement for ministerial approval. It is played to commemorate Anzac Day. There is a tradition of playing two-up in the Australian Army during World War I and later. As the minister noted in the second-reading speech, two-up is now heavily associated with the RSL. The RSL has recommended that two-up be played on Anzac Day or in the week leading up to Anzac Day. The bill removes the requirement for ministerial approval, and the RSL will be able to determine where two-up may be played. This change has been made with the intention of reducing the regulatory burden.

Along with other members, I take the opportunity to note the fantastic work that is undertaken by the RSL in the community. Its commemorations of Anzac Day are among the most solemn of occasions in the year and among the most important community functions that members of Parliament are lucky enough to attend. In my electorate there are two RSLs — the Darebin RSL and the Reservoir RSL. I pay particular tribute to the work that has been undertaken by the Darebin RSL. While it is bedded down now, it undertook a long period of work to establish itself at what was its new venue on Bell Street, Preston, after moving from near the town hall. The president, Bob Cross, and others have worked not just to commemorate Anzac Day but also to support returned servicemen in many different ways. The provisions that will allow two-up to be played will be of interest to the Darebin RSL.

As a local member of Parliament I certainly trust the judgement of the RSL in making determinations about where two-up should be played because the RSL does such fantastic work on behalf of the community and has done so much to highlight those who have served and those who have made the ultimate sacrifice in protecting democracy, which we celebrate in this place. That particular aspect of the bill and the work of the RSL is something I would like to highlight.

Looking at the other provisions of the bill briefly, the bill makes a number of other changes, including the regulation of bed and breakfasts, which has been touched upon, where there will not be a requirement to hold a liquor licence or undertake relevant training to serve alcohol provided that the service is limited to 750 millilitres per room daily. There is also an exclusion for notification requirements under the Liquor Control Reform Act 1998 for businesses such as I have mentioned previously — bed and breakfasts, florists, gift makers, butchers and hairdressers. There

will be the removal of the requirement to provide notification due to there being considered a low risk of harm in those businesses.

There will also be exemptions to the requirement to hold a liquor licence for hospitals, residential care services and retirement villages. The basis of this decision is that the service of alcohol in these businesses is, as the minister said, ‘ancillary to the primary purpose of the business’. The businesses will be able to supply only limited amounts of alcohol, the definition being no more than two standard drinks per recipient, and they must ensure that alcohol is not supplied to minors. There are also exemptions for cruise ships, and I think the member for Dandenong touched upon the issue of cruise ships. They are an important part of the tourism industry as it relates to Victoria, and the provisions here will allow cruise ships to supply alcohol to the passengers and crew members.

There is also an extension of New Year’s Eve trading hours and changes to restricted club licences. We are really talking about limited club licences, which usually apply to volunteer-run organisations. There is also a removal of the requirement that they purchase alcohol only from retail outlets, allowing them to access wholesale providers of alcohol. There are also changes to live music venues to allow people under 18 to attend premises without the need for approval, provided that liquor is not served to any person at the event. These changes are not opposed by the Labor Party. As I said, I would like to take the opportunity to place on the record particular appreciation — I am sure on behalf of all members of the house but for myself on behalf of the community of Preston — of the fantastic work undertaken by the Darebin RSL and the Reservoir RSL as it relates to provisions of this bill that reduce regulation for two-up on Anzac Day.

Mr NEWTON-BROWN (Pahran) — I rise to support the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. The title of this bill really says it all. This is a hallmark of the Liberal coalition government, making it easier for business owners by cutting red tape and cutting regulatory burden so that they can get on with their lives, with employing people and with making their businesses able to run in the most efficient manner possible. There are regulatory burdens that have been built up over many years, and through this legislation and many other pieces of legislation over the last three years or so this government has made sensible changes in almost every portfolio. There are numerous examples of improved efficiencies and examples of reductions in red tape. This enables people to get on with their businesses and get on with their activities. Small

government is the hallmark of the Liberal coalition so that people can move forward and get ahead without the drag of government regulations.

I am very proud to support this bill. There are small but significant changes which will have practical impacts on many people's lives. Turning first to the live music industry, this bill reduces much of the red tape involved in that industry. This government is very supportive of the live music industry. The house will no doubt recall the debacle of 2008 — the 2.00 a.m. lockout. This was the failed experiment of the Brumby government whereby people were locked in or out of venues at 2.00 a.m. This was an unmitigated disaster. It ruined our famous reputation for late-night venues, certainly in the live music industry, where late nights are when live music is primarily played. The 2.00 a.m. lockout caused great problems for this industry and for our community. It was an unmitigated disaster, and the community said so.

Honourable members interjecting.

Mr NEWTON-BROWN — I am being heckled in the chamber, but no doubt those in the chamber will recall the 'Make Brumby history' movement which grew out of the 2.00 a.m. lockout. There was a rising up in the community, particularly among those in the younger community. The community rose up against this failed experiment, and within months it was over. The member for Caulfield notes that it worked, and indeed it did work, because the Brumby government backflipped on this lockout. Not long after that, in a couple of short years, Brumby was indeed history.

The Liberal coalition commissioned a report in 2011 which looked at the impact on live music and found that it generates \$300 million to our economy and 15 000 full-time jobs. It is a very important part of the cultural landscape in Victoria, and certainly Melbourne has more live music venues than any other city in Australia. There are 370 venues in Melbourne, and if you add those in areas outside Melbourne, we come to 600 venues in Victoria, averaging about 3000 live performances per week. There is no doubt that it is a significant industry for this state, and through this bill the coalition government is offering strong support for the live music industry, which very much began with the establishment of the live music round table.

One of the objectives of the Liquor Control Reform Act 1998 was that there should be a contribution to the development of the live music industry. This includes everything from large international acts that are touring right down to small gigs in pubs, and certainly all these venues make significant contributions to the cultural

life of Melbourne. The current application process is that a licensee must apply at least 45 days before a proposed under-age, alcohol-free gig. Clearly if there is no alcohol being served, there is a greatly reduced chance for harm to occur. The Liberal coalition government believes that kids who are under 18 should also be allowed to enjoy live music, and those gigs provide a future audience for the industry. When those people become 18, they can go into licensed venues, but prior to that there are venues which are underutilised during the early hours of the evening and in the afternoons. Those venues that want to promote live music through under-age gigs should be supported, and we should make it easy for them, both for their businesses and for the benefit of the live music industry, which will be introducing the next wave of supporters at a younger age. Certainly the feedback I have had over recent years is that these under-age gigs are well run and provide a great service both for kids and for businesses. This bill will go some way to support that.

I turn to the extension of trading hours on New Year's Eve. This is again a very sensible decision. Every year venues want to extend their hours, and certainly New Year's Eve, particularly in central Melbourne, is a really special event. It goes much later into the night than most other nights, and there are certainly many people who will want to be out late on New Year's Eve whereas they may not on other nights of the year. The changes in this bill provide certainty for venues; they know that they can all extend their licences to 1.00 a.m. for hotels, clubs and bars and 3.00 a.m. for restaurants. Restaurants can simply open their doors and take bookings, and they do not have the red tape involved in getting the special permission that they would otherwise need to get.

The bill permits small clubs to purchase liquor from wholesalers, and this is again a very sensible decision. Currently there is an anticompetitive restriction on small clubs whereby they are not able to buy from wholesalers and have to buy liquor from a retail outlet. The bill removes this anticompetitive restriction and provides for greater choice for these clubs, making them more viable. There are also a number of minor business exemptions for venues such as hospitals, nursing homes, retirement villages, cruise ships, butchers, hairdressers and bed-and-breakfast operators. Basically the bill makes it easier for these types of venues to provide moderate amounts of liquor. The coalition government has weighed up the risk versus the red tape and come down in favour of businesses — the red tape will be reduced because the government believes the risk is relatively low. The existing requirement for exempted businesses to notify the

Victorian Commission for Gambling and Liquor Regulation that they intend to supply liquor under an exemption will be removed, again removing unnecessary administrative burden while keeping in mind the risks involved. The government is coming down in favour of businesses.

Two-up on Anzac Day is a great Australian tradition. It involves a 'spinner' and two coins — traditionally copper pennies were used. I understand the decimal coins do not have the right weight, so a two-up game is still played using old pennies. This game grew out of convict times and was first mentioned in 1798 by the first judge advocate of New South Wales, who noted that the game involved a distinct lack of skill and large losses. Despite this, it grew in popularity. It became popular in the goldfields, and in the First World War it was played extensively by Australian soldiers. That is why there is great sentiment around the game for diggers on Anzac Day and in the lead-up to Anzac Day. With this legislation the coalition government is making it easier for this cultural pursuit to continue for the diggers who hold it so dear.

In conclusion, all the legislation this government presents to the house offers sensible changes, and this legislation is no different. It supports business and it supports the community.

Mr PALLAS (Tarneit) — I rise to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. My contribution will be much the same in many ways as those that have been made by a number of other speakers, and therefore I do not propose to labour it, but rather to make a number of points around red tape reduction. The bill amends the Gambling Regulation Act 2003 and the Liquor Control Reform Act 1998 to reduce what is described as:

... unnecessary and burdensome red tape requirements that apply to Victorian businesses, clubs and other ... licensed premises.

The reduction of red tape is often used as a talisman of opportunity in terms of reducing the cost to business, but quite often the reduction in red tape is an end in itself. It has a profound effect upon people's comprehension and perception of their legislative obligations and of their interaction with the state, so a reduction in red tape is in itself a good thing. It often provides an opportunity for the government to reassess the relevance and continued viability of what can be archaic and no longer relevant legislation.

One thing we need to recognise is that the removal of red tape is also about a very profound impact upon

business. The cost to businesses when red tape impacts how they run profoundly impacts the staff they employ and their processes to meet their regulatory and legislative obligations. Some jurisdictions have introduced 'one in, one out' legislative practices, and we have seen other practices in the federal Parliament — a red tape reduction day, a bonfire. I do not say that these things in themselves are necessarily desirable ends, but it is good that there is a continuing emphasis on how we can reduce the burden on business.

It is one thing for government to go around talking about the reduction in red tape, but the greatest burden that government can place on businesses is to increase the taxation impost. To reduce the red tape burden with one hand and then with the other impose upon pubs and clubs an increased electronic gaming machine (EGM) levy is the height of hypocrisy. Unstated is the fact that a taxation amendment bill that goes to EGM charging and the levy is not before this place, but a bill with a relatively minor series of amendments that relate to red tape reduction is. It speaks volumes to the government's priorities that this bill would be before us, rather than one that seeks to place an inordinate burden upon business.

We know that red tape reduction can provide for more efficient businesses, increase employment opportunities and enable pubs and clubs to pick up more of their community capacities. But we also know that if you increase the taxation burden on RSLs and football clubs through an EGM levy, then you have the practical consequence of requiring them to review their employment levels and look at the number of social provisions that they make — whether it be subsidised meals for the community or sponsorships of local football teams. Reducing the overall level of red tape is marginal in the context of what could be offset by a very deleterious and substantial increase in business costs through an electronic gaming machine levy.

The RSL clubs are speaking long and loudly about this. They are concerned about it. Other clubs across Victoria are very concerned about it as well, and this will impact directly on employment. This bill is a case of the small print giving and the unstated, unseen taxation amendment bill is the large print taking away, and of course that will have a profound impact upon business right throughout this state.

On the more substantial issues before the house relating to this bill, RSL clubs will be able to conduct two-up games on Anzac Day without being required to seek ministerial approval each year, and I understand that also extends to the week prior to Anzac Day. I might

say that is a good thing. In the community I represent in the outer western suburbs of Melbourne, quite often there are ceremonies recognising Anzac Day before the actual day itself. Why is that? That is because on the day itself a lot of the ex-servicemen like to congregate in the city and meet their fellows from far and wide across the state. Providing for that capacity and flexibility is a good thing.

Similarly providing for capacity and flexibility regarding bed-and-breakfast businesses effectively not being required to undertake responsible service of alcohol to serve alcohol, provided that the service is limited to a 750-millilitre ration entitlement per room, is not such a bad thing, and it is sensible. Also there are arrangements around the exclusion from notification requirements for bed-and-breakfast businesses, florists, gift makers, butchers and hairdressers. They are exempt from the requirement to hold a licence, but they must notify the Victorian Commission for Gambling and Liquor Regulation if they intend to supply liquor. Because of the stated low risk of harm due to service in these institutions, it is a sensible, modest and on balance desirable modification to the existing regulatory scheme.

There are exemptions from the requirement to hold liquor licences for hospitals, residential care services and retirement villages on the basis that service of alcohol in these businesses is ancillary to the primary purpose of the business. There are restrictions that insist that the supply is only for a limited number of drinks — two standard drinks — per recipient, and that makes sense. There are cruise ship exceptions, provided that alcohol is supplied only to passengers and crew members for consumption aboard the ship; and there are no limits specified in relation to alcohol served on cruise ships.

Far and wide these arrangements make sense. For the holders of restricted club and renewable limited club licences who are currently permitted to purchase liquor from retail outlets, the bill removes these anticompetitive restrictions. It will ultimately allow these licensees to purchase liquor elsewhere, including from wholesalers. That in itself is a good thing. On balance the opposition does not oppose the bill. It makes some modest but ultimately net beneficial changes to the regulatory scheme imposed on businesses. But I restate that the unspoken problem here is that the government will undo all the good work it will achieve through these minor reductions with the increased tax burden it will place on pubs, clubs and RSL clubs through its unfair electronic gaming machine levy, a levy that the government has yet to bring before this Parliament.

Ms WREFORD (Mordialloc) — I rise in support of the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. This government has made a raft of reforms to liquor and gambling legislation since the 2010 state election. We have been implementing the Victorian coalition's plan for liquor licencing and its comprehensive plan to restore probity, responsibility and integrity to gambling legislation. So there will not be any more crazy pokies auctions, and no more of the ill-conceived ideas that those opposite left us with. Clearly that will mean fewer problems and much better results for the community.

This bill amends the Gambling Regulation Act 2003 and the Liquor Control Reform Act 1998. In particular it reduces wasteful red-tape requirements that apply to Victorian businesses and especially not-for-profit clubs. One of the biggest differences between the major parties is that Labor loves to create endless seas of red tape, and we try to free people from it. We are trying to create a Victoria where things are simple, yet efficient. Our government thinks local clubs are a vital part of our community. Their ability to connect with people in the community, to induce people to become volunteers, to create jobs, to provide entertainment, to build infrastructure and to bring money into the local community is fantastic. I look at what clubs like the Mordialloc Sporting Club can do for their community. It does all the things that I have mentioned, and more. It is a brilliant club. While there are other similar clubs in my electorate and in other communities, it would be terrific if we had more clubs like it.

However, you do not get more of these clubs when Labor's love of breeding red tape just makes life difficult for them. Many clubs are scared to take the next step up, because of the red tape burden that comes with it. They may want a higher level of existence, but in order to get there volunteers have to deal with pages and pages of forms to fill out and extremely tough compliance requirements, and it takes more hours of work than volunteers can handle. The reduction of unnecessary red tape will save clubs time and money which they can put towards giving more back to their local communities.

In terms of gambling this bill removes the need for the minister to approve the playing of two-up around Anzac Day every year. Currently RSL clubs have to apply each year to play two-up on Anzac Day, and the minister has to approve it. What we are doing is letting RSL clubs play two-up without the unnecessary process.

In terms of liquor, this bill strengthens the live music industry by removing the ridiculous requirements for

approval of under-age live music events in licensed premises. It extends exemptions from the requirements to hold a particular type of liquor licence on New Year's Eve and reduces anticompetitive restrictions on clubs. We are allowing clubs to buy liquor from wholesalers. Currently they have to buy their liquor from retailers like the local bottle shop. This practice will probably continue; however, it is pretty anticompetitive. What we are doing is just giving the clubs far more choice.

We are also making life fairer for retirement villages, nursing homes, hospitals and cruise ship operators by not requiring them to consistently have to seek liquor licences. However, they will need to comply with conditions relating to the safe supply of liquor; then they can go into the same category as bed-and-breakfast operators, hairdressers and butchers. I suppose many of us have been to hairdressers salons where they have been offered a nice glass of champagne to accompany a haircut. I know I have.

Mr Nardella interjected.

Ms WREFORD — I did not actually say I took it, but it was nice to have had it offered. Once again this bill cuts red tape for those businesses. It is a common-sense move. The conditions obviously include not supplying alcohol to minors and limiting the supply of alcohol so that there is not an endless supply of alcohol to one client at the hairdressing salon. For all of the groups in this category we are also removing the existing requirement that they notify the Victorian Commission for Gambling and Liquor Regulation on every single occasion. That regulation was very burdensome, particularly considering the low risk these types of businesses pose.

Further, in relation to bed-and-breakfast operators, we are allowing proprietors who do not live on the premises to be eligible for the same exemption. Given that these operators will be subject to the 750-millilitre daily limit, the requirement to complete responsible service of alcohol training is no longer relevant. All exempt businesses have other controls that support the responsible service of alcohol. If businesses fail to comply with these conditions, they are serving alcohol without a licence and in such cases the exemptions no longer apply.

This bill also allows entertainment and hospitality businesses an extension to trading hours on New Year's Eve. These businesses are currently allowed this extension with a permit, which is usually granted. This is a longstanding practice. We acknowledge that these clubs, hotels and bars want to open on New Year's Eve

until 1.00 a.m. However, notorious licensees, licence types or local areas may be precluded from obtaining this extension if they are deemed not to be suitable.

The highlight of this package in many respects is the impact it will have on the live music industry. Many types of nightlife events were slaughtered by the Bracks and Brumby governments. Who could forget Labor's bungled lockout and the violence on the streets in 2008. So much of its policy was misdirected.

Live music was one of the industry sectors damaged by the previous government. We have taken bold steps to resuscitate the industry. These include the establishment of the live music round table, which discusses licensing issues within the industry. We take this industry seriously. We want to see it flourish, from huge international bands at stadiums to small gigs at local venues. It is a big part of Victoria's culture. I, along with many other people in this room, spent my formative years in the environment of live music venues. Live music is important in my electorate. It has jazz bars, and bands perform at a number of pubs and clubs in the area. We also have events such as Mordialloc by the Bay and the Mordialloc Food, Wine and Music Festival.

There is also an issue relating to de-licensing lead-in periods for under-age events. Many under-age events feature established bands and developing young bands. It is difficult for groups organising these events to find venues willing to host them. Many licensed venues are perfect for these events and are keen to host them, but as it stands they must apply for a de-licence 45 days prior to the event. Also, the application form and process are extremely burdensome, so many venues cannot be bothered. An under-age event is not profitable for such venues, so when you consider the time lost, why would they want to run something at a loss? Also, if the local inspector has a grudge, the de-licence will not be granted.

We are changing this process so that the licensee only has to provide seven business days notice to the commission. This is enough time for the commissioner and police to undertake the appropriate checks and ensure the safety of the event. Licensees and youth event organisers have been begging for these common-sense changes for years, and we are happy to deliver them.

In summary, this government has made a raft of reforms to liquor and gambling legislation since the 2010 election, delivering on its promises. This bill reduces wasteful red-tape requirements that apply to Victorian businesses, especially in the not-for-profit

sector. The coalition government believes local clubs are a vital part of our community. In terms of gambling, this bill removes the need for the minister to approve two-up on or around Anzac Day every year. In terms of liquor, this bill allows clubs to buy liquor from wholesalers and removes other restrictions. Importantly it also helps the live music industry. I commend this bill to the house. The Regional Growth Fund has provided more than \$365 million to support over 1250 projects across rural and regional Victoria, leveraging \$1.5 billion in total investment.

Mr LIM (Clayton) — I am very pleased to rise and speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. The bill amends the Gambling Regulation Act 2003 and the Liquor Legislation Control Reform Act 1998 in several ways. Firstly, the bill removes the requirement that the minister approve the playing of two-up on or around Anzac Day every year. We all know that two-up is a gambling game in which players bet whether two tossed coins will land as heads or tails. RSL clubs have a history and tradition relating to the game, particularly on Anzac Day. As a result, Anzac Day is the one day of the year when playing two-up is legal. The removal of the requirement for ministerial approval will reduce the regulatory burden on RSL clubs to seek approval in preparation for Anzac Day celebrations.

Secondly, the bill removes the restriction that holders of restricted club licences or renewable limited club licences can only purchase liquor from retail outlets. Currently these clubs, which are typically run by volunteers and not-for-profit organisations, are prohibited from purchasing liquor from wholesalers. The removal of this restriction will allow such clubs to operate more effectively, competitively and cheaply.

Thirdly, the bill extends an exemption that will allow some minor businesses to supply alcohol pursuant to certain conditions. Currently, some business types are exempt from the requirement to hold a liquor licence. Such businesses include bed-and-breakfast operators, butchers and hairdressers. These exemptions exist in the acknowledgement that the supply of alcohol is an incidental part of the primary purpose and service of such business. The sale of alcohol forms a very small portion of the financial operations of the businesses, so the exemption to hold a liquor licence reduces their regulatory burden.

The bill extends the exemption to include hospitals, nursing homes, retirement villages and cruise ships. These types of businesses generally exhibit a low risk of harm in relation to alcohol use, and therefore the exemption is an appropriate method for reducing red

tape. However, the serving of alcohol by these new business types is restricted to no more than two standard drinks per recipient, and the operators must ensure that no alcohol is served to minors. These limits do not apply to cruise ships, though.

In respect of bed-and-breakfast operators, the exemption from the requirement to complete responsible service of alcohol training in order to supply liquor is on the condition that no more than 750 millilitres of alcohol per room is supplied within a day. The failure to comply with this condition will effectively render the offending business as supplying alcohol without a licence and liable for applicable penalties.

The bill will also extend permitted trading hours for the supply of alcohol by certain business types on New Year's Eve and New Year's Day. New Year's Eve is one of the major dates in Victoria's events calendar. Over half a million people flock to the CBD to celebrate the occasion. Major events are held at Treasury Gardens, Kings Domain, Flagstaff Gardens, Docklands and throughout the CBD to provide entertainment and fun for the community. There are large gatherings in other areas of Melbourne as well.

New Year's Eve is a major date for the hospitality and entertainment industries in Victoria, and it has become an important cultural event for our city. As a result, many businesses within these industries apply for extended trading hours on New Year's Eve. This bill will extend trading hours for hotels, clubs and bars until 1.00 a.m. on 1 January. Trading hours for restaurants will be extended until 3.00 a.m. on 1 January. It will be at the discretion of individual businesses whether they extend their trading hours to what the bill permits. If they do, they will remain subject to the normal responsibilities and requirements associated with the responsible serving of alcohol.

Finally the bill makes amendments relating to the live music industry. Currently licensees are required to apply for an exemption at least 45 days before an event. This is a cumbersome piece of red tape and a hindrance to the growth of our live music industry. Instead licensees will be required to notify the commission of a proposed alcohol-free under-age or mixed-age event at least seven days prior to the event. This notice will give Victoria Police and the commission sufficient time to make preparations and undertake appropriate compliance in relation to the event. Licensees will be required to comply with any requirement imposed by the commission or Victoria Police. This change will encourage venues and live music event organisers to

push ahead with their events and continue to grow the industry through the reduction of red tape.

I welcome the measures in this bill, and I am sure they will be welcomed by the businesses it affects. I trust that the reductions in red tape achieved by this bill will be substantial and that businesses will become more effective in their operations as a result. I commend the bill to the house and wish it a speedy passage.

Mr GIDLEY (Mount Waverley) — I rise to make a contribution to the debate on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. Firstly, this is another example of this government implementing its comprehensive plan to restore integrity and probity and put personal responsibility front and centre of gaming regulation and liquor licensing. Secondly, it is a hallmark of this government to strike a better balance between necessary regulation to achieve outcomes and, wherever possible, reducing the regulatory burden on our community, whether it be on clubs, not-for-profits, RSLs or live music venues. There are a number of areas impacted by a reduction in regulation, which is a hallmark of this government.

Why is that important? If it is possible to achieve good outcomes with less regulation, less cost and less intrusiveness in the lives of businesses and voluntary organisations, that is good for our community. Firstly, it means there will be less cost involved for those organisations, and therefore they will have a greater capacity to put those savings into their focus areas — their primary areas of service, if you like — rather than ancillary areas of regulation. Secondly, as a consequence there will be a substantial economic impact on the state of Victoria. As you reduce regulatory burden you provide an opportunity for greater economic growth through greater return on investment.

In relation to two-up on Anzac Day, the bill removes the requirement for the RSL to seek ministerial approval to conduct two-up on or before Anzac Day each year. Currently two-up may be played in Victoria to commemorate Anzac Day, but only with ministerial approval. It is sensible to ensure that there is a removal of the requirement to seek ministerial approval. In many ways ministerial approval is not needed to ensure, firstly, that people have an opportunity to participate in that tradition and, secondly, that it is done in a manner befitting the tradition.

The bill removes an existing prohibition on holders of restricted club licences and renewable limited club licences from purchasing liquor from wholesalers. That

legislated restriction has reduced competition, if you like, because holders of restricted club licences and renewable limited club licences have been unable to reduce their costs by purchasing from a wholesaler. As a consequence their costs have been higher than they would have been if that restriction were not in place, in which case they may have been able to provide more services in their primary areas of service. I welcome that provision, which in my view removes an anticompetitive restriction on those particular licence-holders.

The amendments relating to minor business exemptions will expand the number of businesses eligible for exemptions. They make hospitals, nursing homes, retirement villages and cruise ship operators eligible for an exemption from the requirement to have a liquor licence if they comply with certain conditions relating to the safe supply of liquor. Those exemptions already apply in other cases and seem to have worked well. Therefore, if there is the capacity to get the right balance between necessary regulation of the consumption of alcohol and reducing the regulatory and financial burden on those operators, that is a healthy thing. For these operators the supply of alcohol forms only a small or incidental part of their operations. If the supply of alcohol is only a small or incidental part of the operations of a business or service club, then expanding those exemptions will help reduce costs for those organisations.

The bill also removes the existing requirement for exempted businesses to notify the Victorian Commission for Gambling and Liquor Regulation that they intend to supply liquor under that exemption. That notification requirement seems an unnecessary administrative burden for those businesses. Most importantly, again the risk is out of kilter with the administrative burden. When the requirement was originally put forward requiring those businesses to notify the commission that they intended to supply liquor it was disproportionate to the risk and unnecessary, given the risk profile of those organisations. The bill makes a few different amendments to the definition of ‘bed-and-breakfast business’ in some situations, which others before me have talked about.

I note that Melbourne is a very social city and Victoria is a very social state. It is a good thing if people in a free society have the opportunity to go out and enjoy time with family, loved ones and friends, and to be able to celebrate big occasions like New Year’s Eve. I note that in order to provide greater certainty to hospitality and entertainment businesses this bill provides an extension to permitted trading hours for the majority of

liquor licences on New Year's Eve. I am advised that that will allow for the following trading hours for relevant licensees — until 1.00 a.m. on 1 January each year for hotels, clubs and bars, and until 3.00 a.m. for restaurants. By enshrining that longstanding practice, ideally there will be greater confidence and certainty for industries that service people who want to go and celebrate in a responsible manner with family, friends and loved ones on a night like New Year's Eve. It is a reminder to me of the freedoms and liberties that we have in our state. We sometimes take for granted the fact that we have the capacity to do that; not all countries do.

In addition to that, I note that in terms of the live music industry one of the objectives of the Liquor Control Reform Act 1998 is to contribute to the development of the live music industry. The coalition has been supportive of that through a number of forums. Unfortunately under the current application process a licensee must apply at least 45 days before a proposed event. That has been deemed an unnecessary administrative burden, therefore the bill seeks to reduce that unnecessary burden by reducing the lead-in time in which to apply for those licences — that is, alcohol-free, under-age and mixed-age licences. These are sensible amendments to the existing law that will improve the regulatory burden balance.

In my contribution tonight I would also like to mention that one of the great aspects of this area — and this is at the front and centre of coalition policy — is the importance of personal responsibility. Regardless of what regulations Parliament puts forward, personal responsibility has the greatest impact on ensuring that people can consume alcohol in a sensible manner — that is, people taking responsibility for controlling their consumption of alcohol. There is a clear link between alcohol consumption and family violence, there is a clear link between excessive alcohol consumption and health issues, and there are clear links between alcohol and a range of other factors. Therefore I again indicate the importance of setting the bar high in our state in relation to personal responsibility and excessive consumption of alcohol.

That is not to say that there will not be situations where excessive consumption occurs; human nature is such that it will. But if the bar is high for our community in relation to personal responsibility for the consumption of alcohol, the signal that gives to our community should ensure that excessive consumption happens less often. Moreover, the risk of things like family violence and alcohol-related medical issues would be reduced, as would the risk of people who have had too much alcohol disrupting others who are going about their

business and trying to enjoy an occasion like New Year's Eve. With those few words, I commend the bill to the house.

Mr HERBERT (Eltham) — I am pleased to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. It is a pretty straightforward bill. It continues the general operations of government in terms of regulatory reform. Governments are constantly looking at our regulations and seeing whether they meet changing times. I have been listening to those opposite crowing about what great initiatives there are in this bill and going on and on about the coalition government doing this and that. They cannot seriously have anything to crow about, given the dearth of policy offerings and initiatives in this place. When it comes down to it, they say this is the best and the biggest initiative that we have seen in this state under the coalition government. That is really sad to hear. It is a shocking indictment of this government, which is doing absolutely nothing when it comes to tackling the real problems in this state.

Having said that, of course everyone is going to support this bill. But let me be clear: it is not something that has come out of the blue as a huge new initiative. I could not tell you the number of regulations in the gambling and liquor area that have come to this Parliament. We do it virtually every year. There is a changing environment in terms of the way society uses alcohol and the way gambling works — everything from trying to stop the involvement of organised crime in the gambling industry to the abuse of liquor by young people. Of course we have to keep changing regulations, and this bill is part of a long line of regulation in this state.

As we have heard, the bill makes some minor changes to business exemptions, particularly for hospitals, nursing homes, retirement villages and cruise ships. In relation to cruise ships, interestingly there has been a kind of revolution in travel and Victorians' travel preferences in recent years. A lot more people are going on cruises — people who in the past would have caught a plane and stayed in a place for a while.

We are starting to see a renaissance in people taking cruises. This is partly because they are much cheaper now. That is the truth of it: as a packaged holiday they are good value for many families, who get to visit places and have a good time on the ship in place of going to a holiday resort like, say, a beach resort. That is a good thing. It makes sense that there should be exemptions for these ships, which are coming to Melbourne in greater numbers more and more frequently, and for Victorians who are taking cruises

and want to have a good time. We support that. It is a straightforward thing and a smart thing to do, and it goes some way towards meeting the changes in people's travel habits in this state.

On the issue of two-up, most people here will have been to Anzac Day ceremonies and tossed a few coins now and then. I have had a fair bit of luck at Montmorency RSL in the past. I do not mind having a bit of a flutter on two-up in the lead-up to or on Anzac Day. This change means RSLs will not have to seek ministerial approval to host what is a great tradition in Australia. We retain some of the knockabout part of our history, and two-up games on Anzac Day are part of that history. It would be a sad day were we to lose that aspect of our history, and it is good that we can make it a little easier for RSLs with a little less regulation around that great tradition.

The third provision in the bill that I will talk about briefly is the amendment that will enable bed-and-breakfast operators to supply liquor to their customers in small amounts without having to have a liquor licence or to complete responsible service of alcohol training. This is a straightforward thing and it is a smart thing too. Not so long ago I stayed at a bed and breakfast in Beechworth. As is the case with good bed and breakfasts, they had a bit of port on a side table for guests to help themselves to when they returned of an evening. Often guests sit around the lounge room, have a cup of tea and maybe a nip of port, et cetera. It is a nice thing to do, and the practice has been going on for a long time. The amendment will legalise the practice, I guess you would say.

There is one aspect of the bill I will comment on. It is all very well to say, 'Hey, we are going to regulate things' or 'We are going to reduce the regulations', but I note that the bill puts a daily limit of 750 millilitres on the supply of liquor through bed and breakfasts, regardless of the size of the bed and breakfast — whether it is a two-bedroom unit or whether it is a five or six-bedroom unit. If there is one thing that annoys me more than anything else in this place it is a regulation that is simply unenforceable. Seriously, does the government really want to start up a bed-and-breakfast police regime to enforce a daily 750-millilitre limit on the service of alcohol? It is just nonsense. No-one will ever go into a bed and breakfast to count or even be able to count how much alcohol has been consumed by guests in the lounge room after 10 o'clock or 12 o'clock at night. It is a weird thing to do. The regulation is there and those opposite have been crowing about it — of course, this is Liberal legislation. The government has had a chance to look at this regulation and it would have made sense, had it

been serious about getting rid of unnecessary regulation, for it to think about how it could be enforced. There is some strangeness about this provision, even though the government is attempting to clean up the regulations.

The last thing I would like to comment on is the extension of trading hours on New Year's Eve. This is another reasonable thing to do. Regulation is a complex issue because on the one hand we know there are groups of people who drink to excess and create trouble. There are issues with the crowds that congregate along our seaside towns. We get large crews of young people in Lorne and there is a need to have restrictions on alcohol, a lot more enforcement and more restrictions to counter what are often hot spots. On the other hand we are a growing city and we are a cosmopolitan city. If anyone goes down to Southbank on New Year's Eve they will see families there and people wanting to have a good time. The old days of having to finish at 10 o'clock or right on midnight are over. Recently Labor announced 24-hour-a-day train services for people who wanted to celebrate New Year's Eve, and it was a great initiative. I think we need to be realistic, and this regulation helps a little in terms of saying, 'People are going to stay out late. They are going to party late. Melbourne is a sophisticated city and we need to recognise people's changing habits and extend those trading hours'.

All in all, this bill changes regulations in a positive way. It is part of a continuing process of looking at how, as a state, we regulate gambling and liquor service. It will not be the end of the story. Legislation will constantly be brought in here to change the regulations and to change the law to cater for and meet changing community expectations and changing patterns of community behaviour when it comes to gambling and liquor. No-one here wants to promote excessive drinking, no-one here wants to promote irresponsible gambling. I think that is absolutely clear. If this bill did extend the regulation of those issues, everyone here would be condemning it.

The truth is that the government has looked at the patterns of behaviour in Melbourne today — our traditional events such as Anzac Day and the playing of two-up — and has simply shaped the regulations to better fit the sorts of practices that occur and the changes that have occurred in Melbourne, such as the increase in cruise ships and the Anzac Day functions, together with the responsible partying that goes on on New Year's Eve. We have looked at what is happening and said, 'Let's s. Let's make sure the laws of this state reflect the good patterns of behaviour that people

display'. That concept should be supported, and I am pleased to have spoken on the bill.

Mr CRISP (Mildura) — I rise to make a contribution to debate on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. I say at the outset that I support the bill. I think the overall aim of the bill is to reduce red tape, and we have heard that from quite a number of members as we have worked our way through the debate. The bill makes some amendments to various acts to reduce the regulatory burden on Victorian clubs. It removes a requirement for the minister to approve the conduct of two-up if it is conducted or approved by the RSL and it removes the requirement for certain clubs to purchase liquor from bottle shops, instead freeing them up to purchase their liquor from wholesalers. It extends the exemption from the need for liquor licences for businesses that supply liquor which is incidental to their businesses and provides automatic extensions to trading hours for New Year's Eve. Finally, the bill removes the requirement for approval of under-age and mixed-age live music events on liquor licensed premises. The bill is part of our commitment to cut costs to these clubs and functions and to continue our support for not-for-profit organisations.

If we look at this bill in some detail and in particular the parts that are of interest to us, we can see that, firstly, it deals with the playing of two-up. Anzac Day is a pretty special day in most of country Victoria and it is a special day in Mildura. The bill removes the requirement for the minister to approve the conduct of two-up games on or around Anzac Day each year, which will simplify things for RSLs. However, RSLs will still be able to control where this occurs, which is very important. We all know the good work the RSL clubs do in caring for not only returned servicemen but also greater parts of our community. They play a special role, and in Mildura the RSL is a major benefactor to a lot of clubs and organisations and performs charitable works. I commend the club and its committee on its work. Barely a month goes by without my having a conversation with one of the committee members or management, and that builds on Mildura's great tradition as a soldier settlement area.

For our small clubs, easing liquor licensing is extremely important. I was at the Merbein Golf Club on Friday night for a barbecue and social night, and it was just a lovely night. As you walk up to the club you can see this is a small community golf club. There is a bar and it is staffed by volunteers. Being able to get a little extra margin on the beer fridge is pretty important to that club's survival. Kim Trigg and her many assistants made a wonderful Friday autumn evening something

special in Mildura. I hope the Merbein Golf Club attracts the members and interest it needs. I noticed though as I had a walk around that there were quite a number of kangaroos. I am not sure whether they had paid the green fees but they were certainly having a good chew on the greens, and there was no sign of golf clubs.

For minor businesses such as retirement villages, which all have their community centres, to be able to have alcohol at functions is very important and is now reasonably straightforward. I can remember the enabling legislation that brought this to the house; I think it has settled into our community very well. For bed and breakfasts the exemption related to a proprietor not having to be on site shows how well the initial work that was done has settled in those areas. I remember the debate over butcher shops and hairdressers that occurred at that time, and again I think that being able to ease the restrictions for those businesses shows that they have settled in well, that there have not been problems and that now we can go that bit further to make things so much easier for them.

With respect to the New Year's Eve exemptions, I must be showing my age here because 1.00 a.m. for hotels and bars and 3.00 a.m. for restaurants is probably a bit past when I am up. However, it is important to be able to make this exemption automatic so that the proprietors of these premises do not have to go through the licensing requirements that are usually involved. For all those people who are involved in those celebrations I think the extension to 3.00 a.m. for restaurants where food is served is very wise. The 45 days notice required for live music venues was fairly onerous if a small function was involved. For alcohol-free, under-age events I think the change to 7 days notice will help young people who are often involved in organising these events to get on and organise them.

That is the extent of the bill. It covers a broad number of areas of interest. It tidies up the legislation and makes life much better for operators of licenced venues. It shows that the initial move into these areas has been widely supported in our community and has caused few problems. With those words, I support the bill.

Mr MORRIS (Mornington) — I am delighted to have this timely opportunity to address the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. Essentially, as members have noted, the bill has four distinct areas. The first is very much about reducing the regulatory burden on Victorian clubs. It is about removing the requirement for the minister to approve the conduct of two-up — which

occurs once a year and not every day of the year — when it is conducted or approved by an RSL club. Secondly, it is about removing the requirement for some clubs to purchase liquor from bottle shops rather than from wholesalers. The bill also extends the opportunity for exemptions where a business exists for some other purpose and not for the primary purpose of the provision of liquor. It provides for an automatic extension to trading hours for most categories of licences, but importantly not packaged licences, on New Year's Eve. Finally it deals with removing requirements for under-age and mixed-age live music events to be approved by the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

At the commencement of this debate the member for Melbourne, the opposition's lead speaker on the bill, made a series of comments regarding the bill, particularly about what in her view the bill did not encompass. In particular she essentially said, and I am not intending to verbal her in any way but simply to paraphrase, 'It is all very well and good but, really, we have other issues. It is tinkering around the edges, and you should be doing something about the substance of the issue and not just moving around the edges'. It is important that in the context of this debate we identify what has been done in this field since the government took office because we are absolutely committed to reducing the impact of alcohol misuse, not only on individuals but on families and communities as well.

In January last year we released a document entitled *Reducing the Alcohol and Drug Toll — Victoria's Plan 2013–2017* That was the first whole-of-government strategy intended to reduce the impact of alcohol misuse and drug abuse on the Victorian community. It sets out a 15-point plan for encouraging social change, because in these matters it is not just about the rules, it is about the culture. You have got to encourage social change, target excessive drinking and drug use and support that by education and enforcement through health and social services, and we have done that.

We have strengthened liquor regulation, and the VCGLR was established as an integrated regulator. We have introduced the 5-star rating and demerit point system so that licensees now have stronger incentives to comply with liquor laws. Prior to that introduction it was really all stick — and the stick was very rarely used — and no carrot, so we have introduced that. We have enacted legislation prohibiting the secondary supply of liquor to minors without the consent of a parent or guardian. We have introduced new powers permitting police, gaming and liquor inspectors and protective services officers to tip out any alcohol that they seize from minors rather than having to cart it back

to the police stations, which obviously gives them a practical edge when they are out in the field. We have enacted legislation to empower licensees and police to bar patrons when they misbehave in a particularly offensive manner and prevent them from entering or remaining at a venue if they are drunk, violent or quarrelsome.

We are in the process of developing the advanced responsible service of alcohol training for owners and staff at late-night trading venues. Those venues have particular issues, and this process is developing training specific to those venues, which will be implemented in 2014. We have also fulfilled our election commitment to allocate \$200 000 over four years to Step Back. Think. As most members will know, Step Back. Think. is a non-profit organisation which is about raising awareness in young people about alcohol-related harm. It works with websites and social media, it holds events and it runs public education and awareness campaigns.

In the context of just over three years, it is absolutely incorrect to say that the government has stood back and ignored this issue. We have taken a series of actions, and I have outlined just some of them here, and I contrast that with the 11-year period prior to the coalition taking office when the fact that alcohol is a poison that can do harm was forgotten, when there were consumer affairs inspectors supposedly policing alcohol laws and when there were insufficient police on the streets of Melbourne, so that there were punch-ups every Friday and Saturday night — and big ones. There was a spate of alcohol-related violence. We have tackled that, we have dealt with that, and to suggest otherwise is absolutely wrong.

To return to the substance of the bill, essentially, as I said at the outset, it is about reducing red tape. It is about giving people the opportunity to go about their business in a responsible way but at the same time recognising that particularly with alcohol it is a substance that needs to be treated with care. Changes have been made in terms of exemptions so that a range of businesses will be able to supply alcohol in modest quantities. New rules with regard to bed and breakfasts being able to supply alcohol to their patrons, limited to 750 millilitres, is an important initiative as well. They get greater flexibility and will no longer have to report to and receive the permission of the VCGLR, which cuts red tape as well. These are all sensible, practical and very helpful reforms for business. I commend the bill to the house.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr KATOS (South Barwon) — I am very pleased to rise to make a contribution to the debate on and support the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. Before I start I make the observation that it is evident that the coalition parties are the parties of reducing red tape and of getting out of the way of business and letting people in business get on with their job. We are about getting out of the way of clubs, unlike those opposite, who are masters at creating red tape. I use the former federal government as an example. In its last six years some 21 000 new regulations passed through the federal Parliament. That is an example of the amount of regulation that Labor likes to introduce, because essentially its members are socialists and like to control our lives. But I turn to the substance of the bill.

Mr McGuire interjected.

The ACTING SPEAKER (Dr Sykes) — Order! The member for South Barwon, without the assistance of the member for Broadmeadows.

Mr KATOS — I thought it was Brighton. This bill makes legislative amendments to the Gambling Regulation Act 2003 and the Liquor Control Reform Act 1998 to reduce a number of red-tape issues which currently apply to Victorian clubs and licensed venues.

Clause 3 of the bill amends the Gambling Regulation Act to allow two-up games on Anzac Day without needing to get the permission of the minister. At the moment the RSL consults with its clubs and then informs the minister where the RSL wants to hold licensed two-up games. Through this legislation members of the coalition are now saying to the RSL that two-up can be played in any club on Anzac Day. On any other day of the year two-up is only permitted to be played in a casino, but the government recognises that two-up is a game that was played by diggers in both World War I and World War II. We recognise the significance of two-up to those returned soldiers and we recognise that the game has a lot of sentimental value, so it is sensible to allow two-up to be played on Anzac Day. I am very pleased, and I am looking forward to seeing it played at the Torquay RSL. I recently assisted the Torquay RSL to find a new home with the Torquay Bowls Club, so I am sure its members will be looking forward to their first game of two-up there this coming Anzac Day.

The bill also makes amendments to liquor licensing arrangements. At the moment holders of certain liquor licences are not permitted to buy liquor from wholesalers; they can buy only from retail liquor outlets. Obviously this arrangement is anticompetitive,

and this legislation provides that holders of such licences will be allowed to purchase liquor from wholesalers. Many of these clubs are run by volunteers, and it is very important that they are able to buy from liquor wholesalers so that they can make more money. We have to remember that these clubs are not run for profit, but any money they make is invested back into the club. It is important that we allow those clubs to do that.

The bill also exempts minor businesses from having to have a licence to serve small amounts of alcohol when doing so is incidental to the operation of their business. For example, people in hospitals, nursing homes and retirement villages may want to be served a glass of beer or wine with dinner, so it is sensible that those sorts of organisations do not have burdensome requirements placed on them. The same applies to bed-and-breakfast operators, butchers and hairdressers. Some hairdressers may offer you a glass of wine or a glass of beer while you are getting your hair cut, but they are not licensed venues that are profiting from the sale of that alcohol; the drink is provided as an incidental, and this legislation recognises that. Obviously such people will only be permitted to supply limited quantities, because we do not want these places to turn into pseudo clubs and pubs. Such businesses will not be permitted to supply any alcohol to minors.

The bill also provides for an extension of licensed venue trading hours on New Year's Eve. Rather than have the proprietors of such businesses go through the process of seeking an extension to their licence each year, the bill provides that clubs, hotels and bars can serve alcohol until 1.00 a.m. and restaurants until 3.00 a.m., which has been a longstanding practice. It is not unusual for clubs to seek that extension for New Year's Eve, so it is quite sensible not to require them to apply each year. But of course some areas will have to be considered differently, particularly some holiday resorts which have always been hot spots for problems. Businesses in areas where there have been problems in the past may not be permitted to serve alcohol on New Year's Eve.

With regard to the live music industry, the current arrangement is that a licensee must apply for a licence at least 45 days before a proposed event. This arrangement will be brought back to 7 days, which will make things much simpler. A licence will not have to be applied for; a licensee will simply be required to notify the Victorian Commission for Gambling and Liquor Regulation (VCGLR) of the event. Therefore if the liquor licensing section of VCGLR or the police are aware of such an event, they can come along and inspect it if they wish. Obviously such music events can

be attended by people of mixed ages, so inspections will be able to be carried out to ensure that no alcohol is served — for example, during an event attended by people aged under 18 years.

This is sensible legislation, as is any legislation that removes the burden of red tape. We should be making life easier for businesses, particularly pubs and clubs. A lot of these licensed venues are effectively community-run organisations and do not exist to make private profit. Any money made goes back into those clubs for their members as a whole, so it is quite sensible that we try to maximise the amount of money that can be made available to run them. With that, as I said, it is very sensible legislation and I am more than happy to commend it to the house.

Mrs POWELL (Shepparton) — I am pleased to speak on the Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014. The bill amends the Gambling Regulation Act 2003 and the Liquor Control Reform Act 1998 to do a number of things the government said it would do. It removes unnecessary and burdensome red tape for businesses, in particular the hotels, pubs and clubs that are so important to country Victoria, which means that the savings made by those pubs and clubs that give so much to country areas will go right back into their communities. This is one of those bills that not only makes common-sense amendments but also is very important to communities. The savings the pubs and clubs will make because of the initiatives of this government will be directed into community projects and initiatives, putting back into the community as all sporting clubs do.

One of the issues I would like to speak about is the importance of live music. As a former singer I got my start in pubs and clubs around Victoria, and I think it is important that some of the restrictions on pubs and clubs are lifted. This will mean so much to the live music industry. I can remember under the former government, standing on the steps of Parliament House with thousands of people down Bourke Street, all concerned about the changes to regulations around the live music industry, meaning that live music venues had to have security guards. This was a huge concern to pubs and clubs. Thankfully, those restrictions have been removed. This government is about removing restrictions while making sure those businesses do the right thing.

While it is important for pubs and clubs to have live music it is also important for singers and musicians who go to these venues to be exposed to friendly crowds. Removing some of the unnecessary burden

will mean that live music can thrive both in country Victoria and in the cities. I know that a number of press releases over the years have talked about the disadvantage to clubs, pubs and other venues if live music attracts the burden of red tape. I am proud that this government has seen fit to make sure that the live music trade continues to prosper and gives so many young musicians and bands their start.

In country areas the main places where young people can hear bands are in licensed pubs and clubs. The bill removes the requirement for approval for under-age and mixed-age live music events on liquor-licensed premises, so young people will be able to go to these venues as long as the venues ensure they do not drink. The bill also provides an automatic extension to liquor licensee trading hours on New Year's Eve. It makes a number of amendments to the legislation to allow pubs and clubs to extend their trading hours until 2 o'clock or 3 o'clock in the morning, which is what happens on New Year's Eve. We are making some common-sense amendments to legislation around pubs, clubs and other venues.

Among the other amendments I am pleased to see is the removal of the requirement for an RSL to seek ministerial approval to conduct a two-up game on or before Anzac Day each year. Anzac Day is celebrated by many Victorians. People like to go to Anzac Day commemorations to pay tribute to our servicemen and servicewomen. We understand that people who go to their RSL for these occasions enjoy a game of two-up. I have been going to RSLs and to Anzac Day events in Shepparton, Mooroopna and right across my electorate for 25 years. I know RSLs welcome people coming to their venues. Lifting the requirement on RSLs to go to the minister to get an exemption each year will allow them to get on with providing for two-up sessions. It is something that returned soldiers love to do; it is part of the Anzac spirit and part of what people do on Anzac Day. We have now removed some of the red tape to provide for much more common-sense arrangements. I know the RSL called for this, and I am pleased to say this government has listened.

The bill also removes the prohibition on those who hold restricted club licences and renewable limited club licences from purchasing liquor from wholesalers. Clubs are now only allowed to purchase their liquor from retail outlets. This puts a burden on these organisations, because it means they cannot buy at the best price. If a pub or club can buy where they can get the best price, that is better not only for their business but also for the community and the patrons who visit the venue to have a drink as, hopefully, the drinks will be sold at a cheaper price. Again it is about this

government making common-sense decisions to allow pubs and clubs to get on with the job of running their businesses and not putting red-tape burdens on them.

The bill also makes amendments to exempt some businesses and not-for-profit organisations like retirement villages from the requirement to have a liquor licence under certain conditions. They sometimes have happy hour on a Wednesday evening, when some of the retirees may go into the administration area to have a quiet drink — a soft drink or whatever. The bill will mean retirement villages will not need to get a liquor licence for that. What we are trying to do is to make those common-sense changes to allow clubs and pubs to not be burdened unnecessarily by red tape.

This is fantastic legislation. I am pleased to note that the opposition is not opposing it; it could not, because it is good legislation. As a government we have said we will remove any red tape that we think is going to stop businesses from prospering. With that, I applaud the minister and wish the bill a speedy passage.

Debate adjourned on motion of Mr TILLEY (Benambra).

Debate adjourned until later this day.

DISTINGUISHED VISITORS

The ACTING SPEAKER (Mr Blackwood) — Order! I am advised that we have the former member for Kilsyth in the gallery. I welcome her, and it is lovely to see her back.

TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014

Second reading

Debate resumed from 20 February; motion of Mr MULDER (Minister for Public Transport).

Ms HENNESSY (Altona) — I rise to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. I say at the outset that the Victorian opposition will not be opposing this bill. Occasionally in this house we have some terrific debates around values and technical details. This will not be one of those debates as this is a reasonably dry bill. It is the product of a long period of negotiation with the federal government. It arises out of a Council of Australian Governments agreement, and I will speak a little bit more about that in a moment.

Having said that we do not oppose the bill, there are a number of issues that I wish to place on the record, and I respectfully make the request of government speakers, if and when they are in a position to do so, that they provide some assurances. These are follow-up issues that have come out of the briefing that I very gratefully received from the department — and may I also put on the record my appreciation to both the minister's office and the departmental staff for taking the time to brief me so thoroughly on the bill.

In the course of that briefing we were given the assurance that Transport Safety Victoria and the department were very supportive of the proposed legislation and that the national scheme was able to be implemented with improved safety outcomes for Victoria. Again, that is not a contested aim; it is one that we very passionately support. However, some documents that we obtained under freedom of information indicate that Transport Safety Victoria has had a significant range of concerns through the process of developing a national agreement and a service level agreement. I wish to step briefly through those, and also again respectfully request that government members address those issues in the course of their contributions, if and when they are able to do so. It does not change our position. As I said, we do not intend to oppose this bill. It does seem to me, through the course of the briefing and subsequent research, that many of these concerns have subsequently been met, but I do think it is incumbent upon the government to reassure the chamber and the community that this is in fact the case.

The ability of Victoria to enforce this legislation seems to be primarily contained in the service level agreement between Transport Safety Victoria and the Office of the National Rail Safety Regulator. Having done some recent research, it seems that this service level agreement was signed only very recently — in fact, it appears to me, on Friday — and it is expected to come into effect on 19 May. I understand that this service level agreement will see Transport Safety Victoria undertaking regulatory activities in Victoria on behalf of the national rail safety regulator, with Transport Safety Victoria acting effectively as the Victorian branch.

That is a substantive and important step. The Office of the National Rail Safety Regulator has acknowledged that the Victorian rail system is hugely important in the broader Australian rail network. Labor certainly agrees with that, and that is why we have made commitments to things like removing 50 level crossings. The removal of those crossings is going to deliver significant safety improvements to public transport and relieve congestion across the rail network. We see too many

Victorians, whether pedestrians or commuters, killed or injured on our rail network, and rail safety is a very important part of this bill and of the broader public policy debate. It is important that we have both a national and a state-based system that will ensure that we have the right and proper powers, but we also need governments to make the right investments, to set the right priorities and to fund and deliver those.

This bill will enable Victorian transport safety officers to monitor compliance under the national laws, and Labor supports this. But, as we in this chamber all know, the devil is always in the detail, and that is why we seek from the government further information and clarity to ensure that the concerns of Transport Safety Victoria have been met. There were some transitional issues identified, and advice was given to the minister approximately 18 months ago in correspondence from Transport Safety Victoria that it sent to the national rail safety regulator project officer. We want to ensure that all those issues have been addressed. There were also some issues raised in respect of risk registers and performance reporting processes and strategies. We seek confirmation from the government that those issues have also been resolved.

Another issue that we wish to raise is that there was some concern being expressed by Transport Safety Victoria that its comments had not been taken into account in the independent assessment of the rail regulator and the risks and controls document that it undertook in 2012. We want to ensure that all those issues have been addressed. The department was concerned about IT systems, and took the time and effort to explain to the government how the process of negotiation and trying to resolve these issues was in fact significantly diverting its resources. I acknowledge this is a task that has certainly borne the brunt of the impact on resources both within the department and Transport Safety Victoria.

In a further briefing from the department there was an indication that it had significant concerns about the draft service level agreement — this is the document that was signed last Friday — and its capacity to be implemented. I ask again that the government assure the house that those concerns have been adequately addressed, whether that is via the service level agreement or the resource allocations that might have been made.

It is also important when one starts to adopt what is effectively nationalisation of a scheme to ensure that there is absolute clarity and certainty in step. These were largely the issues that Transport Safety Victoria canvassed in its correspondence with both the minister

and the national regulator. Essentially the concerns outlined by Transport Safety Victoria are the issues that we ask the government to assure the house about tonight. We want to know that in the service level agreement there has been no diminution of safety for Victorians, that there are no oversights in the operation of a dual safety system, and that there is clarity around what is expected to be complied with, in terms of both the Victorian and national requirements. Many of those measures in the bill seem likely to enhance the capacity of Transport Safety Victoria to administer what is called a dual safety system. There will be improved powers of entry and improved powers to give direction, utilise equipment and secure sites.

Likewise it seems it is both practical and appropriate to ensure that the regulation of marine environments aligns with that of ports and waterways to ensure that we have not just comprehensive but consistent outcomes. Again, opposition members in this chamber would like to place on the record that when it comes to ensuring transport safety we will always support the application of the highest safety standards that are practicable. We certainly note that the origins of this bill can be found in that aspiration. In fact, that was part of the discussion in the debate in August 2012 when agreement was reached at the Council of Australian Governments (COAG) meeting.

Essentially the COAG agreement sought to establish a national system of rail safety regulation and investigation and to ensure that we had uniform regulation and a single national safety rail regulator. The national rail safety scheme is reminiscent of its roots. There was a seamless national economy agreement in 2008, and that was a really important approach in dealing with issues in which both the national and state governments have roles and responsibilities. It is important not just in terms of consistency and productivity but also in terms of ensuring that we are able to amend and have the relevant flexibility in responding to issues both at a national and state level.

I also note that an earlier part of this reform package that covers marine safety is already in operation. I understand this new system will operate alongside the regulation that has already occurred, with significant compliance and enforcement activity that has been delegated by the Australian Maritime Safety Authority to Victorian officers. This bill will enable a similar or analogous arrangement to be put in place in respect of rail transport.

Essentially the opposition does not oppose this bill on the basis that it believes it will improve safety and

compliance for Victorians. Having the same authority and officers dealing with both Victorian and national safety schemes will reduce confusion. It will also ensure that there is an equal standard around enforcement, service provision and protection. In a sense not only will that certainty be more efficient but I also hope it will encourage a greater familiarity with how to comply with these safety procedures and protocols. We are broadly supportive of those principles so long as they are enforced in Victoria with fairness and clarity and above all that there are appropriate resources in order to do that.

This is about the alignment of local rail safety schemes with the national scheme and actually having those administered by the same officers. Again I would like to acknowledge and thank the departmental officers who took me through some of the challenges of having a national scheme. Ultimately this is not just about addressing some of those regulatory difficulties; we also want to see improved safety outcomes. To the extent that this bill will enable that, we support it. But we also think it is important to reduce the confusion around enforcement, such as which officers are exercising which powers and whether they are exercising a state or a national power. They are the issues that the system has had to grapple with through having two separate regulators trying to operate simultaneously.

The bill also deals with some issues around directors liability. I think we all agree it is a good thing to see that directors liability provisions are being brought into line with national principles. Collectivising responsibility for decision making and ensuring that those with the power and authority to make or not make decisions are held accountable and responsible for those decisions is absolutely essential for a fair and effective safety scheme. We certainly endorse those amendments.

I have only one other reasonably modest caution that I wish to place on the public record. It goes to the issue of resources. It is incredibly important to ensure that Transport Safety Victoria is resourced properly. As we debate this in this chamber time and again, it is very easy — or in this case perhaps not so easy, because this has been a pretty long and arduous process — or very simple, I suppose, to set the regulatory regime, but if government does not resource that properly and does not put its money where its mouth is, the effectiveness of regulatory change and an attempt to simplify it will not be as effective as its initial aspirations led us to expect. Again we call on the government to ensure that the public sector is resourced properly and appropriately in that regard.

As I said at the commencement of my contribution to the debate, we are very committed to reform that improves safety outcomes for Victorians. As I conclude my remarks, I ask government speakers as they make their contributions to the debate to provide us with the assurance and confirmation that the concerns I raised earlier that were canvassed by Transport Safety Victoria have been addressed — namely, that there are appropriate operational mechanisms in place to administer the dual safety scheme; that the government is satisfied that there is enough clarity around responsibilities, both for Transport Safety Victoria and the commonwealth regulators, and that there are no gaps in respect of the provision for safety regulation nor any capacity for there to be any confusion on the service level agreement. I acknowledge that the ink is barely dry on that service level agreement, but they are the issues that Transport Safety Victoria raised as concerns. We seek an assurance that those issues have been addressed and that Transport Safety Victoria will be adequately resourced to administer the dual safety scheme appropriately.

Subject to those cautions and respectful requests, I wish the bill a speedy passage through the house.

Mr BLACKWOOD (Narracan) — It is with pleasure that I rise to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. Just before I get into discussion of the bill, the member for Altona has raised some issues which I can answer some of now, given the advice I have just received, which may help a little. In terms of the safety director, that is an independent regulator. The safety director has now signed the service level agreement, as the member indicated. The minister and the national regulator have also signed off on that service level agreement. This means that the national regulator, Victoria's safety director and the government are comfortable with the arrangements and that all issues have been addressed. That partly answers those matters raised by the member for Altona. In regard to anything else that she requires clarification about, I am happy to follow that up at a later date.

In terms of the bill, I will break up my contribution into three or four sections. The functions and powers of the transport safety officers are critically important to the way this bill will operate at the coalface, so to speak.

The Transport (Safety Schemes Compliance and Enforcement) Bill 2014 provides for the appointment of transport safety officers and outlines their functions, which relate to monitoring, securing compliance with and enforcing rail, bus and marine safety laws. Transport safety officers are charged with providing

information and advice about transport safety or infrastructure laws — that is, laws about local rail, bus and marine safety. They are also charged with requiring compliance with those laws and investigating breaches of the law. They must also assist with prosecutions if required. The bill therefore provides a framework for the exercise of transport safety officers' powers.

Transport safety officers' powers under the bill are similar to those currently available under the Transport (Compliance and Miscellaneous) Act 1983. However, various changes and improvements are made by the bill. Officers' powers include powers of entry, warrant powers and search and seizure powers. Officers are also given powers of inquiry. Provision is made for serving improvement and prohibition notices, and courts are provided with sanctions such as the power to make commercial benefits orders. While many of these powers currently exist, improvements are made to the current powers. Many of these improvements align local standards with those applying under national schemes.

The improvements include clarifying the definition of bus premises so it is clearer where officers can exercise their powers. This is achieved by referring to a place where bus safety work is carried out. Another improvement made by the bill is allowing entry to public transport or marine premises via adjoining premises if the matter is urgent — for example, if an accident occurs on a railway track bounded on both sides by private farmland. The bill allows for officers to leave a notice of entry, providing details of the entry and what was done if no-one is present when they enter the premises. This provision is not contained in the national laws, but it adds a new protection and also makes it easier for regulated parties to contact the safety director.

The bill provides officers with powers to direct a person to move or stop rolling stock and other vehicles — for example, to move a locomotive to an area where it can be examined more easily and more safely. It also provides officers with powers to require a person to give reasonable help — for example, unloading rolling stock, providing a key, demonstrating the features of a bus, or providing copying or scanning facilities. The bill provides that electronic equipment such as a laptop, storage device or document scanner can be taken onto premises and used.

The bill ties officers' power to secure a site to compliance and investigative purposes, rather than simply to offences or preserving evidence, as is currently the case. This is a wider and better description of why sites can be secured. The bill provides a new

power to require people to answer questions. As is the case with similar schemes, the bill provides protections relating to self-incrimination, and legal professional privilege is protected. However, documents that are required to be kept under a relevant law can be used in evidence because they are discoverable anyway.

There is a new power to serve a non-disturbance notice. This means that, for example, an operator of a train or bus can be required to preserve the vehicle and associated infrastructure pending an investigation. A new power is provided which enables the regulator to require works to be done or things to be provided in response to safety reports, such as a coroner's report. There is also a new power requiring works threatening the operational integrity or the safety of a railway to be stopped — for example, if a contractor is laying pipes under a railway without having the necessary checks and approvals in place.

The bill also deals with the chief investigator, transport safety. The chief investigator carries out no-blame investigations of transport accidents. The chief investigator currently has broadly the same powers of entry, search and inquiry as transport safety officers under the Transport (Compliance and Miscellaneous) Act 1983. However, transport safety officers' powers from that act are repealed, because those powers and additional powers are contained in this bill. The relevant powers in the bill therefore apply to the chief investigator. The provisions are applied subject to necessary modifications. These are needed because the powers are used for investigative purposes and not for compliance and enforcement purposes. This is the same format as currently applies.

In terms of directors liability, the bill furthers Victoria's implementation of national directors liability reforms. The bill applies national directors liability standards to Victoria's local transport safety schemes. This reduces the legal burden on corporate officers. The national reforms follow a March 2008 agreement by the Council of Australian Governments to harmonise legislation that imposes liability on corporate officers for a corporation's criminal actions. Common principles to determine whether liability should be imposed on officers were developed. These principles include that officers should not be liable for corporate default by the blanket imposition of liability.

Secondly, liability for corporate misconduct should be confined to situations where there are compelling public policy reasons for imposing liability. Corporate liability alone is not sufficient to promote compliance, and it is reasonable in all the circumstances for the officer to be liable. Where officers' liability is

appropriate it should apply where officers have encouraged or assisted in the commission of the offence, or been negligent or reckless about the corporation's offending.

Model provisions to implement national principles are being applied across Victorian statutes. In most cases, the formulation of directors liability provisions require that the prosecution prove, beyond reasonable doubt, that the officer failed to exercise due diligence to avoid or prevent the corporation's contravention. This formulation is applied in respect of specified offences in the current bill, the Bus Safety Act 2009, and the Transport (Compliance and Miscellaneous) Act 1983. The bill complements earlier reforms already in place for the Rail Safety National Law Application Act 2013, the Rail Safety (Local Operations) Act 2006 and ports legislation.

In summary, the bill deals with the compliance and enforcement of Victoria's local rail, bus and marine safety schemes. It provides local schemes with the same levels of compliance and enforcement support as recent national schemes, which helps avoid anomalies between state and national regulation. It also promotes consistent and efficient regulation, and it provides investigative powers to the chief investigator. National directors liability principles are applied to transport safety legislation. In the minister's second-reading speech, he summarised the bill as follows:

The bill helps to maintain and improve Victoria's high transport safety standards on land and water and for that reason it deserves to enjoy the strong support of all members.

I appreciate the fact that the opposition will not be opposing this bill. I commend the bill to the house.

Ms HUTCHINS (Keilor) — I rise to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. As stated by the lead speaker, the opposition does not oppose the bill. The purpose of the bill is to ensure that Victoria's local rail, maritime — including local waterways — and bus sectors enjoy the same levels of compliance and enforcement in relation to safety, following the recent implementation of national reforms in the same areas. This follows the work of the Council of Australian Governments and the implementation by this Parliament of reforms in the maritime sector around this time last year.

The bill seeks to avoid anomalies between the state and national regulatory environments, which is important in many circumstances when incidents affecting safety occur. The implementation of these reforms goes to a level of prevention. The bill seeks to continue to

implement nationally agreed directors liability principles, as outlined by a previous speaker. It also seeks to continue to implement nationally agreed standards.

Labor supports efficient and consistent safety regulation across transport systems. We recognise that it is not in the public's interest for there to be inconsistency across the states. Having borders and designated waterways across Australia does not mean people travelling across borders should be limited when it comes to safety, so it is extremely important that we have a national system in place. In the application of safety schemes across different transport modes in Victoria there is a need for coordination across the transport system, and a range of different regulations and powers apply to Transport Safety Victoria, our transport safety organisation, in carrying out its important work.

In the briefing the opposition received, the department assured us that Transport Safety Victoria is supportive of the legislation and that the new schemes that have been established will continue to roll out. Having said that, the opposition is mindful that Transport Safety Victoria has a number of serious concerns about the development of the service level agreement that gives effect to the national reforms. Similar issues were raised last year when the heavy vehicle regulator was put in place, and also when the maritime safety laws were implemented nationally. We are guided by the advice provided to us by the department that Transport Safety Victoria is supportive of the new regime. We are aware that the service level agreement was signed on Friday, 21 March, enabling the Rail Safety National Law to come into operation in Victoria, and we note that in some cases the new national schemes have improved regulation around safety compliance and the enforcement of Victorian standards.

However, in addressing these issues I put on the record that in the state of Victoria there are still some big concerns when it comes to transport safety on our road and rail systems. In going through 150 of the press releases the Minister for Roads and Minister for Public Transport put out in the last 12 months, I failed to find any reference not only to rail freight safety but to rail freight itself. There seems to be a big hole in policy and implementation around rail freight and rail freight safety across the state, which needs the attention of the minister and the state government not only to progress our export market within Australia but also in terms of the interaction of rail freight and roads, particularly in rural and regional Victoria, where we have had significant disasters.

In 2007 there was a horrible incident in Kerang, which unfortunately came to court only through a recent coroner's report. Eleven people were killed and 23 people were injured when a truck slammed into a Melbourne-bound train. However, we have not put in place all the safety tools needed to prevent a similar accident from happening again, and in this debate I draw the minister's attention to the need for a continued program around freight trains and rail safety, particularly the interaction of those trains with the community. By no means am I saying that we should not have more freight trains — do not get me wrong, I am very much an advocate of having more freight on rail — but I put on the record that the safety issues of trains interacting with the community should not be left behind and that there should be some focus on them. I cannot touch on this subject without pointing to the fact that the Labor Party has a policy of fixing 50 dangerous level crossings.

On the issue of road safety, I will touch on a significant issue that has been raised both in this Parliament and in the media, and that is the defective notices that have been issued to Cootes Transport and its very concerning maintenance issues, including a range of safety breaches on its vehicles that operate on Victorian roads, carrying both fuel and oil. In the first instance Cootes Transport had its trucks taken off Victorian roads, and in the second instance after investigation in early February it voluntarily took its trucks off the road. However, these dangerous vehicles — dangerous when they are not maintained to standard — may be back on our roads and may still be carrying loads that make them liable to rollovers. The trucks may be liable to accidents due to brake failures or issues with axles that occur when they are not properly maintained.

I acknowledge that there are highly skilled drivers behind the wheels of these sorts of vehicles and that they are on our suburban, regional and rural roads every day, but without proper maintenance of these sorts of vehicles and a real commitment to safety we are looking at a dangerous situation every day on our roads. I call on the government to make sure it is funding VicRoads adequately to make sure that these vehicles are safe and properly maintained.

The bill extends to maritime areas and waterways. When looking at the record I was surprised by how many people in the last three or four years were killed in accidents, particularly in Port Phillip Bay, involving boats, jet skis or kayaks. I draw the attention of the house to the boating safety and facilities program, which is a state government-funded program that plays an extremely important role in boating safety and making waterways more accessible and safe for all

Victorians. The boating safety and facilities program allocates funds to individual grants-based projects initiated by community, agency and stakeholder groups and to programs initiated by Transport Safety Victoria, the marine regulator. However, these programs have not been fully implemented as a result of the government's budgeting, and I call on the minister to bring holistic safety programs back to Port Phillip Bay rather than pork-barrelling individual projects.

Mr ANGUS (Forest Hill) — I am very pleased to rise this evening to speak in support of the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. The purpose of the bill is to provide a scheme for the enforcement of transport system safety legislation, firstly by re-enacting with modifications provisions of the scheme under the Transport (Compliance and Miscellaneous) Act 1983 for the enforcement of transport systems safety legislation, and secondly, by adopting and adapting provisions from the Rail Safety National Law. As other speakers have mentioned, we can see that this is part of a harmonisation program resulting from a Council of Australian Governments (COAG) agreement. The overall objectives are to improve compliance and enforcement support for locally regulated rail, bus and marine operations by making powers, sanctions and legislative standards more consistent with recent national transport scheme standards applied by Victorian laws. It also makes directors liability standards in rail and bus safety more consistent with the national directors liability principles, and I will come back and talk about that in a little while. Finally, the bill makes some necessary consequential changes.

At the outset of my contribution I want to make some general comments in relation to some of the improvements that have been undertaken. I note that the Minister for Public Transport is in the chamber at the moment. There have been some outstanding improvements in relation to punctuality and other measures of effectiveness in relation to the rail system under the coalition government. I think back to a couple of the rail lines that were notoriously problematic under the previous government. For example, on the Frankston line punctuality was languishing down at roughly 50 per cent, and under the coalition it is now up in the mid-90s. Just south of my electorate of Forest Hill we have the Glen Waverley line. There have been some marvellous improvements to that line under the coalition government. We have gone from punctuality of 91.8 per cent in January 2010 under the Labor government to punctuality of 97.4 per cent in January 2014 under the coalition government. As someone who used to catch the train to the city on a regular basis, I know the importance of the reliability and punctuality

of the train system. I congratulate the minister and his team on the huge amount of work they have undertaken to get those figures to the more appropriate levels they are at now, in contrast to the very poor service previously provided under the Labor government.

I turn to some of the announcements that have been made in recent times. I particularly think of the \$2.5 billion upgrade to the Pakenham-Cranbourne line announced in recent weeks by the minister and the Premier. That is going to be an outstanding improvement for all commuters on those lines, with resultant improvements for all passengers. In particular, there are going to be 25 new trains, new signalling, four level-crossing removals, three station rebuilds and a 30 per cent increase in capacity that will result in about 4500 more passengers per hour. A range of terrific initiatives have been undertaken by the coalition government in relation to public transport. A huge amount of work has gone on in the various means of public transport. I congratulate the minister on his work. Obviously that work is ongoing, but it has been very well received by commuters on these various rail lines. In addition to that, thousands more bus services have been added to the regular timetables. Public transport has been seriously addressed by the coalition government, and as I said, I congratulate the minister and his team on the marvellous inroads they have made in fixing up what was a desperately poor and languishing system after 11 years of the previous government.

Turning back to the details of the bill before us, we can see that its main purpose is to improve compliance and enforcement provisions that apply to locally regulated bus, rail and marine transport services in Victoria and bring them broadly into line with national standards. That is achieved by establishing a new statute that makes state standards more consistent with national levels, particularly the Rail Safety National Law, by consolidating and improving existing monitoring, compliance, investigation and enforcement powers available to Transport Safety Victoria (TSV) and transport safety officers. The bill provides TSV with detailed entry, search, seizure, inquiry and questioning powers. It also gives TSV important administrative sanctions to use, such as the power to serve improvement and prohibition notices, and contains court-based sanctions. As I said before, the bill also provides a platform for Victoria to implement nationally approved directors liability principles which limit the offences for which an officer might be liable when an offence is committed by a corporation.

I want to spend a couple of minutes looking at that particular aspect of the bill in my contribution. The bill

applies the national directors liability standards to Victoria's local transport safety schemes, and this reduces the legal burden on corporate officers. The national reforms follow a March 2008 agreement by COAG to harmonise legislation that imposed liability on corporate officers for corporations' criminal actions. Common principles to determine whether liability should be imposed on officers were developed. These stipulated that officers should not be liable for corporate default by blanket imposition of liability and that liability for corporate misconduct should be confined to situations where there are compelling public policy reasons for imposing liability, where corporate liability alone is not sufficient to promote compliance and where it is reasonable in all the circumstances for the officer to be liable. Where officer liability is appropriate, it should apply where officers have, firstly, encouraged or assisted in the commission of the offence, or secondly, been negligent or reckless about the corporation's offending. That is good, common-sense legislation. It puts the onus where it should be: placing the level of responsibility on officers liability, as it should be in these circumstances.

The model provisions to implement national principles are being applied across Victorian statutes. In most cases the formulation of directors liability provisions require that the prosecution prove beyond reasonable doubt that the officer failed to exercise due diligence to avoid or prevent the corporation's contravention. This formulation is applied in respect of specified offences in the bill, in the Bus Safety Act 2009 and the Transport (Compliance and Miscellaneous) Act 1983. The bill complements earlier reforms which are already in place for the Rail Safety National Law Application Act 2013, the Rail Safety Act 2006 and ports legislation. That is a good reform in itself.

Coming back to some of the improvements that have been made under the coalition government, I turn my attention now to a couple on the line that is just to the north of my electorate, and they are the recently removed level crossings in the electorate of Mitcham on Rooks Road, Mitcham, and on Mitcham Road, Mitcham. As I said, they are not in my electorate but they affect my residents. I have had a lot of feedback over a long period of time in relation to the bottlenecks that choked the north-south traffic coming in and out of my electorate due to those crossings. Their removal has been very well received by the community in the eastern suburbs and in my electorate of Forest Hill.

I again congratulate the teams that were involved in putting these projects together and executing them in such an efficient way. The minister has presided over the new regime to ensure that we get projects like this

done on time and on budget. That is in stark contrast to the way projects used to be done here in Victoria. With those few comments, I commend the bill to the house.

The ACTING SPEAKER (Dr Sykes) — Order! Just before I call the member for Geelong, I would be comfortable if the member for Richmond were to take his place at the table.

Mr Wynne — Thank you very much for the advice, Acting Speaker. I was consulting with the Minister for Public Transport on some very important public policy issues. But I am here at the behest of the Parliament.

The ACTING SPEAKER (Dr Sykes) — Order! I thank the member for Richmond for his explanation. It is my understanding that the process is that each party has representatives at the front table during the debate.

Mr TREZISE (Geelong) — I am pleased to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014 tonight, and I note that the opposition is not opposing the bill. I represent the regional seat of Geelong, which is a port city. Not only is Geelong a city that is heavily reliant on our port, we are also a city that is heavily reliant on rail from the point of view of both industry and commuters. Therefore the legislation before us is relevant to my seat of Geelong, because it is both a port city and a city that relies heavily on rail.

It is important from a port of Geelong point of view that we have safety regulations and schemes in place because there are large oil tankers servicing the Shell wharf, grain vessels into the Bulk Grain pier, bulk cargo into Lascelles Wharf and goods such as woodchips into Corio Quay. It is clear that the safe passage of vessels through the port of Geelong is absolutely paramount, not only for the ongoing future operation of the port but also from an environmental point of view. One would hate to think of a disaster occurring in Corio Bay, for example, if an oil tanker came to grief within the bay. The point I am making is that, with something like 500 shipping movements in and out of Geelong per year, it is vital that we have effective safety regulations and laws in place that govern the port of Geelong.

In talking about the port, it is the Labor opposition and the Labor government before that that have worked hard to ensure that we have a healthy port. It is this side of the house which is currently supporting Bay West in talking about Geelong and ensuring we have assets such as Avalon Airport and Pacific National Rail, with the Princes Freeway going straight past an area that would be serviced by Bay West. On this side of the

house we understand the importance of ports and we understand the importance of safety within the ports.

There are something like 7000, 8000 or 9000 people who leave Geelong on a daily basis, travelling on our trains and commuting to Melbourne. It is important therefore that we have a safe rail scheme and safety regulations in place to ensure that the commuters who leave Geelong daily return home at night. There is one glaring issue that affects rail services for our daily commuters at the present time, especially on peak hour trains, and that is the issue of overcrowding. Overcrowding has become a major issue in the last three or four years due to a lack of commitment on the part of this government to ensure that we are adequately serviced on the Melbourne line. When we talk about safety and rail services, overcrowding is an important issue at the present time. People contact me regularly in regard to that. I am happy to speak on this bill tonight because, as I have just said, both in the port area and the rail area it is important for a regional centre like Geelong to have effective schemes in place.

As other speakers have said, the bill improves safety in the transport area and improves the current monitoring, compliance, investigation and enforcement powers of the Victorian safety director. In essence, the bill brings the rail and marine sectors into line with recently implemented national reforms. The bill seeks to avoid anomalies between the state and federal or national regulatory environments, which is important given that in many circumstances when an accident or incident occurs, it does so in a way that crosses over both federal and state regulations. Therefore it is important that this legislation passes through the house this evening.

I also recognise that it is not in the public interest for there to be inconsistencies in the application of safety schemes across various transport modes in Victoria or a need for investigators or officers of Transport Safety Victoria to apply a range of different regulations or powers in carrying out their important work. I also note that the new national schemes have improved regulation and safety compliance and enforcement. We accept that there is a need to ensure that Victoria's health and safety standards do not fall behind national standards and therefore we need to ensure that those standards apply in Victoria. I note that, as I said at the outset, we are not opposing this legislation and I therefore wish it a speedy passage through the house.

Mr WELLER (Rodney) — It gives me great pleasure to rise this evening to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. As we have heard, members have been talking about investment in rail, and I am very proud to say that

the coalition government has invested \$5.16 million in upgrading all the railway crossings between Bendigo and Echuca by installing boom gates, bells and lights. Those crossings are safer than they were. As I said, members have been talking about the need for investment in rail and I am pleased to inform the house that the coalition government has reopened the Echuca–Toolamba freight line, which is a great thing for this government. The government is not only talking about rail, the government is investing in rail.

There was a commitment prior to the 2010 election that in government we would get the basics right — we would get the ballast right, the sleepers right, the rails right and the air conditioning in the trains right — and we would deliver more services. Between rail and bus services, there are thousands more services per week in the public transport system. The government is delivering on that commitment and this bill delivers further reform. The Transport (Safety Schemes Compliance and Enforcement) Bill provides for the appointment of transport safety officers and explains their functions, which relate to monitoring, securing compliance and enforcing rail, bus and marine safety laws.

Transport safety officers are charged with providing information and advice about transport safety and infrastructure laws — the laws about local rail, bus and marine safety. They are also charged with requiring compliance with those laws and investigating contraventions. They must also assist with prosecutions if required. The bill therefore provides a framework for the exercise of transport safety officers' powers. Transport safety officers' powers under the bill are similar to those currently available under the Transport (Compliance and Miscellaneous) Act 1983; however, various changes and improvements are made by the bill.

Transport safety officers' powers include powers of entry, warrant powers and search-and-seizure powers. Officers are also given powers of inquiry. Provision is made for serving improvement and prohibition notices, and courts are provided with sanctions such as the power to make commercial benefits orders. While many of these powers currently exist, improvements are made by the bill. Many of these improvements align local standards with those applying under national schemes. Coming from an electorate that is on the border with the Murray River, I know how important it is to have national consistency in legislation. There is nothing more frustrating than border anomalies, and members of the coalition are very pleased to be part of a government that is bringing in changes that get rid of those anomalies.

Improvements provided by this bill include clarifying the definition of 'bus premises' so that it is clearer where officers can exercise powers. This is achieved by referring to bus premises as places where bus safety work is carried out. The improvements also include allowing entry to public transport premises or marine premises via adjoining premises if the matter is urgent — for example, if an accident occurs on a railway track bounded on both sides by private farmland. I heard the member for Keilor talking about the terrible incident at Kerang, where it would have been necessary to gain access to some farmland.

Other improvements are the requirement to leave a notice of entry if no-one is present when officers enter premises, giving details of the entry and what was done. This provision is not in the national laws, but it adds a new protection and also makes it easier for regulated parties to contact the safety director. The improvements also include providing the power to direct a person to move or stop rolling stock and other vehicles — for example, to move a locomotive to an area where it can be examined more easily; and providing the power to require a person to give reasonable help, such as unloading rolling stock, providing a key, demonstrating the features of a bus or providing copying or scanning facilities.

The improvements also include providing that electronic equipment such as a laptop, storage device or document scanner can be taken onto premises and used; and tying the power to secure a site to compliance and investigative purposes rather than just to offences or to preserving evidence as is currently the case. This is a wider and better description of why sites can be secured. Other improvements include providing a new power to require people to answer questions. As is the case with similar schemes, protections relating to the privilege against self-incrimination are provided and legal professional privilege is protected. However, documents required to be kept under a relevant law can be used in evidence; this is because they are discoverable anyway.

The bill provides a new power to serve a non-disturbance notice. This means, for example, that the operator of a train or bus can be required to preserve the vehicle and associated infrastructure pending an investigation. A new power is provided which enables the regulator to require works to be done or things to be provided in response to safety reports, such as a coroner's report. There is also a new power to require works threatening the operational integrity or safety of a railway to be stopped — for example, if a contractor is laying pipes under a railway without having the necessary checks and approvals in place. Obviously we

would not want people boring under railway lines without the appropriate approvals, because that could damage the lines and affect their reliability et cetera.

The bill also deals with the chief investigator, transport safety, who carries out no-blame investigations of transport accidents. The chief investigator currently has broadly the same powers of entry, search and inquiry as a transport safety officer under the Transport (Compliance and Miscellaneous) Act 1983. However, the transport safety officers' powers in that act are repealed by the bill. The relevant powers in the bill therefore apply to the chief investigator, transport safety. These provisions are applied subject to necessary modifications, which are needed because the powers are used for investigative purposes, not compliance and enforcement purposes. This is the same format as currently applies.

The bill also furthers Victoria's implementation of national directors liability reforms. It applies national directors liability standards to Victoria's local transport safety schemes, reducing the legal burden on corporate officers. The national reforms follow a March 2008 agreement by the Council of Australian Governments to harmonise legislation that imposed liability on corporate officers for a corporation's criminal actions. Common principles to determine whether liability should be imposed on officers were developed. They stipulate that officers should not be liable for corporate default by a blanket imposition of liability and that liability for corporate misconduct should be confined to situations where there are compelling public policy reasons for imposing liability, corporate liability alone is not sufficient to promote compliance and it is reasonable in all the circumstances for the officer to be liable. Where officers' liability is appropriate it should apply where officers have encouraged or assisted in the commission of the offence or been negligent or reckless about the corporation's offending.

Model provisions to implement national principles are being applied across Victorian statutes. In most cases the formulation of directors liability provisions require that the prosecution prove beyond reasonable doubt that the officer failed to exercise due diligence to avoid or prevent the corporation's contravention. This formulation is applied in respect of specified offences in the bill, the Bus Safety Act 2009 and the Transport (Compliance and Miscellaneous) Act 1983. The bill complements earlier reforms which are already in place for the Rail Safety National Law Application Act 2013, the Rail Safety (Local Operations) Act 2006 and ports legislation.

This bill is about getting harmony across Australia so that people who operate in Victoria will work under the same regulations when they go interstate. It will apply right across bus, train and marine safety schemes. This is about having no confusion when you are operating anywhere in Australia. It is about being consistent. This bill will reduce red tape, and it is a bill that I am pleased to say members of the opposition are not opposing, because they can see its benefits. I commend the bill to the house and wish it a speedy passage.

Mr PERERA (Cranbourne) — I wish to make a short contribution on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. In 2009 the Council of Australian Governments (COAG) agreed to establish a national rail safety regulatory body by January 2013. As this has been planned since 2009, obviously it has bipartisan support. In 2013 national schemes regarding government settings and regulations for the rail and marine sectors were mandated by COAG. That scheme set the platform for bringing most parts of the rail and marine sectors under national control, while leaving remaining areas under state control. At the outset, Transport Safety Victoria (TSV) expressed some concerns about the development of service level agreements. However, the department has assured the opposition that TSV has the full support of the process, which I am glad to hear.

The national rail safety regulator (NRSR) will have responsibility in those jurisdictions where the Rail Safety National Law (RSNL) has been enacted. Since 20 January 2013 that includes South Australia, Tasmania, Northern Territory and New South Wales. The NRSR will be the responsible rail safety regulator in Victoria when the bill before the house is enacted. In Victoria the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 commenced in 2013. This bill also sets up the Office of the National Rail Safety Regulator, which is an independent authority with legislative responsibility to administer the RSNL, making it accountable under that law. The Office of the NRSR will continue to act independently to promote safety and safety improvements as a fundamental objective and in the best interests of the public.

What does the national rail scheme cover? It covers all Metro Trains Melbourne and V/Line operations, freight railways, freight terminals, interstate railways, tourist and heritage railways using main lines, and three tourist heritage railways which opted for national regulation. Pretty much all railways are covered in the national scheme. What are not covered are the Yarra Trams network and other tourist heritage rail and tram operators, which remain locally regulated by TSV. The national marine safety regulator, the Australian Marine

Safety Authority (AMSA), is based in Canberra. AMSA has delegated most matters, including most compliance and enforcement matters, to the safety director, TSV.

The purpose of the bill is to ensure that Victoria's local rail, marine and bus sectors enjoy the same levels of compliance and enforcement in relation to safety as the recently implemented national reform in some of those areas. The bill seeks to avoid anomalies between the state and national regulatory environment, which is important given that in many circumstances when a safety incident occurs it does so in a way that crosses over both national and state regulations.

The bill also seeks to continue to implement nationally agreed directors liability principles. Labor supports more efficient and consistent safety regulations across our transport system. Labor recognises that it is not in the public interest to be inconsistent in the application of safety schemes across different transport modes in Victoria. According to Transport Safety Victoria's quarterly incident statistics of all rail fatalities, 9 occurred in 2011, 10 in 2012 and 4 in the first three-quarters of 2013. Of all level crossing collisions with road vehicles, there were 17 in 2011, 17 in 2012 and 11 in the first three-quarters of 2013. The level is pretty consistent. There are too many collisions and too many fatalities.

The level crossing near Mernda Park railway station in my electorate creates heavy traffic congestion during peak times. It hinders the smooth traffic flow on Thompsons Road, which is the main arterial connecting from east to west in the south-eastern suburbs. The worst level crossing in the area is the one at the intersection of Gippsland Highway and Princes Highway. It creates havoc during peak hour. That congestion creates uneasiness for the peak-time traveller, who could take unnecessary chances to get to work or home earlier, jeopardising the safety of all road users. That is why Labor addresses this issue in its policy Project 10 000. That policy is about improving safety at level crossings and the congestion on our roads. Under that plan Labor will remove 50 of the state's most dangerous and congested level crossings, many of which have been the site of terrible accidents and deaths. That will enormously increase rail and road safety. Those are typical projects that will not only improve congestion but importantly safety as well.

At COAG the parties agreed that NRSR establishment costs are limited to those requirements essential to establishing the NRSR head office and creating a minimum level of information technology systems

connectivity necessary to allow seamless national rail regulatory processing.

At COAG the parties agreed that all transitional costs will be borne by the states and territories. These costs include implementing the Rail Safety National Law and disestablishment costs of jurisdictions' existing regulators where required.

All ongoing NRSR costs will be shared by each state and territory through a combination of cost recovery from industry and/or state and territory government contributions. Each state and territory may individually determine the level of any government contribution with its own jurisdiction.

Where jurisdictions elect to enter into a service agreement to deliver rail safety regulation services on behalf of the NRSR, the NRSR will make payments to the service delivery agency according to the service agreement. States and territories not fully recovering costs from industry will consider progressively moving towards full cost recovery in the longer term. Any state or territory government contribution will take into account implications for the national system.

There is a concern about whether the office of NRSR can retain its independence while being funded by the industry; however, in the end the state rail scheme has been entrusted to the national regulator, which has had to happen. I wish this bill a speedy passage.

Mr BATTIN (Gembrook) — It gives me great pleasure to rise to support the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. This bill will improve compliance and enforcement powers for Victoria's local rail, bus and marine safety schemes. It is important to put on record how important it is that there is a consistent system across the country. The big message at the moment is about consistency; it is about making sure that someone who operates a boat in Victoria, especially at the commercial level, has the same understanding of the law wherever they go in Australia. Consistency in regulation also applies to Victoria's rail and bus networks across the state. Consistency is achieved by broadly aligning local standards for bus, rail and marine safety with powers, sanctions and administrative tools under national transport safety scheme standards. National rail and commercial marine standards were applied in Victoria by laws passed in 2013.

Since coming to office, members of the coalition government have been very active in improving rail services and rail safety. In my electorate these initiatives are seen as very important, and my

constituents will continue to support them. Many great changes have already been made. At a personal safety level, there are now protective services officers (PSOs) on many of our railway stations, and the residents of Berwick and Pakenham thoroughly appreciate having PSOs on their railway stations from 6.00 p.m. until the last train, seven days a week. Such a measure provides great opportunities for my constituents.

People in my electorate are also very keen to see some local upgrades. The member for Bass said he was proud when people saw the upgrade of the pedestrian crossing at the intersection of the Princes Highway and McGregor Road in Pakenham, a regular crossing point for young people. People used to walk straight across the line on one side where there were no safety barriers, obviously taking a bit of a risk at quite a dangerous spot. The upgrade of the pedestrian crossing on McGregor Road was essential.

Also, during the upgrade of Clyde Road in Berwick the coalition government ensured that the pedestrian crossings on that road were made safer. Because Clyde Road now carries more vehicles, government members wanted to ensure that there was added safety for pedestrians as well as for vehicles which travel through an area containing many schools and businesses near that location.

As I said earlier, the main purpose of this bill is to achieve consistency across the states. The bill addresses gaps between local and national compliance and enforcement provisions by providing Transport Safety Victoria with similar powers to those of the national schemes, particularly rail, which is used as the main basis for the powers in the bill, although some existing provisions are retained where they are not contained in the national law.

The bill re-enacts existing appointment, administrative and power provisions with a number of improvements, including the appointment of transport safety officers; powers of entry or boarding without consent and under warrant; and powers to inspect, search, copy or seize evidence and make inquiries. The latter is very important. During an investigation anyone completing the investigation, whether they be the coroner or another organisation in relation to a breach of safety standards, needs to understand the rules. The people being investigated will have no excuse to say that they were not aware of what the rules are in different states, because they will understand that the rules are consistent across the entire country. This is super important.

Other improvements include directions powers about the movement of rolling stock, vessels and buses. It is timely to talk about rolling stock. I note that the Minister for Manufacturing is here. I have visited one of our fantastic manufacturers in Dandenong — Bombardier. Only recently, due to savings Bombardier has made on our new rolling stock of V/Locity trains, the coalition government has had the opportunity to save \$17 million. Rather than put that money back into government coffers, we have chosen to invest it in putting more trains on the lines and have ordered another three V/Locity trains.

In addition, there are improvements to safety on the Pakenham line and improvements to train timetabling. The coalition government will be spending \$2.5 billion on the rail network in that area upgrading the Pakenham and Cranbourne lines. Many people have discussed the pros and cons of this announcement, but the outcome will be a better result for our communities.

I note that the member for Cranbourne did not talk too much about this project, but each hour more than 4500 extra passengers will be able to travel along those lines, and I am sure the people of Cranbourne would love the opportunity for those extra passengers to travel into and out of Melbourne on new trains with new signals. The new signalling system has increased the train service to a 7½-minute timetable down that way, which is a 30 per cent increase on what we had already achieved. This work builds on the work already done on the Cranbourne and Pakenham lines. There are already more trains during peak periods, and many passengers are now able to travel more easily. Most importantly, the timetable has been improved, which has meant fewer cancellations and an improvement in safety that is second to none.

This bill also relates to buses and ensuring consistency across the country. It is important to have consistency, because with many people coming into Victoria obviously we will need more bus drivers. There are 3500 new bus services in Victoria, so of course we will need drivers, and the number of drivers will increase. There are more than 4000 at the moment. We will be more than happy for bus drivers from other states to come down here and work as we improve our public transport system. It is fantastic to have them down here.

Mr McGuire interjected.

Mr BATTIN — I am more than happy to employ people in Victoria as well, but we have to make sure there is consistency across the country so that should people want to relocate to Victoria — the greatest state

in the world — of course we will be more than happy to accommodate them as well.

Part of ensuring consistency is providing the ability to serve improvement, prohibition and non-disturbance notices; the ability to have rules around enforceable voluntary undertakings, and the ability to seek court orders to improve compliance. In a lot of areas of law enforcement different states have different paperwork, different types of red tape and different ways people have to apply for court orders et cetera. It is important that those investigating such matters have an understanding of how the process works throughout the entire country to ensure that they get the right court orders.

Other improvements include commercial benefits orders, supervisory intervention orders, exclusion orders, adverse publicity orders — again, very important — provisions about infringement notices and safety work infringements relating to rail alcohol offences. This last point concerns a subject that has been spoken about many times in many different workforces and in many different employment areas. Alcohol offences are becoming more prevalent, so the community is encouraging government to legislate in particular areas to ensure that members in particular industry sectors are not under the influence of any alcohol or drugs while at work.

These measures are not only about ensuring the safety of workers. I am referring not only to people working in the rail and commercial marine sector but also to those working on our bus networks. We need to ensure that safety is the first thing that comes to mind. We also need to ensure that safety is consistent across Victoria and across the country. We need to introduce more bills like this one so that the entire country is on the same wavelength. Bus drivers and train drivers must all comply with legislation concerning alcohol-related offences.

The last improvement is about evidentiary matters to make sure there is consistency across the country around what is required as evidence when a matter is taken to court. That is exceptionally important. Most importantly, compliance and enforcement standards in the state safety scheme are behind national standards. The national schemes, particularly the national rail safety scheme, made changes and improvements to compliance and enforcement standards, some of them very significant. These recent changes and improvements have not been reflected in the state's local scheme laws. State standards have therefore fallen behind national standards, even though the transport modes — both national and state — are or will be

enforced by the same regulator, Transport Safety Victoria.

Again this is a matter of reinforcement. We want to ensure that we do not fall behind and that we are at the same standard across the country. We have seen this in the past in relation to other issues on which the Council of Australian Governments (COAG) tried to make sure all jurisdictions came up to the same standard. We want to make sure we are at or better than the standard across the country. One of the other examples of this was WorkCover, where there was an attempt to bring in a WorkCover-related bill in relation to the standards. However, Victoria would not sign up for the WorkCover bill because it would have actually taken the state backwards in relation to WorkCover standards. That is not something we want to do in this state. If we are going to sign anything on a national level, we want to make sure it is to the betterment of the industries it will involve. It is important that we have that on the record — that is, that this government will sign up only to COAG agreements that are to the betterment or benefit of Victorians.

With that contribution, I have much pleasure in commending the bill to the house. I strongly encourage people to stay on board as we move through the coalition's plan to build a better railway line for Pakenham and Cranbourne residents. I am sure the member for Cranbourne will get on board shortly and speak highly of the new trains and extra services for Cranbourne. If he does not want to do that, I am sure our candidate for Cranbourne at the coming election will be more than happy to promote them throughout the electorate.

Mr McGUIRE (Broadmeadows) — On this day 160 years ago the Victoria Constitution Act 1855, which established the Parliament of Victoria, was dispatched to England for the approval of the British Parliament and royal assent. It ran into difficulties because the British Parliament was preoccupied with the Crimean War — such are the echoes of history. I provide this context to highlight how important compliance is and note that one of the most striking emblems of the attempts to achieve uniformity in Australia was the varying rail gauges throughout the colonies and the historic problems they caused. In marking the 160th anniversary of the establishment of the Parliament of Victoria, it is therefore fitting that all sides of Parliament are supporting compliance concerning transport. Sadly, Crimea is under occupation.

The bill before the house has evolved from last year's Council of Australian Governments agreement to

secure national schemes mandating regulation and governance for the rail and marine sectors. The main purpose of the bill is to consolidate and improve existing monitoring, compliance, investigation and enforcement powers available to the Victorian safety director — Victoria's rail, bus and marine regulator — and transport safety officers following the implementation of national rail and marine safety schemes in Victoria.

The schemes set the platform for bringing together most parts of the rail and marine sectors under national control, while leaving the remaining areas under state control. This is part of the constant ebb and flow of regulation and the attempt to get better uniformity. I know that the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee is looking at this issue in the marine sector. For example, in the rail sector, national rail safety regulation and investigation schemes apply to most Victorian railways, including metropolitan and V/Line services, both passenger and freight, but tram and light rail systems and most heritage and tourist railways remain locally regulated. The activities of small commercial vessels are regulated nationally, especially in relation to licensing and certification, but other matters, including waterways and pilotage, and drug and alcohol standards, remain locally regulated.

The national rail and marine schemes largely adopted pre-existing Victorian legislation and underlying policy in those areas, although the national laws did make some improvements in some areas. As a result of these changes, differences now exist between the national scheme's legislation and the state legislation, including in areas such as compliance and enforcement standards. The point I was making at the outset was that this is an ongoing issue for us in the way that we evolve to achieve greater uniformity and compliance and therefore safer, more efficient and effective systems.

The purpose of the bill is to ensure that Victoria's local rail systems, including the tram system and tourist and heritage rail and tram operators; the marine sectors, including local waterways; and the bus sectors enjoy the same levels of compliance and enforcement in relation to safety as provided by recently implemented national reforms in some of these areas. The bill seeks to avoid anomalies between the state and national regulator, which is important given that in many circumstances when a safety incident occurs it does so in a way that crosses both national and state regulation. This duplication and overlap raises the issue of who has responsibility, particularly on safety. Some of the anomalies in this area beggar belief and common sense,

and that is what we are trying to rationalise at the moment.

Labor supports more efficient and consistent safety regulation across transport systems. We recognise that it is not in the public interest for there to be inconsistency in the application of safety schemes across different transport modes in Victoria. We also recognise the need for investigators or officers of Transport Safety Victoria (TSV) to apply a range of different regulations or powers in carrying out their important work. As Labor's shadow Minister for Public Transport and lead speaker said, in its briefing of the opposition the department has assured Labor that TSV is supportive of the legislation and of the new schemes that have been established and that continue to roll out. That said, the opposition is mindful that TSV has had a number of serious concerns about the development of the service level agreement to give effect to the national reform and to Victoria's transition to the national rail safety regulator. However, Labor is guided by the advice provided by the department that TSV is in fact supportive of the new regime.

Labor is also aware that the service level agreement was signed on Friday, 21 March, enabling the Rail Safety National Law to come into operation in Victoria. Labor also notes that in some cases new national schemes have improved regulation around safety compliance and enforcement and accepts the need to ensure that Victoria's standards do not fall behind the national standards applying in Victoria. Nevertheless, there have been some concerns that were provided in detail by the lead speaker for the opposition, the shadow Minister for Public Transport, and I just want to address some of those.

The Office of the National Rail Safety Regulator acknowledged that the Victorian rail system is a hugely important part of the Australian rail network. We agree with that, and that is why Labor is committed to tackling the congestion bottlenecks at 50 dangerous level crossings, including in Glenroy in the electorate of Broadmeadows. The removal of these crossings will deliver significant safety improvements to public transport and reduce congestion for communities across the state. It is important for safety and it is important for increasing productivity, and that has both a human and an economic benefit.

As we are aware, too many Victorians have been injured or, worse, killed at level crossings. Whether it is pedestrians trying to cross railway tracks while trains are on approach or car drivers attempting to cross while boom gates are down, we are trying to look at how a better system can be implemented. The Labor side of

the chamber is committed to the safety of all Victorians. That is why we have raised Project 10 000, which is the policy about improving safety at level crossings and congestion on our roads. This is the plan that will remove 50 of the state's most dangerous and congested level crossings, many of which have been the site of terrible accidents and unfortunately deaths. These are critical projects that will not only improve congestion and safety but, as I said, also have a significant impact on productivity.

That is where Labor stands on this bill. We think it has merit, but one of the issues I want to raise on transport as the member for Broadmeadows is that there was the opportunity this week for the Minister for Public Transport to actually commit to completing the central activities district project in Broadmeadows, which is around the Broadmeadows railway station. This project was a Labor vision, but it won bipartisan support. It was in the budget, and then it was cut last year. While the minister during question time today beat his chest loudly about all the other stations that were going to be taken care of, the historic salt has again been rubbed into the wounds of people in Broadmeadows through the ongoing neglect of these projects, particularly this one, where there was bipartisan support for two years. The plans were delivered. The project was shovel ready. The City of Hume said axing this project cost an extra \$11 million, and this was kept secret; it was only revealed in the budget. It was done unilaterally. It came from the Minister for Planning, Matthew Guy, in the other house. To add insult to injury, he continues to say that he represents the people of Broadmeadows in the upper house.

It comes down to the issue of where the delivery is. Where is the fair go for all on transport? While I am happy to be in agreement with and supportive of the legislative change in this bill before the house, I want it to be known and understood that the people of Broadmeadows will not continue to be regarded as the forgotten people. The government cannot just keep coming out and cutting these issues. With the Minister for Manufacturing at the table, I remind him about Ford and what needs to be done.

Mr Hodgett — There was an announcement over there last week — a great announcement.

Mr McGuire — You had better come out more often.

The ACTING SPEAKER (Ms Ryall) — Order! The member will not respond to interjections.

Mr McGuire — Where is the development on these issues? We do not want to lose the fair go for all when the so-called age of entitlement is over.

Mr Watt (Burwood) — I rise to speak on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. Picking up where the member for Broadmeadows left off, talking about a fair go for all, I want to congratulate the Minister for Public Transport for the great work he has done over the last three and a half years fixing up the great mess that was left behind by the former government due to 11 long, dark, miserable years of hard Labor and the neglect the transport system was left in.

I have had some time to reflect on some of the performances of some of the train lines. The member for Broadmeadows talked about a fair go for all. I remember — I think it was in January 2010 — listening to a former Minister for Public Transport talk about a plan to close the Alamein train line in my electorate. She talked about this great scheme she had dreamt up with her department, inasmuch as all the trains were moved off the Alamein train line at that time. She then went on radio the next day. It was not just the Alamein train line; the member for Williamstown should be standing in this place yelling and screaming just as loudly as I am, because the Williamstown train line was also devoid of trains that day.

The then Minister for Public Transport, Lynne Kosky, went on 3AW and gloated about this great plan that had been implemented, and that plan was put in place on the day prior to when she was on radio. She was talking about the plan that had been put in place, which worked for the entire network and was great for everybody — fairness for all! The member for Broadmeadows talks about a fair go for all. I put in an FOI request and found out what the plan actually was. The plan the former government had hatched was very clear: when it got too hot and there were not enough trains the government would cancel all the trains on the Alamein train line and cancel all the trains on the Williamstown train line. I know the member for Williamstown will not get up and yell and scream about the efforts of that former public transport minister, but I am here to defend the good people in Ashburton and those living along the Alamein train line, up into Glen Iris and all the way into Camberwell.

In my electorate we deserve good trains. We deserve a good train service. It is disappointing that those opposite had condoned this plan, and I accept that the current member for Broadmeadows was not in this place at that point. I acknowledge that he would not have been responsible for that plan, but under fairness

for all and a fair-go-for-all policy, which the member for Broadmeadows talked about, I want to put it on record that the people of Ashburton, the people of Burwood and the people of Glen Iris will never forget that the former government hatched and put into place a plan that resulted in there being no trains on the Alamein train line.

I remember going up and down the Alamein train line consulting with residents and asking them their views on this plan to close the line. The fact is that we had hundreds of signatures on a petition calling for a reversal of the plan. One of the first things we did when we got into government — and I had spoken to the Minister for Public Transport at the time — was to scrap the plan and put trains back on the Alamein train line. We made sure that we got a fair go in the Burwood electorate. We made sure that we got a fair go in Alamein, Ashburton and Glen Iris, all the way up the Alamein train line. Not only that, we have also invested \$4.7 million to replace some of the tired old wooden sleepers on the Alamein train line, just like how on 29 November this year we are going to replace some of the tired old wooden sleepers on the other side of the house.

There is \$4.7 million to replace and upgrade the tram square at the Riversdale Road level crossing. On a number of occasions in this place I have talked about how I have more than once seen trams come off the track at that particular section. We are upgrading that section and making sure that trams can actually come through to Wattle Park along routes 70 and 75, the two tram routes we have in my electorate. We are making sure that we have good tram services down Toorak Road and down Riversdale Road and making sure that we have good train services in the Burwood electorate down the Glen Waverley line, which we made a \$12 million investment in, once again replacing tired old wooden sleepers, like those on the Alamein train line. Even up into the north of the electorate there are the Belgrave and Lilydale train lines going through stations such as Chatham, Surrey Hills and even Canterbury. I note once again the great improvement in all the train lines throughout and close to the Burwood electorate.

If we compare the punctuality of trains along those lines before we were in government with some of the most recent figures, we see that for the Alamein train line, in the month before we were elected — November 2010, the month of the election — 89.7 per cent of trains ran on time. In January this year, just over three years later, 96.5 per cent of trains were running on time. People can do the math, but that is a 6.8 per cent increase in punctuality. If we look at the Belgrave train

line — and you will understand this, Acting Speaker, being a member representing the area which the Belgrave train line runs through — we see that there is a vast increase in its performance, from 86.8 per cent in November 2010 to 98.2 per cent in January this year. That is an 11.4 per cent increase in the punctuality on the Belgrave train line. It is testimony to the work of the Minister for Public Transport and to all those members who represent electorates up and down that train line.

The Lilydale train line, which goes through Ringwood, had 88.1 per cent punctuality in November 2010. That had increased to 94.8 per cent in January this year — that is a 6.7 per cent increase in the punctuality on that line. The Glen Waverley train line — and I see the member for Mount Waverley is here — had 93.3 per cent punctuality in November 2010 and that has increased to 97.4 per cent. Much of that has been brought about by not only my advocacy but also the advocacy of the member for Mount Waverley, the member for Malvern and the member for Hawthorn in making sure that we get great improvements on that line. I note there are 1078 extra train services and at least 3870 new bus services throughout Victoria.

I also want to talk about the future plans we have for other train lines. I am sure that the member for Cranbourne is a great supporter of the investment that the government is making in the Cranbourne, Pakenham and Dandenong lines — \$2 billion to \$2.5 billion to remove some of those level crossings. I note that the member for Clayton is in the house, but I do not see him jumping up and down, clapping his hands and congratulating the government for being able to do something or for putting in place plans to do something that he did not do in his 11 long, dark, miserable years of government, and that is to fix the Clayton Road level crossing. We are going to remove the Clayton Road level crossing. We are going to remove the level crossings at Centre Road and Murrumbeena Road. We are going to make sure that we get good services up and down that line, so that we can get good access to the brand-new Monash Children's hospital, a \$250 million project. We will make sure that we can get to that very easily.

Mr CRISP (Mildura) — I rise to make a contribution on the Transport (Safety Schemes Compliance and Enforcement) Bill 2014. I guess what this bill is about is adopting and adapting provisions from the Rail Safety National Law. I am going to talk about the importance of having these uniform laws across borders. Cross-border issues are something that those of us who live along borders constantly talk about, and here we are fixing one of those in the area of safety issues. However, there is still plenty of work to

be done with cross-border issues, in particular when you look at transport safety and some of the other matters dealt with in this bill. Yes, we have come a long way, and yes, we are doing a lot of work; but there is still a lot to be done. When you cross a border — with a vehicle or a train or a bicycle — the fact that the laws are different on one side of the river to the other, or one side of the border to the other, is just plain ridiculous in 21st century Australia.

I know that there is a cross-border commission involved and that it has been working very hard to address these issues. Over the years we have seen an awful lot of compliance action undertaken, particularly in the trades. I can refer to a number of tradesmen in border areas who have told me that they operate on only one side or the other of the border because it is simply too hard to work out the two systems. We have also worked this through with national compliance in the health professions, and I remember that being a significant bill to get through. We looked at uniform registration for doctors, nurses and other health professionals. At about that time my brother was involved as one of the members on the national chiropractic board, and he still spends some time talking about how difficult it was to do that — but how wonderful an achievement it is to have national registration of chiropractors.

This bill is about our continuing commitment as a government — step by step, issue by issue — to work away at these cross-border issues and to have a uniform and common-sense approach to a national transport system. We do need to have that national registration. I know the Deputy Speaker is a long time supporter of cross-border issues, and I am sure that he would have made mention in his contribution of some of those issues.

An honourable member interjected.

Mr CRISP — The interjection reminds me that you in fact did, Deputy Speaker! Again this is delivering on yet another piece of a very important jigsaw for those of us who live along state borders. I am very happy to be supporting this bill.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Ann Nichol House

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Environment and Climate Change, and the action I seek is that the minister intervenes and refuses to approve the transfer of the lease of Crown land and changes to the committee of management arrangements in relation to land currently under the control of Bellarine Community Health (BCH) in order to ensure that Ann Nichol House is not sold to a private provider.

For the minister's information I will provide the background to this issue. Ann Nichol House is a 60-bed nursing home. It was built with funds mainly raised through the hard work and commitment of local volunteers, with the strong support of the community across North Bellarine. The final project, Ann Nichol House, was transferred by the community to Bellarine Community Health because people knew, or thought, they could rely on the agency to provide high-quality, affordable aged-care services, and they believed this would continue for decades to come. The quality of care provided by staff at Ann Nichol House has definitely met the expectations of families and the community. The nurse-patient ratios are equivalent to those for public sector beds, thus delivering greater ability to deal with high-need residents especially.

The belief that Bellarine Community Health would have a long-term commitment to providing public aged care has been shattered. Ann Nichol House is on Crown land in Portarlington. The BCH has the lease on the land and committee of management responsibilities. In order to enable the sale of Ann Nichol House it has indicated to the community and to me that changes to the current lease and committee of management arrangements need to be approved by the Minister for Environment and Climate Change. Despite all efforts to alter the decision of the health centre, it will not shift its position, and the most feasible way for the community to achieve what it wants — that is, Ann Nichol House remaining in the hands of the community — is for the minister to intervene over the Crown land issue. Both the City of Greater Geelong and the Borough of Queenscliffe strongly and unanimously support my call tonight to stop the sale of this asset to a private provider. Even if what can be achieved is a halt to the decision so that further community consultation occurs, this will be welcome.

It is worth noting that many of the residents who are currently in Ann Nichol House were in Coorabin Hostel, which was owned by Bellarine Community Health. They were forced to move late last year and were guaranteed a future at Ann Nichol House. Many families chose to go to Ann Nichol House because it is a not-for-profit aged-care facility, as they did not want to go to the private option that was available in Point Lonsdale. Many in the community are shocked by this decision, and again they would welcome any intervention by the minister or the government to stop the sale of this community asset to a private aged-care provider.

Scotchmans Creek and Valley Reserve

Mr GIDLEY (Mount Waverley) — My adjournment matter tonight is for the Minister for Water. The action that I seek is for the minister to update the house on Melbourne Water's response to a recent spill of a greenish substance into Scotchmans Creek between Waverley and Blackburn roads, Glen Waverley, which also flowed down into Mount Waverley. The Scotchmans Creek and Valley Reserve area is an important part of my local community, providing both conservation opportunities for local residents such as water filtering and natural habitat protection and also recreational opportunities such as cycling, walking or jogging.

On Saturday, 15 March, I was walking through Scotchmans Creek and Valley Reserve with other residents, enjoying this local asset, when I noticed a greenish substance flowing through the creek. Concerned at the effect this may have had on our environment, I noted that Melbourne Water was aware of the substance through its website and Twitter account. Whilst I was appreciative of this update, I am concerned about the effect the spill may have had on the creek and reserve.

A number of residents have contacted me with concerns about the effect of the spill and seeking information as to who may be responsible for it. Their concern does not surprise me, given the interest that local residents and community groups have in the reserve and creek, which is evident through work such as that performed by the Friends of Scotchmans Creek and Valley Reserve. The friends group consists of local residents who volunteer to help maintain and enhance the reserves along Scotchmans Creek and Valley Reserve. The group has been doing so, I am reliably informed, since 1999, working in cooperation with the Monash City Council and Melbourne Water. One of its main activities is its revegetation program, which it undertakes in cooperation with Monash council's

horticultural section. The group also helps to maintain and improve Valley Reserve by having regular working parties once a month.

Importantly, the friends group takes a close interest in the health of the creek through its Waterwatch activities. It has a trained team which regularly assesses water quality through chemical testing; by catching, identifying and counting the bugs and other creatures living in the creek; and by monitoring the vegetation. Members keep a close watch on pollution and erosion problems and report these to the relevant authorities. Additionally a speakers forum is presented during the year, to which expert speakers are invited to make presentations about conservation subjects.

I have been fortunate to attend a few of the events put on by the Friends of Scotchmans Creek and Valley Reserve and to see firsthand their commitment and dedication to their cause. Their work really does make a difference to protecting and enhancing the creek and reserve. That is why the recent spill is of significant concern to me. Therefore I seek that the minister update the house on Melbourne Water's response to a recent spill of a greenish substance into Scotchmans Creek between Waverley and Blackburn roads, Glen Waverley, which unfortunately has also flowed down into Mount Waverley.

Fishermans Bend urban renewal project

Mr FOLEY (Albert Park) — The matter I wish to raise is for the Minister for Planning. The matter I seek to bring to his attention is the planning-free, developer-led frenzy he is overseeing at Fishermans Bend. The specific action I seek from him is that he commit to ensuring that the necessary infrastructure for this area — economic, social and transport — is funded and planned before he continues any further with his let-it-rip-at-all-costs approach to planning approvals in the area.

Should the minister fail to do so, he will condemn the local community and those moving into the area to the same soulless outcomes that his predecessors oversaw in Docklands. He will condemn future governments at both state and local government levels to billions of dollars of infrastructure catch-up and a generational disadvantage for those future communities. Members will recall that after the 2010 election campaign the Minister for Planning promised delivery of the inner urban renewal area within eight years. Then it became 10 years, and now it is well on its way past 40 years as he seeks to develop a larger area than the CBD of the Hoddle grid.

The minister has made himself the sole planning authority and approval agency for some years and has declared the area open for business applications for numerous high-rise towers. He has become the all-powerful, one-stop approval tsar of Fishermans Bend. He got applications in spades, with his desk currently groaning under the number of applications, many well above 50-storeys high, currently awaiting his approval. It is reported that there are now 15 applications about to be approved by the Department of Transport, Planning and Local Infrastructure for a total of 30 towers ranging from 18 to 53 storeys, including one on land earmarked for public open space in the government's visionless and inappropriately named Fishermans Bend draft vision.

Yet, the minister has no planning tools and no enforceable instruments with which to shape and build these communities in an area that is flood prone and built on reclaimed Yarra silt, with extraordinary amounts of contaminated material that has built up over 100 years of industrial and chemical dumping. He has no enforceable best practice models in his kit to enforce water-sensitive or energy-sensitive urban design or precinct outcomes. He has no enforceable tools to deliver the open space that he has promised, or recreational activity in the areas he has allocated, and his plans run to making sure that the area has urban densities greater than that of Lower Manhattan.

The minister's promised spread of affordable housing types, of different family-friendly and even social housing options, is nowhere to be seen. Even his promised areas of open space are the subject of applications for 50-storey towers currently awaiting his approval. The minister has no budget to fund any open spaces, and he has promised the area that this will be done through developer contribution payments. The minister needs to go back to the drawing board, consult with the communities and get a decent outcome for the people of the inner south.

Spring Creek Valley

Mr KATOS (South Barwon) — I rise this evening in the adjournment debate to request action from the Minister for Planning. The action I seek is for the minister to provide assistance from the Department of Transport, Planning and Local Infrastructure to the Surf Coast Shire Council to undertake a strategic investigation of ways of maintaining a green break from Torquay to Bellbrae in Spring Creek Valley. The previous Minister for Planning, the member for Essendon, set the town boundary at 1 kilometre west of Duffields Road. At the time, the Labor-aligned and

Greens councillors at the Surf Coast shire took no action with regard to this.

Upon the election of the coalition government the Surf Coast Shire wanted to change the town boundary back to Duffields Road and initiated planning scheme amendment C66 in order to do that. The amendment went to a planning panel, and after hearing numerous submissions the panel recommended that the town boundary remain at 1 kilometre west of Duffields Road. The minister accepted the advice of the independent panel and left the boundary in its present position, which, as I said, was put there by the Labor government. The land within 1 kilometre west of Duffields Road is to be of a lower density and not the 15 lots per hectare mandated by the Labor government.

The coalition government wants to see a permanent green break in the Spring Creek Valley between the Torquay-Jan Juc area and Bellbrae; hence there is a need for a strategic investigation into the best way to achieve that. The area in question is zoned for farming, and by farming standards the lot sizes are smaller. We need to investigate the best uses of the land to preserve this green break. These uses may involve, for example, horticulture, viticulture, tourism opportunities or hobby farms. The land needs to be used for purposes that are sympathetic to a green break but at the same time provide either a return for the owners or lifestyle opportunities.

I have met with representatives of the Bellbrae Residents Association, who agree that this investigation needs to take place with the input of the Surf Coast Shire Council and local residents from Torquay, Jan Juc and Bellbrae. While I understand that the community feels angst regarding development, the Labor government allowed the Surf Coast shire to grow between 4 per cent and 5 per cent per year and did not provide the necessary infrastructure. The coalition government is getting on with the job of providing the necessary infrastructure, whether it be the new Surf Coast Secondary College, land for the second primary school, upgrades to the Torquay Kindergarten and Jan Juc Kindergarten, upgrades to the Surf Coast Highway, a new Torquay State Emergency Service facility, a new Bellbrae Country Fire Authority facility, upgrades to Mount Moriac Reserve, upgrades to the community and civic precinct, the redevelopment of Spring Creek Reserve pavilion or a \$100 000 contribution towards the second soccer pitch at the Torquay community and civic precinct. I call on the minister to provide this assistance.

Cranbourne North primary school

Mr PERERA (Cranbourne) — My adjournment matter is addressed to the Minister for Education. The action I seek is that the minister urge his government to fully fund in this budget the construction of a much-needed primary school in Cranbourne North. My office has been inundated by concerned residents living within the following boundaries of Cranbourne North: north of Thompsons Road, south of Glasscocks Road, east of Narre Warren-Cranbourne Road, and west of Berwick-Cranbourne Road. Over 2200 residents now call this area home, and many of them are the members of young families. The grave concern of many of these residents relates to the non-action by this government. Land has been purchased in this area with the main purpose of constructing a primary school. My colleague the member for Narre Warren South has raised this issue on previous occasions. However, over the last three budgets this government has turned its back, as it has with many schools in my electorate.

The kids in Cranbourne North need a primary school now. They need it in this budget, not as a lame Liberal election commitment. Hillsmeade Primary School is the closest primary school to the area, and it is full, with almost 800 students. I ask the minister where the children of this area will receive their primary education? Do they have to walk many miles to be educated? They are very young kids, and they cannot walk long distances. The children's working parents are very busy, and they also cannot travel long distances to drop the kids off at school.

This government has an appalling record when it comes to supporting the schools in my area. It was only nine months into the term of this coalition government before it set its eyes on selling its first primary school. It wanted to close the Seaford Park Primary School and sell the land to developers. This is valuable land because it is located right next to the famous St Kilda Football Club's Seaford administration and training grounds. However, after much public outrage and humiliation, the government decided to do a backflip.

The new secondary school, Alkira Secondary College, is a great Labor initiative, and it is located within the boundaries of the Cranbourne North area that I have identified. It is a model school, which even attracts international fee-paying students because of its high standards and the professionalism of its principal and staff. What we need is a state-of-the-art primary school to complement the state-of-the-art secondary school, to give the students of Cranbourne North the best education possible. I urge the minister to allocate the

funding in this budget for the construction of a much-needed primary school — —

Hazelwood mine fire

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for State Development. The action I seek is that the minister establish a process or committee whereby council and community projects can be identified and considered for funding along the lines of the Latrobe Valley Industry and Infrastructure Fund (LVIIIF) ministerial advisory group. At the outset I congratulate and thank the agencies, both government and non-government, that have been involved in the Hazelwood mine fire suppression effort. The members of each and every organisation deserve our utmost and sincere thanks for their persistence and commitment over 40-plus days. I also commend the Latrobe City Council for the important role it has played and its cooperation with government agencies to ensure the communities impacted by this fire received appropriate and timely support.

Local government has played a critical role in assisting the state government to deliver the relocation payments, emergency grants and the \$2 million clean-up packages. The Victorian Employers Chamber of Commerce and Industry must be commended for its coordination of the allocation of the \$2 million the state government has provided for small businesses, which have been the collateral damage, so to speak, of this awful fire. The member for Morwell must also be commended for his tireless efforts, with the tremendous support of his hardworking staff, in advocating for the needs of his community with the relevant government ministers.

The LVIIIF ministerial working group was chaired by Damian Drum, the new Minister for Sport and Recreation, and was supported by the member for Morwell, the new Minister for Energy and Resources and Minister for Small Business, and me in conjunction with representatives from Regional Development Victoria and higher education, skills and training. The working group has been very successful in identifying, assessing and awarding grants to businesses across the three Gippsland local government areas of Baw Baw, Latrobe and Wellington. LVIIIF was a \$15 million fund falling under the auspices of the \$1 billion Regional Growth Fund and was aimed at businesses that had the potential to expand, create new jobs and adapt innovative technology.

The Regional Growth Fund has provided more than \$365 million to support over 1250 projects across rural and regional Victoria, leveraging \$1.5 billion in total

investment. In Baw Baw shire the Regional Growth Fund has provided more than \$93 million to 41 projects, leveraging more than \$35.5 million in total investment. Those projects include \$1.2 million for the \$12.7 million leisure centre project, \$460 000 for the \$996 000 Flavorite water efficiency project and \$100 000 for the \$200 000 Phoenix Street drainage upgrade in Warragul.

I genuinely believe the effectiveness and structure of the LVIF ministerial working group provides a good model that could be deployed to identify and allocate assistance to the Morwell community in conjunction with Latrobe City Council for the recovery effort that is being undertaken following the Hazelwood mine fire.

Manor Lakes railway station

Mr PALLAS (Tarneit) — I raise a matter for the Minister for Planning concerning the formal name to be given to the area commonly known as Manor Lakes. The action I seek is that the Minister for Planning meet with representatives of Wyndham City Council and the Manor Lakes Residents Association and through that process ensure that the suburb and the new train station are consistently named in accordance with the community's wishes. I note that in June 2012 the minister stated that Manor Lakes in the local government area of Wyndham is intended to be one of six new growth area suburbs. The name Manor Lakes has considerable community support, and numerous naming decisions in the area reflect the fact that the name is in common usage by local residents to describe their area and community. There is also an evident desire and activism within the Manor Lakes area to have the new train station on Manor Lakes Boulevard named as Manor Lakes station rather than Wyndham Vale station.

The Manor Lakes Residents Association has collected more than 1000 signatures in support of its campaign to have the area formally recognised as Manor Lakes and to have the train station called Manor Lakes station. The association points out that other key features in the area bear the Manor Lakes name, including Manor Lakes College, Uniting AgeWell Manor Lakes, Manor Lakes Football Club, Manor Lakes Cricket Club and the Manor Lakes Central Shopping Centre, all of which surround the location of the new train station. The use of the name Manor Lakes has grown over the past 10 years, and its use by government departments, the council and newspapers adds to the perception that the area is already officially a suburb.

VicRoads signs helpfully direct motorists to Manor Lakes, buses run to Manor Lakes and the Growth Areas

Authority lists the locality of Manor Lakes in the growth area plan for Wyndham. For all intents and purposes the area is known by the local community as Manor Lakes. Given the prominence and the prevalence of Manor Lakes in describing the local area, schools, sporting clubs, aged-care homes and a shopping centre as well as on road signs, it could well be argued that calling the new train station Wyndham Vale station would cause public confusion.

The residents association also argues that the area will increasingly be referred to as Manor Lakes as the area continues to grow in line with the government's precinct structure plan for the area. In 2012 the minister outlined the growth, stating that Manor Lakes would feature:

... two state primary schools, two large new recreation reserves, a local town centre and an important new north-south arterial road for 13 500 new residents over the next 30 years.

The association has also begun the process of requesting that Manor Lakes be recognised as a suburb in its own right by the local council. All that these residents want is a connection to the place they call home. For 100 years the area was known as Manor Park, and locals today know it to be Manor Lakes. They want the government to formally recognise that name and reflect that in the naming of the new station.

Caulfield Racecourse Reserve

Mr SOUTHWICK (Caulfield) — I raise a matter for the Minister for Agriculture and Food Security. The action I seek is that the minister consider including the lake at Caulfield Racecourse Reserve in the Family Fishing Lakes program for the school holiday period. In 2012 I was fortunate enough to join the minister in releasing 1000 trout into Albert Park Lake as part of the fishing program, which is a great program giving young people the opportunity to learn about fishing. I recall on that day being inappropriately dressed in my suit and being shown up by the minister, who arrived suitably attired in gumboots to get into the water and release the fish. I assure members that this time, if the minister comes to Caulfield Racecourse, I will wear the appropriate gear to release fish into the racecourse lake.

My electorate of Caulfield has a rich history of fishing. In 1879 it was part of a string of swamps stretching out to the east and along Dandenong Road. In the early years of settlement deeper water pools were fished commercially by fishermen who sold their catch in nearby shopping centres or from barrows wheeled door to door. Long after this was disallowed, children continued to collect fish, yabbies and even leeches for

the local chemists, both as a sport and as a way to earn money.

Today we have a racecourse reserve on Crown land that outside of racing activities is a park with barbecue facilities, picnic areas, a small sports ground, a walking track, an off-leash dog park, a place to fly model planes and, importantly, a fishing lake. Since being elected in 2010 I have been looking at ways to get more people to use and appreciate this fantastic public space in Caulfield. Last year as part of the opening of the upgraded centre reserve I hosted a fun run that attracted 1000 people and raised almost \$50 000 for charity. Unfortunately it is difficult to access the centre reserve because of fencing around it.

I understand that in the past a number of keen fishermen frequented the lake when it was stocked by Fisheries Victoria, but it is a local well-kept secret. I also understand that between April and November each year the Department of Environment and Primary Industries and Fisheries Victoria release some 600 000 to 700 000 trout and salmon into Victoria's public waterways. The school holiday period is a great time for children to have a go at catching their first fish, and I can think of no better place than at the racecourse reserve lake. Glen Eira City Council, Caulfield Racecourse Reserve Trust, Melbourne Racing Club and I have been talking for a number of years about ways to activate this area. We need to provide these types of activities to encourage visitors to the area. I am looking at many different ways to encourage people to come to the racecourse reserve. It is a great area with a huge footprint of land. It is the people's park, and we need to do what we can to get people to utilise it. I ask the minister to take up this important program.

Calder Freeway noise wall

Mr CARROLL (Niddrie) — I raise a matter for the attention of the Minister for Roads. The action I seek is the construction of a new freeway noise wall along the Calder Freeway where it interfaces with Fullarton Road, Airport West. I recently presented to the minister and showed to him photos of the existing decrepit and damaged wooden freeway wall that clearly show what a sad state the existing Calder Freeway wall is in. Its use-by date has well passed. Issues concerning the Calder Freeway and Fullarton Road will not be new to the minister, and I take this opportunity to thank him for his assistance in addressing concerns I raised in this place on 19 September last year concerning safety issues along Fullarton Road, Airport West. Following the minister's intervention the dangerous bus stop on the westbound side of Fullarton Road bus stop has been relocated and the installation of a guardrail has begun

on the residential side of Fullarton Road. I thank the minister for his assistance on these two matters.

However, when visiting the Fullarton Road site recently I was dismayed to see that the freeway noise wall that separates Fullarton Road from the Calder Freeway recently sustained serious damage, with local residents reporting that the gaping hole in the aged wooden wall has been covered only by temporary chicken wire for weeks. When compared with sound walls along other major roads, such as EastLink and the Craigieburn bypass, the old grey wooden fence that lines the Calder Freeway throughout my electorate is an eyesore. The low height and degree of damage render the Fullarton Road noise wall unfit to block out sound or improve the local vista and amenity. I urge the minister to investigate the replacement of this old, decrepit and damaged Calder Freeway noise wall to the same quality and visual amenity of sound walls in the eastern suburbs and other parts of Victoria.

Glen Eira Sports and Aquatic Centre

Ms MILLER (Bentleigh) — I raise a matter with the newly appointed Minister for Sport and Recreation, the Honourable Damian Drum. The action I seek is that the minister come to the Bentleigh electorate and visit the Glen Eira Sports and Aquatic Centre (GESAC). GESAC will have been open for two years in May and has proven itself to be a well-utilised resource for the community.

GESAC offers something for everybody, with swimming lessons for children as young as six months old and a program entitled Living Longer Living Stronger specifically designed to get senior Victorians moving. An integral part of GESAC is a state-of-the-art gym boasting Australia's largest group exercise program, with over 200 classes on offer each week. GESAC hosts two swimming pools, two water slides, a leisure pool, a sauna and spa area and a stadium that has been welcomed by local sporting groups, such as the Warriors basketball club. The facility also offers an on-site wellness program, with a warm water wellness pool and a physiotherapy consulting suite. Just seven months after opening, GESAC signed up its 10 000th member, making it Australia's largest council run facility and one of Australia's most popular leisure centres.

GESAC has many membership options available to members of the Bentleigh community. Health club memberships are available for all people aged 14 years and above. Restrictions apply to junior memberships for those aged 14 to 17. Aquatic memberships are available for all people aged 10 years and above, and

swim school memberships are available to children from six months of age. GESAC was designed around the needs of the population of the Glen Eira municipality, paying particular attention to the needs of seniors and youngsters — for example, hydrotherapy and learn-to-swim programs respectively — as well as those of people of all ages and abilities seeking improved health and local entertainment.

Designs for the facility were released in early 2009, and significant funding contributions were received from the federal government, the Victorian state government and the local Glen Eira council. An option for an indoor sports stadium was also included as part of the tender, subject to funding. Council was able to secure further funding from the state government in late 2009 to allow this to be included as part of the project. The construction contract was awarded in October 2009 and GESAC opened in 2012.

Through speaking with members of the Bentleigh electorate I understand that the facility is a source of community cohesiveness for the electorate, and many praise the centre's inclusive programs for people of all ages, abilities and needs. GESAC was funded through a joint partnership between the federal government, the Victorian government and the City of Glen Eira. Today it has over 11 000 members and accommodates over 1 million visitors a year. The 822 bus currently services this facility on Gardeners Road at its rear. The bus service to the facility is well patronised. I note that the opposition is currently conducting a petition to state otherwise. The action I seek is for the minister to come to the Bentleigh electorate and visit the Glen Eira Sports and Aquatic Centre as it completes its second year of operation and view the consistent improvements that the facility has made since its opening.

Responses

Mr RYAN (Minister for State Development) — I rise to respond to a matter raised for my attention by the member for Narracan relating to the Hazelwood coalmine fire. In particular the member has asked me to facilitate the development of a process or committee similar to the Latrobe Valley Industry and Infrastructure Fund. The idea of this committee would be to oversee proposals for post-fire development, if I might so term it, within the Morwell region in particular and the Latrobe Valley region more generally.

In the course of his commentary to the house the member made reference to a couple of other issues to which I want to address some comments. Firstly, he quite rightly congratulated the many agencies that have been engaged in fighting the fire. I am pleased to say

that today the fire services commissioner has finally declared that the fire is out. After this curse of a thing has been fought for some 45 days, the position has now been achieved where the fire is no more. This is a direct result of the magnificent endeavours of all those who fought the fire: the career firefighters; the volunteers, including the many volunteers who came from the other five jurisdictions that contributed to the firefighting force; the helicopter pilots; and those from the other volunteer agencies in all their forms, as well as the police. All of these people and more are deserving of the great commendation of the community at Morwell in particular but also of Victorians at large.

I want to lay to rest — hopefully once and for all — some of the commentary which has been promulgated again today by Peter Marshall and the United Firefighters Union of Australia (UFU). Once again we have had them at the front steps trotting out all sorts of propositions which they assert reflect the current funding and resourcing of both the Metropolitan Fire Brigade (MFB) and the Country Fire Authority (CFA). In fact the situation is that since coming to office the coalition government has provided the CFA with funding of more than \$1.84 billion and the MFB with more than \$1.13 billion. The CFA budget for 2013–14 is \$446 million. That is \$47 million more — I emphasise 'more' — than under the last Labor budget. The MFB budget for 2013–14 was \$316 million. That is \$30 million more — I emphasise, \$30 million more — than under the last Labor budget.

By any standards, even a passing reference to the budget papers will clearly demonstrate that these two great agencies are funded far in excess of what was ever the case when Labor was in government. It is timely, therefore, for Mr Marshall and the UFU to suspend this rubbishy commentary that they consistently make. The figures clearly show that the two organisations are being funded to a far greater extent than was the case under the former government.

The other matter the member raised that I want to make specific reference to relates to the clean-up kits which the government is funding and the City of Latrobe is delivering. These have a total value of some \$2 million. They are made up of professional services that are being made available to certain categories of persons in and around Morwell, and additional facilities that are being made available to those who are physically capable of doing the work in their own establishments but are nevertheless being assisted by the package, which has been developed by the City of Latrobe and is funded by this coalition government to the tune, as I said, of some \$2 million.

Some commentary has arisen with regard to the high-pressure hoses that were part of the package announced by the government. I want to make clear the position that applies on this very important issue. Last Tuesday — 18 March — I went to Morwell with the Premier in the company of the local member, who is now of course the Minister for Energy and Resources. There we made announcements with regard to the clean-up kits which were available to the public at large. Those included reference to the high-pressure hoses. As it happened, in the days subsequent Vicki Hamilton, on behalf of Gippsland Asbestos Related Disease Support, which is a well-known organisation that does great work in the Latrobe Valley on behalf of those who are affected by asbestos-related diseases, brought to the attention of the council, and in turn the government, that there was a risk of the high-pressure hoses damaging asbestos sheeting that might be attached to homes being cleaned through the use of these devices. She made it clear in the course of her general comments that she was worried, as was her organisation, that there might be some danger to the people using these hoses in that they might incidentally contract a problem associated with asbestos. That I believe was a reasonable concern on her part.

As a government we therefore took the decision, in concert with the Latrobe City Council, that the hoses would be withdrawn from the kits, which were to be made available to the public at large and used by the professional cleaners, until such time as a protocol can be developed as to how these hoses can be incorporated in that work. That decision was made in the course of my travelling to Morwell on the Friday morning of last week, where I eventually gave a press conference with the local member, the Minister for Energy and Resources, while we launched the one-stop shop where all these different facilities are located.

I emphasise to the house that although the comment had been made on the Tuesday that the high-pressure hoses would be included in the kit, in the course of the trip to Morwell I spoke to the chief executive officer of the council and we agreed that the hoses should be withdrawn until the protocol was developed. When I arrived in Morwell I had a conversation with the member of the council staff responsible for organising all this. He also agreed that the hoses should be withdrawn. I then conducted a press conference. I went to great pains to explain the full circumstances of this during that press conference. It was again confirmed that the hoses would be withdrawn until such time as a protocol for their use had been developed.

As I was leaving the premises in Morwell some little time later, there was a truck in the back car park

delivering these high-pressure hoses. The fact is that at that time and indeed up until now, as I stand here in this house, no hoses have been dispensed. None of these devices has been made available.

Mr Foley interjected.

Mr RYAN — In response to the interjection asking whether I am sure about that, I spoke to the acting chief executive officer, Mr Mitchell, an hour ago and he advises me that such is the case. I am prepared to accept the word of the acting chief executive officer of the Latrobe City Council as opposed to that of the member who is now chirping away like a butcher's magpie and is not in possession of the facts, which is not unusual for the Labor Party. As I left the car park, the truck was moving into position with a view to delivering these hoses. But, as I say, none of them, according to my advice from the chief executive officer, has been dispensed.

Out of an excess of caution, I also rang ABC radio at 10.40 a.m. last Friday morning and had about a 10-minute interview, which went live to air, where this was again explained. I might say that at 4 o'clock today a meeting was convened between council and all the relevant agencies where this protocol to which I referred was under discussion. The government anticipates that the council will have this matter ordered appropriately by, hopefully, tomorrow and things can move forward in terms of the distribution of the hoses as part of the clean-up kit.

The bottom line is that we have seen the Labor Party again on the go, doing what the Labor Party does best — creating a complete beat-up out of an issue in circumstances where right from the start there was never a problem in relation to this matter. There was never a problem; there was a clear understanding in the public arena as to what the situation was to be. For the Labor Party to again beat this up and attempt to create the sort of furore it did today is nothing less than disgraceful. I might say, Labor was trying to fire up the media this morning, as I understand it, urging them to come to question time today to see the series of questions being put to the newly appointed Minister for Energy and Resources. The only ones who got cleaned up today were members of the Labor Party. They made absolute fools of themselves in relation to an issue which insofar as the public at large is concerned, particularly at Morwell, has been well and truly accommodated. We will make sure, as always, that safety is a high priority and this matter is dealt with in an appropriate manner to ensure that the safety and security of the people of Morwell is paramount.

I conclude with two final comments. The first is to pay tribute to the local member, who in his new role as the Minister for Energy and Resources started today in question time very eloquently by explaining all these matters fulsomely. I might say it is reflective of the way in which he has conducted himself generally throughout this very trying time. He has stood the line for this community every day, bar only those when he has had to be here in Parliament and one other exceptional day. He has stood the line every day for this community since 9 February, when this fire broke out. It is to his eternal credit that such is the case.

Finally, in response to the matter raised with me by the member for Narracan, I will be very pleased to see the formal establishment of the committee which he seeks. I think it is an admirable thing to do, and it is designed to get us the best outcome for the people of Morwell and surrounds, because they are going to need plenty of ongoing support. In that regard the government has already provided a series of initiatives to occur in concert which will establish new and needed infrastructure in and around Morwell and the Latrobe Valley.

Mr DIXON (Minister for Education) — The member for Cranbourne raised an issue with me regarding the need for an additional primary school in Cranbourne North. He gave us statistics and what have you. He was going well until he mentioned that, in his own words, ‘the government has an appalling record on education’. I think it is important in the context of the answer that I set the record straight. This year in schools a record \$8.8 billion has been spent on education. That is more than was ever spent by Labor governments. It is a record amount, and that is hardly an appalling record. While we have been in government we have increased spending on school education by more than \$500 million, so that is an increase. There have been no cuts. We have increased spending; it is a record amount. That is hardly an appalling record.

If we look at capital works and the former government’s record on capital works and maintenance, we see that an independent audit found, and the Auditor-General verified the fact, that this government inherited a \$420 million maintenance backlog. I would call that appalling. We are not appalling; it is the former government that was appalling in the way that it neglected schools. In terms of what the former government promised schools, which just shows you cannot trust Labor to deliver on some of its school capital works, 200 schools went through the planning process — some for three or four years — and there was no money for them. That is an appalling record.

It is this government that has got on with the job. We have spent more than \$600 million on capital works. We have increased the maintenance budget by 40 per cent in our schools. Just last year an extra \$51 million was put into school maintenance. We have a fantastic record on building schools in growth areas, on buying land, with a record amount of money being spent on land acquisitions in these new areas. If there is one government that can deliver schools in growth areas, it is this coalition government. We will certainly do that.

Mr WALSH (Minister for Agriculture and Food Security) — First of all I will respond to the adjournment matter raised by the member for Caulfield about having the lake in the middle of Caulfield Racecourse included in the fish stocking program. He talked about the fact that we went to Albert Park Lake two years ago to stock it for the school holiday fishing program, which is an outstanding success and has involved young people in fishing and taught them to fish. The member for Caulfield mentioned that he turned up in his suit instead of jeans and rubber boots to release fish. He has given me a commitment that if the Caulfield lake is put in the program, he will turn up in appropriate clothing. I remind the member for Caulfield that if we release fish and he plans to catch some of those fish, he will need to buy a fishing licence and that the minister may ensure that he is fined if he does not have one, so he had better make sure that he updates his fishing licence.

I am very happy to take that matter on board and pass it on to the department for the normal processes and assessment to take place of whether the lake can be included in the program. I commend the member for Caulfield on the fact that he has been very proactive in the development of Caulfield Racecourse, bringing the community in and utilising that particular space. This is just another example of what he is doing in his community to use that open space to get people out and get them active and involved in the community.

I understand a fun run was held at the racecourse recently. I am not sure if the member won it; he might like to inform the house next time he is on his feet of what position he ended up in in the fun run or whether he ran at all or just waited to wave the finishing flag or whatever. I think the member for Caulfield is doing what all local members should be doing — that is, getting involved in his community and helping it grow, develop and do things. I am very happy to take on board his suggestion and talk to the department about whether the lake in the middle of the racecourse can be included in the school holiday fishing program in the future.

The member for Mount Waverley raised an issue for me as the Minister for Water about the spill of a green substance into Scotchmans Creek between Waverley and Blackburn roads in Glen Waverley which flowed down into Mount Waverley. I inform the member for Mount Waverley that in pollution incidents such as this Melbourne Water is involved in providing a multi-agency response, including provision of on-ground resources. Upon being notified of a pollution event Melbourne Water will investigate it, together with other response agencies, and implement appropriate measures, depending on the nature of the pollution event, which include ascertaining the threat posed by the event to the health of the waterway and to the general public.

Melbourne Water's response can include physical works, such as the placement of containment booms, on-site communications and signage where appropriate. It also plays a key role in media and other communications to make sure that stakeholders and the community are well informed about an event. In the instance raised, a combination of all of these measures was deployed. As part of this event, through testing of the polluted water, Melbourne Water ascertained that the likely pollutant was engine coolant; however, the source could not be traced because engine coolant is water soluble, which means there is no trace left in the drainage system.

Melbourne Water is continuing to manage the green dye spill in Scotchmans Creek, and tests of the affected water have confirmed that the dye is not toxic and is continuing to dilute due to natural flows in the creek and exposure to ultraviolet light. Obviously any rain events in the near future will help to disperse the spill even more.

Again the member for Mount Waverley has been a good and proactive local member in raising this issue on behalf of his community. The response from Melbourne Water will enable him to go back and inform that community of the outcome.

Mr R. SMITH (Minister for Environment and Climate Change) — The member for Bellarine raised an issue regarding a residential aged-care facility in her electorate. The facility in question is on two parcels of Crown land, both reserved for health and social welfare purposes. While I do have administrative responsibility for this land I am advised that the land is on the asset register for the Department of Health; therefore it will be up to the Minister for Health to determine the future of that land. However, I am keen to have a conversation with the Minister for Health to determine where we are going to go with this piece of land. The government is

certainly open to having a look at this issue before it is resolved in a manner in which perhaps the community would not be keen to see it resolved.

The members for Albert Park, South Barwon and Tarneit raised matters for the Minister for Planning.

The member for South Barwon raised an issue regarding the minister supporting a strategic investigation of ways to provide a green break in Spring Creek Valley. I will pass that matter on.

The member for Albert Park, in a contribution peppered with his usual rhetoric and hyperbole, raised issues for the Minister for Planning regarding infrastructure for the proposed Fishermans Bend development.

The member for Tarneit asked that the Minister for Planning meet with the local residents association and local council to discuss naming issues.

The member for Niddrie raised issues for the Minister for Roads with regard to a noise wall along the Calder Freeway.

Finally, the member for Bentleigh raised a matter for the Minister for Sport and Recreation with regard to his visiting Glen Eira Sports and Aquatic Centre.

I will pass those issues on to the respective ministers.

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

House adjourned 10.48 p.m.