

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 4 February 2014

(Extract from book 1)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry (from 22 April 2013)

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, Services and Small Business, Minister for Tourism and Major Events, and Minister for Employment and Trade . . .	The Hon. Louise Asher, 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 Sport and Recreation, and Minister for Veterans' Affairs	The Hon. H. F. Delahunty, MP
Minister for Education	The Hon. M. F. Dixon, MP
Minister for Planning	The Hon. M. J. Guy, MLC
Minister for Higher Education and Skills, and Minister responsible for the Teaching Profession	The Hon. P. R. Hall, MLC
Minister for Ports, Minister for Major Projects and Minister for Manufacturing	The Hon. D. J. Hodgett, MP
Minister for Multicultural Affairs and Citizenship, and Minister for Energy and Resources	The Hon. N. Kotsiras, 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 Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
Minister for Local Government and Minister for Aboriginal Affairs	The Hon. E. J. Powell, MP
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 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	Mr N. Wakeling, MP

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 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 Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

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

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

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

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

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

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

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Ms Hennessy, Mr McIntosh, Mr Newton-Brown 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 Hennessey, 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 Drum.

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	Merfino, 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

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Tuesday, 4 February 2014

The SPEAKER (Hon. Ken Smith) took the chair at 2.05 p.m. and read the prayer.

RESIGNATION OF SPEAKER

The SPEAKER — Order! It is with regret and profound disappointment that I find it necessary to address my colleagues today on my future as the Speaker of the Victorian Parliament. For the past couple of months people have been asking me about my relationship with the member for Frankston. Media speculation has it that the member dislikes me for referring him to the Ombudsman under the Whistleblowers Protection Act 2001 for the misuse of his parliamentary vehicle, but I believe the member changed his mind about my role as Speaker after I declined a number of outrageous demands that he made of me, demands that went against policy and regulations and which I would not give in to.

Ever since then the member has gone to the media and spoken in Parliament of his lack of confidence in me as the Speaker, but never once did he come to me and lodge a complaint about what he thought of me as Speaker. He also went out with the Labor Party, publicly supporting his friend and supporter, the member for Evelyn, to be appointed as Speaker — maybe he feels that his demands will be met if she is actually appointed.

My position regarding the member has not changed. I will not be doing any deals with the member for Frankston, nor will I be bullied or held to ransom to comply with his demands. I suggest to the house that I have no confidence in the member for Frankston, and actually I believe that he is unworthy of being a member of this Parliament.

Despite the Leader of the Opposition saying he will never work with the member for Frankston, it is common knowledge to us here that the opposition has been colluding closely with the member for Frankston for some time in its effort to pressure me to step down by creating the chaos in Parliament that we saw late last year. Ultimately the objective of the opposition is to destabilise the Parliament and to bring down the government.

The unacceptable and unparliamentary behaviour of the Leader of the Opposition shows poor leadership or typical union tactics when of course he is willing to collaborate with the member for Frankston, who up until recently he saw fit to call a rorter and to say he was corrupt. He also saw fit to arrange for him to be

reported to the police on fraud and corruption charges. This shows how low some people in politics will go. The public of course will judge for themselves right from wrong.

I say to the Clerk of the Parliaments, Ray Purdey, and his staff, that their support, advice and assistance over the past three years in keeping me and my decisions in line with the standing orders of the Parliament have made my decision making something that I know was right. To my personal staff — Santhi, Jeremy and Mark — who have all shared my stress and supported me throughout the past several challenging months, I thank you for your professional assistance and friendship.

I thank my wife, Dawn, and my family for their support and for standing by me in the last 30 years as I pursued my career in serving my community, particularly in the last three years in my position as Speaker of the Parliament.

I believe it is in the best interests of the people of Victoria and for the dignity and the traditions of the Parliament and the ongoing government agenda that at the conclusion of this statement I suspend the sitting of the house for 1 hour to allow the parties to deliberate on the future of the Parliament and the position of Speaker. Whatever the outcome, I will remain and serve as the member for Bass.

I thank you all for your indulgence. I am proud to have been given the honour of being the Speaker of the Victorian Parliament. I inform the house that I will be standing down at 3.00 p.m. today. I now suspend the sitting of the house for 1 hour. The house will resume when the bells ring.

Sitting suspended 2.10 p.m. until 3.12 p.m.

ELECTION OF SPEAKER

The Clerk — I advise the house that following the resignation of the Speaker, the house must now proceed to the election of a new Speaker. Are there any nominations?

Ms ASHER (Minister for Innovation, Services and Small Business) — I propose the member for Evelyn as Speaker of the Legislative Assembly. I would like to make a couple of brief remarks in support of that nomination.

Firstly, on behalf of the Liberal Party and The Nationals, I thank the member for Bass for his excellent contribution as Speaker. Secondly, I advise the house that the Liberal Party has met. Under our parliamentary

party's constitution both upper house and lower house members are able to vote on the election of Speaker, and the member for Evelyn has been chosen as our nomination for Speaker.

I will leave this in the hands of the ALP but, given comments that have been made, there is an expectation on our side of the house that there would be support from both the Liberal Party and The Nationals, given what has happened in the Liberal Party room, and from the ALP. I place on record the comments the Leader of the Opposition made on ABC 774 on Monday, 3 February, when he said:

... the Deputy Speaker, Christine Fyffe, who I think would have the support of all members of the lower house, could become the Speaker. We could go forward from there. We could put an end to this mess ...

Similar sentiments have been expressed in this house, by the Deputy Leader of the Opposition on 26 November 2013 and by the member for Bendigo East in this house on 26 November 2013.

I make the point that we were elected by the Victorian people to govern for Victoria and to participate in the governance of Victoria from the opposition benches as well. We have a duty to the Victorian public to get on with doing what we were elected to do in a constructive, dignified and well-behaved manner. I suggest to the house that we get on with the business of Parliament that we were all elected to do. I move:

That the member for Evelyn take the chair of this house as Speaker.

Mrs POWELL (Minister for Local Government) — I second the motion.

Mrs FYFFE (Evelyn) — I am honoured to accept the nomination.

Motion agreed to.

The Clerk declared the honourable member for Evelyn duly elected as Speaker.

Mrs Fyffe conducted to chair by proposer and seconder.

The SPEAKER (Hon. Christine Fyffe) — I wish to thank the house for the honour it has bestowed on me. I hope I can justify its confidence. The position of Speaker is not one that I take on lightly. In a Parliament that is so finely balanced, I recognise that the Speaker must be impartial at all times and that common sense must be applied to ensure the smooth running of this house. The overriding responsibility of the Speaker is to safeguard the rights of all members. However, the

Speaker alone cannot change how this house behaves. I ask all members to reflect on the privileges, freedoms and traditions this house enjoys. These exist only because of the sacrifice of so many. They should not be squandered.

Dr NAPHTHINE (Premier) — Can I congratulate you, Speaker, on your elevation to high office. It is an office of importance and significance in our Westminster system and in the Parliament of Victoria. Following in the tradition of other female Speakers of this house, you also have the honour of being the first female Liberal Speaker, and I congratulate you on that.

I also wish to place on the record my very great thanks to the member for Bass for his great contribution to this house as Speaker and his contribution as a fine member of Parliament. He is an outstanding local member and somebody who has served his constituency, the Parliament and the people of Victoria with distinction.

Speaker, I congratulate you on your election to this fine office. You can be assured from this side of the house that we will work with you to ensure the house works effectively in the best interests of all Victorians.

Mr ANDREWS (Leader of the Opposition) — It gives me pleasure to join the Premier briefly in offering the congratulations of the Victorian parliamentary Labor Party to you. To be elevated to this position — to be chosen by your colleagues, your peers, to preside over this house in accordance with the rules, the customs, the practice and the proud tradition of parliamentary democracy in our state — is a great honour, and I extend our hearty congratulations to you on having achieved the role.

For our part we are encouraged, and we welcome your commentary in relation to the forms of this house, the need for impartiality and the need to conduct the affairs of this great chamber and this great Parliament without fear or favour. In that spirit the parliamentary Labor Party stands ready to work with you to do what the people of Victoria have elected all of us to do — that is, to focus on the issues that dominate their daily lives. I congratulate you, and I give you our solemn commitment that we will work with you because I am confident that you will be an impartial Speaker who will do great credit to the office you now hold.

Mr RYAN (Minister for State Development) — On behalf of The Nationals parliamentary party I rise to congratulate you, Speaker, on your elevation to this very high office. It is utterly pivotal to the operation of democratic principles in the state of Victoria. In the end, as I have remarked over recent weeks and indeed

months, this chamber is self-governed. It is a matter for us to be able to organise the affairs of the chamber and conduct its business in a manner which is appropriate to the expectations and aspirations of the people of Victoria. Essentially it is focused around the forms and traditions of this Parliament, the rich history it enjoys and the standing orders that govern the way in which it operates.

I congratulate you, Speaker, on the important role you have now assumed. In so doing I congratulate the former Speaker, who I believe conducted his role absolutely magnificently.

The SPEAKER — Order! I thank the Premier, the Leader of the Opposition and the Deputy Premier for their comments.

Before I call for questions without notice, I will speak about opposition front bench seating arrangements. I advise the house that while the designated seats for the member for Williamstown and the member for Albert Park are on the middle bench, those seats are deemed to be the front bench for the purposes of members seeking the call and speaking. The members for Williamstown and Albert Park will seek the call from their seats and then move to the table to speak.

QUESTIONS WITHOUT NOTICE

SPC Ardmona

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Can the Premier explain to families across Shepparton and the Goulburn Valley why he can find \$90 million to buy the luxury Evo apartments because they are in the way of his \$8 billion tunnel, but he cannot find \$30 million — or any money really at all — to support SPC, Shepparton and the Goulburn Valley? Can the Premier explain that?

Dr NAPHTHINE (Premier) — SPC Ardmona is an important industry in Shepparton, the Goulburn Valley and Victoria. It is an important industry for our great fruit-growing area of the Goulburn Valley. It is an important industry as a major employer in the Shepparton-Goulburn Valley area.

We all know that in recent times SPC Ardmona has faced significant challenges with the persistently high Australian dollar. While we all welcome the recent decline in the Australian dollar, it certainly has been an ongoing challenge for SPC Ardmona. We also know that SPC Ardmona has faced challenges with the need for plant modernisation and improved productivity in its plant and its operations. Indeed SPC Ardmona put a

proposal to the federal government with regard to plant modernisation and improved productivity.

Last Thursday the federal government announced that it would not be providing any assistance to SPC Ardmona. We said at the time — I said as Premier, and the Deputy Premier said — that we were disappointed with that decision by the federal government. Immediately, at the first available opportunity, I was in Shepparton last Friday where I met with SPC Ardmona management, I met with the workers, I met with the City of Greater Shepparton and I met with the fruit growers. I thank the member for Shepparton and the Honourable Wendy Lovell, a member for Northern Victoria Region in the upper house, for organising those important meetings.

This government already has a track record of supporting SPC Ardmona and the Goulburn Valley. In 2012 this government provided \$4.4 million to SPC Ardmona to assist it with the challenges of changing times in the fruit industry and the other challenges it faced. Of that \$4.4 million it has drawn down only \$200 000, so there is \$4.2 million for SPC Ardmona sitting on the table as we speak.

This government has also provided \$2 million for the fruit industry employment program, which helped fruit growers and the Goulburn Valley through a challenging time last year in terms of employment. We have also provided, through the Deputy Premier's leadership, \$5 million for the Goulburn Valley Industry and Infrastructure Fund, and the task force, which is led by people of the Goulburn Valley for the Goulburn Valley, is currently putting together that report for the Deputy Premier.

What we are doing is what is right and what is responsible. The decision having been made last Thursday, we are having our officers meet with SPC Ardmona. This week the Deputy Premier, the Minister for Agriculture and Food Security and I are meeting with SPC Ardmona to work constructively with the company and its parent company, Coca-Cola Amatil, and to listen to their current proposals and positions about how to go forward, how we can secure opportunities for the future of SPC Ardmona and how we can secure the best outcome for jobs in the region. We are doing this in a responsible, sensible, partnership way by working with the company, listening to the company and getting the best outcome for Goulburn Valley, Shepparton and SPC Ardmona into the future.

Employment

Mr ANGUS (Forest Hill) — My question is to the Premier. Can the Premier inform the house of how the coalition is growing Victoria’s economy and creating jobs for Victorian families?

Dr NAPTHINE (Premier) — I thank the member for Forest Hill for his question and for his great interest in the future of the economy and jobs in Victoria. I am pleased to advise the member and the house that there are now, as we speak, 52 800 more Victorians who have jobs — who are employed — than when the government came to office in December 2010. In 2013 alone 19 200 new jobs were created in rural and regional Victoria. When we came to government in 2010 there was 6.3 per cent unemployment in rural and regional Victoria; that has now been reduced to 5.3 per cent. We have grown jobs and opportunities in regional and rural Victoria.

ANZ job ads data for January shows an increase of 5.7 per cent, but the coalition government is determined to grow even more jobs and opportunities across the state. That is why we are creating 3200 jobs with stage 1 of the east–west link, and that is why we are employing 3500 Victorians on the regional rail project, 3000 Victorians on the port of Melbourne expansion project and over 11 000 Victorians on our record \$4.7 billion health and hospitals capital program.

Recently the coalition government sought to grow even more jobs and economic benefit by building on our great defence industry capacity. The Victorian defence industry has a turnover of \$1.5 billion and involves 6000 employees and 300 businesses. The Victorian government has put forward a strong submission to the federal government to deliver an extra \$27 billion worth of new defence contracts in Victoria. We have the capacity for these new defence contracts, we have the expertise for these new defence contracts and we have a track record of production efficiency in the defence industry.

At BAE Systems Australia in Williamstown we are seeking work on the replacement of the supply ships HMAS *Success* and HMAS *Sirius* — —

Honourable members interjecting.

The SPEAKER — Order! If opposition members keep up that level of noise and I cannot hear the Premier, I will have to ask him to start answering the question again.

Dr NAPTHINE — BAE Systems is already working flat out on defence contracts, and we want to

make sure there is continuity of work with the two new supply ships, the *Success* and the *Sirius*. We also want to replace the Armidale-class patrol boats at BAE Systems in Williamstown. I am sure the opposition would support us in that bid. Similarly, in Bendigo, Thales has a great track record of building the Bushmaster, which is a great thing. We are seeking it as the preferred tenderer for the LAND 121 project. This is an important project which will create jobs and opportunities in Bendigo, and I am sure the members representing Bendigo will support us in that bid.

Geelong is ideally placed as the site for the construction of the LAND 400 combat vehicles. This is a \$10 billion to \$15 billion project. Geelong certainly has the expertise in design, engineering and advanced manufacturing to deliver those jobs and opportunities there. That is why we are working with the mayor of Geelong, the City of Greater Geelong and the broader Geelong community to grow those jobs and opportunities in Geelong.

We as a government have a sound track record when it comes to financial management. We have a sound track record of growing new jobs and we are driving new opportunities in the defence industry because we have the capacity, we have the opportunity and we have the expertise — and we can deliver these projects for the defence forces of Australia.

SPC Ardmona

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. Can the Premier explain to families across Shepparton and the Goulburn Valley why he can find \$15 million for soil testing and drilling for an \$8 billion tunnel in the inner city and \$3.2 million to advertise this tunnel but he cannot find any financial support for SPC Ardmona workers in Shepparton and the Goulburn Valley? Can the Premier explain that?

Dr NAPTHINE (Premier) — I totally reject the premise of the question from the Leader of the Opposition. Clearly the Leader of the Opposition did not listen to the answer to the first question. In that answer I outlined the fact that I visited Shepparton last week and met with the local council, fruit growers and SPC Ardmona. We talked about the funding that has already been provided by this government for the Goulburn Valley and SPC Ardmona. Funding has already been provided. Before the Leader of the Opposition went to Shepparton in 2012 the deputy leader of the government, the Deputy Premier — —

Honourable members interjecting.

The SPEAKER — Order! I ask the member for Monbulk and the Leader of the Opposition to cease interjecting.

Dr NAPHTHINE — In 2012 this government that cares about country Victoria, that delivers for country Victoria, through the \$1 billion Regional Growth Fund put on the table \$4.4 million for SPC Ardmona. That is what it asked for, and that is what we delivered. At this stage SPC Ardmona has only used \$200 000 of that funding. The other \$4.2 million remains on the table for SPC Ardmona to utilise in terms of its modernisation. We have also provided \$2 million for the fruit industry employment program, and we have allocated \$5 million for the Goulburn Valley Industry and Infrastructure Fund.

What we are doing with SPC Ardmona is the right thing and the responsible thing: we are talking to the company, listening to the company and having discussions with the company about its future and about what plans it has. We are working in partnership and consultation with the company to make sure that we invest money wisely and well in the interests of jobs in that area and in the broader interests of taxpayers in Victoria. We are discussing issues with the company. We are meeting with SPC Ardmona this week. We will continue to meet with SPC Ardmona, and we are looking forward to the opportunity to have Coca-Cola Amatil advise us of what it is prepared to do in terms of the future of SPC Ardmona.

Regional and rural investment

Mr WELLER (Rodney) — My question is to the Minister for Regional and Rural Development. Can the minister advise the house as to how the coalition government is building economic benefits and jobs for families in regional Victoria?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for his question. As the house knows, the government is very committed to the growth of the regions of the state of Victoria. The fact is that if the regions do well, the whole of the state does well. We have taken a number of initiatives, some of which were outlined by the Premier in answering the previous two questions.

We understand that by investing in these regional areas, through leveraging additional investment from other levels of government and from the private sector in particular, we maximise the opportunities for regional communities. The flag bearer leading the way in this is our \$1 billion Regional Growth Fund. At the end of December 2013 we had approved some \$380 million in

investment from the fund into the regions of Victoria. The fund supports more than 1350 projects throughout the regions and has leveraged a total investment of over \$1.5 billion.

If you look just at the Regional Growth Fund economic infrastructure program alone, you see that \$151 million has been invested in 70-plus strategic projects. That in turn has leveraged somewhere in the order of \$950 million of investment in that area and, it is anticipated, created 4700 direct jobs, another 10 000 indirect jobs and more than 3000 jobs in the construction phase. Importantly this will assist in supporting the retention of an existing 8000-plus jobs.

As the Premier said, the three-month averaged Australian Bureau of Statistics (ABS) employment data shows 19 200 additional Victorians obtained employment in 2013, which is over and above previous numbers or an increase of 2.6 per cent in employment. The three-month averaged regional unemployment rate was 5.3 per cent, which is the lowest of all the Australian states and, as was observed by the Premier, is substantially lower than the rate that applied when we were elected to government in November 2010. The ABS figures also state that an additional 46 200 people are now employed in the regions of Victoria than when we were first elected to office. These are all ABS figures.

We well understand the challenges in the Goulburn Valley. In the course of our recent and ongoing discussions with SPC Ardmona, it is our intent to do everything we possibly can as a government to support the company and ensure its future. We well appreciate the significance and importance of the food processing industry to the Goulburn Valley and to our state more generally and food production and processing out of the Goulburn Valley in particular. It is truly one of the great food bowls of the Australian nation.

In addition to the work we are doing with the company, which has also been outlined by the Premier, I reiterate that some months ago I established through my office a Goulburn Valley industry and infrastructure task force, which is composed of people from the local community. The task force has made recommendations to me in a preliminary report, which we are looking to implement as best we possibly can in concert with the local people. We have dedicated at least \$5 million to that task. I have indicated that more will be made available as circumstances emerge. The Goulburn Valley is an important part of the state of Victoria, and we intend to continue to support it.

SPC Ardmona

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to his previous answers, in which he detailed all the meetings he has been having and all the talking he has been doing, and to the comments he made on Friday, in which he said he was working on ‘plan B’. I ask the Premier very simply: can he detail for the house and the people of Shepparton and the Goulburn Valley what specific supports will be offered to them as part of his so-called plan B?

Dr NAPTHINE (Premier) — I thank the honourable member for his question. What we do is work with industry. We work with industry; we work with SPC Ardmona. We will be discussing the opportunities with SPC Ardmona and Coca-Cola Amatil. We will not be telling them how to run the business. We will not be giving them instructions about how to best manage their business; we will be working with SPC Ardmona. We have officers working with the company as we speak.

The Deputy Premier, the Minister for Agriculture and Food Security and I will be meeting with senior officials from SPC Ardmona to listen to their proposals, to listen to their propositions, to listen to their plans and to work out the best way we can work in conjunction with SPC Ardmona to get the very best outcome for the future of the company, the future of the food processing industry in Shepparton and the Goulburn Valley, and the future of jobs in that region. This is about working with industry in a constructive, positive way, and that is what we are seeking to do. We have already demonstrated our bona fides by providing \$4.4 million in 2012, by providing \$5 million for the Goulburn Valley task force and by providing \$2 million for the fruit industry employment program.

Mr Andrews — On a point of order, Speaker, the question sought pretty clearly from the Premier specific details of his so-called plan B. I do not believe he has gone to that matter, and I ask you to draw him back to the question — specifically, what does plan B entail?

The SPEAKER — Order! I believe the Premier was addressing the member’s question in talking specifically about what he was planning for Shepparton. The question invited quite a broad answer.

Dr NAPTHINE — As I was saying, we on this side of the house have a track record of working constructively with industry to grow jobs and opportunities in the Goulburn Valley. For example, we provided a \$500 000 grant to Flavorwave at Katunga to

create a \$12 million investment and 90 jobs; \$750 000 for Rubicon Systems to create 108 local jobs; a \$200 000 grant for S. J. Pickworth orchards to create 25 jobs and \$100 000 as part of a \$2.7 million investment in F. J. Lenne to create 10 jobs.

Our track record is a track record of working in partnership with industry, listening to industry, talking to industry and developing plans for the future so that we can make strategic coinvestments that deliver improvements in productivity, improvements in efficiency and new jobs in the Goulburn Valley and other parts of regional and rural Victoria.

Building industry

Ms McLEISH (Seymour) — My question is to the Treasurer. Can the Treasurer inform the house of any recent building industry data showing the growth of Victoria’s economy and what threats there are to that trend, industry jobs and the future of Victorian families?

Mr O’BRIEN (Treasurer) — I thank the member for Seymour for her question. Yesterday the Australian Bureau of Statistics released building approvals data for December last year. It revealed that at \$2.3 billion total building approvals in Victoria were the second highest in the country. We saw the second-largest monthly rise with a 9.9 per cent increase, and across the year to December we had the highest value of residential building approvals anywhere in the country. This has been a good news story. We are a growing economy and our construction and building industry is growing also. This is good news for the almost 250 000 Victorians who are employed in the building and construction industry.

I have been asked about threats to the performance of the industry, and there are some dark clouds on the horizon. Deloitte Access Economics recently released its *Business Outlook* report for the December quarter. It said:

... commercial construction is losing steam in Victoria, held back by high costs ...

There is one major factor that is contributing to high building costs in Victoria, and that is militant unionism. The no. 1 threat to a prosperous, productive and job-creating Victorian construction industry is militant unionism perpetrated by rogue unions like the Construction, Forestry, Mining and Energy Union (CFMEU). The actions of these unions drive up construction costs and cost Victorians jobs. This is a large union, and it is a cashed-up union. We know that

because it has contributed over \$542 000 to the Victorian ALP in the last three years alone.

As we have seen over the last couple of weeks, the CFMEU has some serious questions to answer in relation to alleged corruption. For example, the *Herald Sun* reported on 29 January:

Union boss John Setka is fighting whistleblower claims to investigators he took free supplies in return for keeping work sites trouble free.

This is the same John Setka who has been convicted on no fewer than five occasions of bashing members of Victoria Police. The article goes on to report:

Allegations of entrenched underworld influence on construction sites are among a litany of startling claims made to government investigators.

The article goes on to talk about a whistleblower who has claimed that ‘at one meeting involving underworld identity Mick Gatto concerning project debt issues, slain gangland lawyer Mario Condello suggested: “Let’s just shoot ‘em and get the money”’. This is the sort of threat posed by the CFMEU — and it is not just to our economy, it is to the rule of law.

From the CFMEU we have had illegal blockades, contempt of court findings, allegations of serious corruption and characters who look like they have walked off the set of *Underbelly*. That is what we get from the CFMEU. In anyone’s language, the CFMEU is an embarrassment. At least most Victorians think it is an embarrassment, but others have a different view.

It was interesting to hear on 3AW this morning Neil Mitchell put the question to the Leader of the Opposition, ‘Is the CFMEU at this stage embarrassing to the Labor Party?’. The Leader of the Opposition’s answer was a very telling no. We should not be surprised, because you would not ask a poodle if it is embarrassed by its owner. This is an embarrassment. It is an embarrassment to the Labor Party and an embarrassment to the rule of law, and that is why Labor cannot be trusted.

SPC Ardmona

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier, and I ask: can the Premier explain to the people of Shepparton and the Goulburn Valley why last week he was happy to lead them to believe that \$25 million of Victorian government money was available but this week has provided nothing but criticism of Labor’s \$30 million commitment to that enterprise, those workers and that region? Where did the \$25 million go?

Honourable members interjecting.

The SPEAKER — Order! The level of interjection on both sides was too loud for the Chair to hear the question. I ask the Leader of the Opposition to repeat the question — without the supporting chorus.

Mr ANDREWS — My question is to the Premier, and I ask: can the Premier explain to the people of Shepparton and the Goulburn Valley why last week he was happy to lead them to believe there was \$25 million of Victorian government money available to assist SPC Ardmona and them, and why in the week since he has done nothing but provide criticism of Labor’s commitment to SPC Ardmona workers, Shepparton, the Goulburn Valley and the food production sector? Can the Premier explain that?

Dr NAPHTHINE (Premier) — This government is not into cheap political stunts. We are not about playing politics with the people of the Goulburn Valley and the workers of SPC Ardmona. These are hardworking people, as workers in the factory. The people on the fruit blocks work hard as fruit pickers and suppliers to the industry. They deserve serious consideration, not political stunts and not political point-scoring. They deserve proper and serious consideration. That is what this side of the house is doing —

Mr Andrews — On a point of order, Speaker, the question was about where the \$25 million has gone. It was available last week, and it has vanished. Where is the \$25 million? That is the question.

The SPEAKER — Order! The Premier was answering the question.

Dr NAPHTHINE — As I was saying, I think the people of the Goulburn Valley need better treatment than to be used as political footballs by the Leader of the Opposition and the Labor Party. What we want is serious consideration of a serious issue, and the best way to deal with that serious consideration of a serious issue is by effective negotiation and consultation — by working with all the stakeholders involved to get the very best outcome for the workers at SPC Ardmona, for the future of SPC Ardmona, for the future opportunities for the fruit growers who supply SPC Ardmona and for the other contractors who are stakeholders in this system. That is what we are on about; it is what local members — the member for Shepparton and Wendy Lovell, a member for Northern Victoria Region in the Legislative Council — are on about. That is what the City of Greater Shepparton wants us to do, and it is what the people at SPC Ardmona want us to do.

Our bona fides are clear: we have a track record not of two days, not of three days but of years and years of work in the Goulburn Valley dating back to 2012, when we put \$4.4 million on the table for SPC Ardmona. Last year we provided \$2 million to assist fruit growers who were facing challenges. The Deputy Premier has put \$5 million into the Goulburn Valley task force to support infrastructure and the future of the Goulburn Valley. We will do the right thing; we will do the responsible thing. We will not be distracted by cheap political stunts or take advantage of people when they are feeling vulnerable. We will do what is right for the people of the Goulburn Valley and what is right for the workers at SPC Ardmona. We will work with the management of SPC Ardmona.

We are looking forward to the proposals from Coca-Cola Amatil about how it can now recast its application for funding in light of the federal government decision so that we can deliver the plant modernisation and improved productivity that are necessary to provide long-term security of jobs at SPC Ardmona and long-term security for the fruit growers who supply it. It is about working in partnership by listening, consulting and working effectively. It is not about stunts, it is not about media conferences; it is about effective hard work and years of commitment to the Goulburn Valley, which this coalition is proud of.

Transport projects

Mr KATOS (South Barwon) — My question is to the Minister for Public Transport, who is also the Minister for Roads. Can the minister update the house on coalition government transport projects which support growth across the state and jobs for Victorian families?

Mr MULDER (Minister for Public Transport) — I thank the member for South Barwon for his question and for his strong interest in jobs across Victoria. Of course our program of transport projects is supporting something in the order of 10 000 jobs across Victoria — 10 000 jobs across the construction industry, retail and service providers. We are there supporting and supplying a number of these jobs across the state. These are jobs that exist in this term of government; these are not jobs that will exist in eight years time. These are jobs that are being delivered here on the ground by a coalition government.

We rescued the basket case that was the regional rail link project. We fully funded that project and got that project back on track to provide 3481 direct jobs and 2700 indirect jobs. There was no money for trains, no money for signalling and no money for grade

separations. We found the money, we fully funded and properly scoped the project, and we got it out there supporting jobs.

The member for South Barwon would be aware that a contract was recently awarded for the great Grovedale railway station project. It will create 40 jobs with an investment of \$25.9 million. Cockram Construction is going to carry out that work. This investment supports the great Armstrong Creek development, from where 65 000 people will have to get to and from work. Once again, it is a project supporting jobs. The Ringwood station and interchange upgrade will create 100 jobs alone in the construction phase of that project, but it will also enable a \$500 million investment at Eastland. Eastland's expansion will support 2000 construction jobs and 2000 retail and service jobs. The X'trapolis trains project has created 130 jobs at Alstom in Ballarat. Seven new trains are already in service and another eight are on the way. Once again we are supporting jobs in regional Victoria.

We have created more than 400 extra bus trips, and better connections to Craigieburn, Warrnambool, Gisborne and Pakenham were introduced last week, which takes our additional bus services per week to around 3800 since we came to government. The Premier recently announced 1200 extra tram trips into Docklands each week, providing a 5-minute service from Flinders Street to Docklands. By 2020, 20 000 residents and 60 000 workers are expected to inhabit the Docklands area, and we are providing public transport services to get them to and from work.

We cannot forget our 940 protective services officers at the railway stations. They are being rolled out as we speak. They are greatly received by commuters and greatly received by members of the opposition if I may say so. The removal of level crossings in Springvale and Mitcham has created 140 direct jobs. We have provided an extra \$100 million for the Maintaining Our Rail Network Fund and created 90 jobs. The new V/Line V/Locity rail cars contract has led to 70 jobs at Bombardier in Dandenong, and more than 1000 jobs have been created from other transport initiatives across Victoria. The port capacity project has created 1100 jobs.

We cannot forget the east–west link, with its 3200 additional construction jobs, which is supported by some members opposite. The Australian Workers Union supports the east–west link; it loves the east–west link. The Australian Industry Group, the Australian Logistics Council, the Master Builders Association of Victoria and the Property Council of Australia are all lining up to support the east–west link.

The only ones not supporting the east–west link are the Leader of the Opposition and a handful of his cohorts sitting behind him.

Automotive industry

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier, and I ask: given that the Premier completely failed to convince the Prime Minister, Tony Abbott, to support SPC Ardmona workers, Shepparton and the Goulburn Valley, and that he himself is providing no specific support on these issues, why should any of the tens of thousands of Victorians employed in the automotive industry trust this Premier to protect their jobs?

Dr NAPTHINE (Premier) — With reference to the Leader of the Opposition’s question, let me say I totally reject the premise of his question: it is absolutely wrong and misleading. Clearly the Leader of the Opposition is more interested in misinformation and spin than the facts. I have outlined the facts here today. We have a long track record of supporting SPC Ardmona and a long track record of supporting the Goulburn Valley. In 2012 we provided \$4.4 million for SPC Ardmona, \$2 million to support fruit growers in the Goulburn Valley and \$5 million for the task force.

I remember that last year when we were in this house it was the Labor Party that said the government was not going to be able to do anything for Jetstar and Avalon Airport. It said the world was going to end because this government would not be able to assist Jetstar and Avalon. But guess what? We delivered for Jetstar and Avalon against the talking down that goes on from the Labor Party.

The un-Victorian attitudes, the talking down of jobs, the talking down of investment and the talking down of business is all we hear from the Leader of the Opposition and his mates at the Construction Forestry Mining and Energy Union (CFMEU). He goes down to Lygon Street and gets the cash in one hand and the instructions in the other hand. That is all we get from the Leader of the Opposition —

Honourable members interjecting.

Mr Andrews — On a point of order, Speaker, I require the Premier to withdraw that grossly offensive and inaccurate remark, or if he would like to step outside and repeat it, that is fine. He should go outside and repeat it, get out of cowards castle and repeat it out on the front steps, or he should withdraw it.

The SPEAKER — Order! The Leader of the Opposition is offended by the remarks made by the Premier. I ask the Premier to withdraw.

Dr NAPTHINE — I withdraw. He clearly was not offended on 3AW this morning when he said the CFMEU were his best mates, but he is offended this afternoon.

Honourable members interjecting.

The SPEAKER — Order! There is no point in opposition members appealing to the Chair about something when I cannot hear because of all the shouting. If a member wishes to take a point of order, they should rise in their place and I will call them.

Dr NAPTHINE — The point I make is that he takes his money from the CFMEU and puts his arm around the CFMEU.

Mr Wynne interjected.

The SPEAKER — Order! The member for Richmond! The Leader of the Opposition is on his feet, and he should be allowed to take his point of order.

Mr Andrews — The Premier has already had to withdraw one set of defamatory remarks. If he wants to repeat them outside the Parliament, then that would be fine, if he has the courage to do that. On a point of order, Speaker, I draw your attention to the fact that this is not an opportunity for the Premier to run a commentary on the Labor Party. He ought to confine his answer to government business. That is what he ought to do, and I ask you to call him back to the question under standing orders.

The SPEAKER — Order! I will respond to the point of order taken by the Leader of the Opposition, and I will also draw his attention to the way that points of order should be taken. A member must first state what the point of order is when they stand on their feet, and then they can give me some background. The Leader of the Opposition is again offended by the Premier’s comments, and I ask the Premier to withdraw.

Dr NAPTHINE — I withdraw. With respect to the car industry, we are working hard with the car industry, both with the manufacturers and the supply chain, to grow jobs and opportunities in that area. We had an industry round table late last year, and we have an industry round table next week. The Minister for Manufacturing is working with Toyota. I have met with senior management from Toyota, and we are certainly putting strong cases to both the federal government and

to the broader Victorian community on the need to continue support in a strategic sense for Toyota and our car industry.

The Minister for Manufacturing is leading this in a very positive way. We certainly recognise the importance of Toyota in relation to jobs in this state, to skills and manufacturing in this state and to employment in this state. We as a government are working constructively and positively with Toyota and the broader supply chain to help them continue employment in the industry and to diversify opportunities in the industry. We will be absolutely fighting in every sense of the word to make sure that our federal government understands the importance of Toyota to Victoria and Australia into the future.

Port of Melbourne

Mr GIDLEY (Mount Waverley) — My question is to the Minister for Ports. Can the minister update the house on the progress of the port of Melbourne port capacity project and on how this will grow jobs and economic benefits for Victorian families?

Mr HODGETT (Minister for Ports) — I thank the member for Mount Waverley for his question and for his great interest in the port capacity project. I have said many times in this house and on many occasions that Victoria is the freight and logistics capital of Australia, with some 37 per cent of container trade coming through the port of Melbourne. The coalition government is committed to guaranteeing the freight capacity of Victoria. It is committed to encouraging investment, creating new jobs and strengthening our economy.

In March last year I went down to Webb Dock at the port of Melbourne with the Premier to announce the commencement of works on the \$1.6 billion port of Melbourne port capacity project. This \$1.6 billion investment will secure the future of the port, it will secure our freight capacity, it will secure job security at the port and it will create thousands of new jobs. Some 3000 jobs — that is, 1100 new direct jobs and 1900 indirect jobs — will be associated with this very important project. The port capacity project will develop a new container terminal at Webb Dock East, increase container capacity at Swanson Dock and, importantly, include the development of Webb Dock West to accommodate the import and export of cars for the next 25 years, with that continuing to grow.

I am pleased to report to the house three recent announcements for this significant Victorian infrastructure project, and I have had the great privilege

of being involved with these three milestone announcements in relation to the port capacity project. On 28 November 2013 I announced that BMD Constructions had secured the civil works to deliver the vital roads and services work at the port. This project will create another 120 new construction jobs.

On 17 December last year I announced that Patrick Autocare and PrixCar had been appointed to operate the automotive terminal at Webb Dock and its pre-delivery inspection facilities, which is another very important contract. Last month, on 24 January, I announced the appointment of McConnell Dowell for the maritime works to construct and design the new waterside infrastructure at Webb Dock. McConnell Dowell is a well-respected company that will deliver on this \$4 million project, and I have every confidence that it will deliver according to that contract.

The port capacity project is an important infrastructure investment for Victoria that is supported by industry, is supported by the port of Melbourne stakeholders and is supported by the coalition government. The coalition will always support the port of Melbourne in any expansion projects, but the project is not supported by everyone — and I will get to that. When this project is complete, the port of Melbourne's total container capacity will increase to about 5.1 million twenty-foot equivalent units (TEUs), which is full capacity at the port. That is an important figure because some are plucking figures out of a magic pudding bowl to say what the capacity at the port will be. It will be 5.1 million TEUs.

The project is fundamental to new jobs and fundamental to creating jobs in a freight and logistics centre as we maintain our position as the freight and logistics capital of Australia. It is vital that we support the development of this very important project. The only threat to the port capacity project is the opposition. Labor has never supported the project. It never will. It does not understand it — it just does not get it. We are getting on with the job of delivering greater capacity at the port of Melbourne, creating new jobs, strengthening our economy and delivering real economic benefits to Victoria.

WATER AMENDMENT (WATER TRADING) BILL 2014

Introduction and first reading

Mr WALSH (Minister for Water) — I move:

That I have leave to bring in a bill for an act to amend the Water Act 1989 to meet certain requirements of the water trading rules set out in chapter 12 of the basin plan made

under the Water Act 2007 of the commonwealth in relation to more flexible trading of available and future water allocations and for other purposes.

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

Mr WALSH (Minister for Water) — As I said in introducing this bill, it is to make sure Victoria is compliant with chapter 12 of the Murray-Darling Basin plan of the commonwealth Water Act.

Motion agreed to.

Read first time.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT 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 Victorian Civil and Administrative Tribunal Act 1998 to enhance the powers of the tribunal and enact a new regime for expert witnesses and expert evidence and for other purposes.

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

Mr CLARK (Attorney-General) — The bill will make a range of procedural and administrative reforms at the Victorian Civil and Administrative Tribunal, including in relation to expert witnesses and expert evidence.

Motion agreed to.

Read first time.

JUSTICE LEGISLATION AMENDMENT (DISCOVERY, DISCLOSURE AND OTHER MATTERS) 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 Civil Procedure Act 2010 to provide for further case management powers in relation to discovery and disclosure, to consequentially amend other acts, to amend the Corrections Act 1986, the Corrections Amendment (Breach of Parole) Act 2013, the Crimes Act 1958 and the Serious Sex Offenders (Detention and Supervision) Act 2009 and for other purposes.

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

Mr CLARK (Attorney-General) — The bill makes further reforms in relation to law and procedure governing discovery and disclosure of documents and also makes amendments in relation to parole.

Motion agreed to.

Read first time.

STATE TAXATION LEGISLATION AMENDMENT BILL 2014

Introduction and first reading

Mr O'BRIEN (Treasurer) — I move:

That I have leave to bring in a bill for an act to amend various acts in relation to state taxation and for other purposes.

Mr PALLAS (Tarnait) — I ask the Treasurer for a brief explanation of the bill.

Mr O'BRIEN (Treasurer) — Consistent with the coalition government's strong financial management, this bill will implement a number of measures announced in the budget update, including measures in relation to the congestion levy and gaming arrangements. It will also improve general taxation legislation.

Motion agreed to.

Read first time.

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

Introduction and first reading

Mr DIXON (Minister for Education) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006, the Children, Youth and Families Act 2005, the Child Employment Act 2003, the Fundraising Act 1998 and the Working with Children Act 2005 and for other purposes.

Mr MERLINO (Monbulk) — I ask the minister for a brief explanation of the bill.

Mr DIXON (Minister for Education) — The bill will facilitate the registration of early childhood teachers and also enable the council of the Victorian Institute of Teaching to be moved to a skills-based board.

Motion agreed to.

Read first time.

HEALTH SERVICES AMENDMENT BILL 2014

Introduction and first reading

Ms WOOLDRIDGE (Minister for Mental Health) — I move:

That I have leave to bring in a bill for an act to amend the Health Services Act 1988 and for other purposes.

Ms GREEN (Yan Yean) — I seek from the minister a brief explanation of the bill.

Ms WOOLDRIDGE (Minister for Mental Health) — The purpose of the bill is to broaden the functions of Health Purchasing Victoria and other matters.

Motion agreed to.

Read first time.

ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014

Introduction and first reading

Mr R. SMITH (Minister for Environment and Climate Change) — I move:

That I have leave to bring in a bill for an act to amend the Environment Protection Act 1970 and the Sustainability Victoria Act 2005 to establish a new framework for waste and resource recovery planning in Victoria, to amend the Alpine Resorts (Management) Act 1997 to make a consequential amendment, and for other purposes.

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

Mr R. SMITH (Minister for Environment and Climate Change) — This bill will put into effect the relevant government responses to the ministerial advisory committee recommendations on waste governance. It will also streamline the operation of the landfill levy and reduce red tape around some works approvals.

Motion agreed to.

Read first time.

SALE OF LAND AMENDMENT BILL 2014

Introduction and first reading

Ms VICTORIA (Minister for Consumer Affairs) introduced a bill for an act to amend the Sale of Land Act 1962 in relation to statements made under section 32 of that act, to make related and consequential amendments to the Owners Corporations Act 2006 and to consequentially amend other acts and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 7 to 20 will be removed from the notice paper unless members wishing their motions to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Aged-care facilities privatisation

To the Legislative Assembly of Victoria:

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

1. the Napthine Liberal government is moving to privatise Victoria's public sector residential aged-care facilities;
2. despite an ageing population, the Baillieu-Napthine government has closed public sector aged-care facilities in Ballarat, Castlemaine, Koroit, Kyneton, Melbourne and Williamstown and privatised one facility in Rosebud;
3. the 2012–13 Victorian state budget update foreshadows cuts to public sector aged care of \$25 million in 2014–15 and \$50 million in 2015–16;
4. Mr Napthine's plans to privatise aged care would significantly remove choices for Victorian families.

The petitioners therefore request that the Legislative Assembly of Victoria urgently calls on the Napthine government to stop the privatisation or closure of these facilities.

By Mr BROOKS (Bundoora) (52 signatures) and Mr ANDREWS (Mulgrave) (29 signatures).

Aged-care facilities privatisation

To the Legislative Assembly of Victoria:

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

1. the Napthine Liberal government's move to privatise public sector aged care in Victoria means that McLellan House in Jacana, Cyril Jewell House in Keilor East and Boyne Russell House in Brunswick are at risk of privatisation or closure;
2. despite an ageing population, the Baillieu-Napthine government has closed public sector aged-care facilities in Ballarat, Castlemaine, Koroit, Kyneton, Melbourne and Williamstown and privatised one facility in Rosebud;
3. the 2012–13 Victorian state budget update foreshadows cuts to public sector aged care of \$25 million in 2014–15 and \$50 million in 2015–16;
4. Mr Napthine's plans to privatise aged care would significantly remove choices for Victorian families.

The petitioners therefore request that the Legislative Assembly of Victoria urgently calls on the Napthine government to stop the privatisation or closure of McLellan House in Jacana, Cyril Jewell House in Keilor East and Boyne Russell House in Brunswick.

By Ms CAMPBELL (Pascoe Vale) (13 signatures).

Tabled.

Ordered that petition presented by honourable member for Pascoe Vale be considered next day on motion of Ms CAMPBELL (Pascoe Vale).

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 1

Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 1* of 2014 on:

- Assisted Reproductive Treatment Further Amendment Bill 2013**
- Children, Youth and Families Amendment (Security Measures) Bill 2013**
- Corrections Legislation Amendment Bill 2013**
- Crimes Amendment (Grooming) Bill 2013**
- Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013**
- Fences Amendment Bill 2013**

- Game Management Authority Bill 2013**
- Jury Directions Amendment Bill 2013**
- Legal Profession Uniform Law Application Bill 2013**
- Parliamentary Budget Officer Bill 2013**
- Small Business Commissioner Amendment Bill 2013**
- Summary Offences and Sentencing Amendment Bill 2013**

together with extract from the proceedings and appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

- Australian Crime Commission — Report 2012–13
- Border Groundwaters Agreement Review Committee — Report 2012–13
- Crimes (Assumed Identities) Act 2004* — Reports 2012–13 under s 31 (two documents)
- Crown Land (Reserves) Act 1978* — Order under s 17B granting a licence over Camperdown Public Park Reserve
- Falls Creek Alpine Resort Management Board — Report year ended 31 October 2013
- Financial Management Act 1994* — Budget Update 2013–14
- Health Practitioner National Law (Victoria) Act 2009* — Report 2012–13 of the National Health Practitioner Ombudsman and Privacy Commissioner
- Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2013
- Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2013
- Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2013
- Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2013
- Murray-Darling Basin Authority — Report 2012–13
- Parliamentary Committees Act 2003* — Government response to the Environment and Natural Resources Committee's Report on the Inquiry into rural drainage in Victoria
- Planning and Environment Act 1987* — Notices of approval of amendments to the following Planning Schemes:
 - Banyule — C86, C96

Baw Baw — C93	<i>Drugs, Poisons and Controlled Substances Act 1981</i> — SR 164/2013
Boroondara — C191	
Campaspe — C102	<i>Education and Training Reform Act 2006</i> — SR 157, 172/2013
Cardinia — C133, C195	<i>Environment Protection Act 1970</i> — SR 159/2013
Frankston — C74, C78	<i>Fisheries Act 1995</i> — SR 168/2013
Glen Eira — C80, C111, C114	<i>Gas Safety Act 1997</i> — SR 158/2013
Glenelg — C76 Part 1	<i>Infringements Act 2006</i> — SR 169/2013
Greater Bendigo — C191, C205	<i>Magistrates' Court Act 1989</i> — SR 177, 178/2013
Greater Dandenong — C124, C181	<i>Police Regulation Act 1958</i> — SR 162/2013
Greater Geelong — C233	<i>Retirement Villages Act 1986</i> — SR 170, 171/2013
Greater Shepparton — GC4	<i>Road Safety Act 1986</i> — SR 174, 175, 176/2013
Hume — C154 Part 1	<i>Subordinate Legislation Act 1994</i> — SR 160, 173/2013
Indigo — GC4	<i>Transport (Compliance and Miscellaneous) Act 1983</i> — SR 1
Kingston — C126, C129	<i>Victorian Civil and Administrative Tribunal Act 1998</i> — SR 165/2013
Latrobe — C79	
Loddon — C30	<i>Water Act 1989</i> — SR 163/2013
Maribymong — C127	<i>Subordinate Legislation Act 1994:</i>
Mildura — C87	Documents under s 15 in relation to Statutory Rules 141, 142, 149, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178/2013
Mitchell — C94	Documents under s 16B in relation to:
Moonee Valley — C130	<i>Building Act 1993</i> — Amendment to Determination that Specified Areas are Designated Bushfire Prone Areas
Mount Alexander — C69, GC4	<i>Education and Training Reform Act 2006:</i>
Murrindindi — C36, C42	Ministerial Order No. 625
Nillumbik — C60, C89	Victorian Curriculum and Assessment Authority Fees
Port Phillip — C130	<i>Fisheries Act 1995</i> — Quota Order under s 64 — Scallop Dive (Port Phillip Bay) Fishery
South Gippsland — C83 Part 1	<i>Transport (Compliance and Miscellaneous) Act 1983</i> — Determination of Fees — Issue of Country and Metropolitan Hire Car Licences
Swan Hill — C56	<i>Victorian Environmental Assessment Council Act 2001</i> — Government response to the Victorian Environmental Assessment Council's Report on the Investigation into Additional Prospecting Areas in Parks.
Victoria Planning Provisions — VC99, VC105	
Wellington — C33, C70	
Whittlesea — C115	
Wyndham — C193	
Yarra — C203	

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 156/2013

Building Act 1993 — SR 161/2013

County Court Act 1958 — SR 166, 167/2013

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

Courts and Other Justice Legislation Amendment Act 2013 — Remaining provisions (except Division 1 of Part

3) — 1 February 2014; Division 1 of Part 3 — 1 July 2014 (*Gazette S17, 28 January 2014*)

Justice Legislation Amendment (Miscellaneous) Act 2013 — Part 7 — 29 January 2014 — Remaining provisions of Part 6 — 3 March 2014 (*Gazette S17, 28 January 2014*)

National Parks Amendment (Leasing Powers and Other Matters) Act 2013 — Part 2 — 19 December 2013 (*Gazette S449, 17 December 2013*)

Road Legislation Amendment Act 2013 — Section 14 — 17 December 2013 (*Gazette S449, 17 December 2013*)

Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013 — Sections 28 and 29 — 20 December 2013; Part 6 — 17 February 2014 (*Gazette S449, 17 December 2013*)

Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 — Sections 23, 24(1), 26, 27, 28(2), 30, 31(1), 31(3) and 31(4) — 1 February 2014 (*Gazette S17, 28 January 2014*).

RESIGNATION OF LEGISLATIVE COUNCIL MEMBER

Mr P. Davis

The SPEAKER — Order! I have received the following letter from the Governor dated 3 February.

I write to advise that Mr Philip Davis, MLC, called on me today and handed me his letter of resignation as member of the Legislative Council for Eastern Victoria, effective from today. 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 Davis's letter for your records.

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 Philip Rivers Davis and proposes the time and place of such a meeting be the Legislative Assembly chamber on Wednesday, 5 February 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, Services and Small Business) — I move:

That this house agrees to the Legislative Council's proposal for a joint sitting on Wednesday, 5 February 2014, at 6.15 p.m. in the Legislative Assembly chamber 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 Philip Davis.

Motion agreed to.

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

ROYAL ASSENT

Message read advising royal assent on 17 December 2013 to:

Disability Amendment Bill 2013
Education and Training Reform Amendment (Dual Sector Universities) Bill 2013
Justice Legislation Amendment (Miscellaneous) Bill 2013
Owners Corporations Amendment Bill 2013
Parks and Crown Land Legislation Amendment Bill 2013
Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013
Victoria Police Bill 2013.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Assisted Reproductive Treatment Further Amendment Bill 2013
Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013
Parliamentary Budget Officer Bill 2013
Small Business Commissioner Amendment Bill 2013
Summary Offences and Sentencing Amendment Bill 2013.

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

Reporting date

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

That the resolution of the house of 28 August 2012 be amended to extend the reporting date for the Environment

and Natural Resources Committee's inquiry into matters relating to heritage tourism and ecotourism in Victoria to no later than 29 August 2014.

Motion agreed to.

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the following items be considered and completed by 4.00 p.m. on Thursday, 6 February 2014:

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

Crimes Amendment (Grooming) Bill 2013

Legal Profession Uniform Law Application Bill 2013

Parliamentary Budget Officer Bill 2013

Summary Offences and Sentencing Amendment Bill 2013

Travel Agents Repeal Bill 2013

- (2) the notice of motion, government business, relating to the Brimbank and Hume planning scheme amendments.

I indicate to the house in terms of the handling of the government business program, which I think is a reasonable workload, that on Wednesday it is the government's intention to debate the planning motions relating to Brimbank and Hume. As we are all now aware, there will be a joint sitting of the Legislative Council and the Legislative Assembly at 6.15 p.m. on Wednesday. On Thursday, as has already been circulated to members of Parliament, the government intends to debate a motion marking the fifth anniversary of Black Saturday, with three speakers from either side having 5 minutes each, which is an appropriate recognition of such a tragic event in Victoria's history. I indicate to the house that second-reading speeches will be read on Wednesday and Thursday.

In concluding this short explanation of the government business program, I note we have clearly had some time out for your election, Speaker, after the resignation of the previous Speaker. We have a motion on Thursday, we have a planning motion, as listed in the government business program, and we have the joint sitting. We have had some time out of the business program, but even under those circumstances the government

business program that I propose is manageable and will allow members of Parliament adequate time for debate.

The opposition has requested a consideration-in-detail stage for the Summary Offences and Sentencing Amendment Bill 2013, and I indicate that provided business is transacted in the house in an expeditious manner, it may be possible to have that consideration-in-detail stage. The circumstances under which the government would say no to a consideration-in-detail stage would be, for example, if a bill were undebated. It is my aim to have all the bills debated fully, as you would expect with the number of bills on the program, and to try to accommodate the opposition not only in relation to its request for a consideration-in-detail stage but also in relation to its request for additional time to debate that bill.

I know that members of Parliament have considerable interest in the Crimes Amendment (Grooming) Bill 2013, and if the business of the house is conducted in an expeditious manner, I think it will be possible to have a consideration-in-detail stage for that bill after question time and prior to the adjournment debate at 4.00 p.m. on Thursday. It is the government's intention for the house to sit for the usual hours. With those few words, I move the government business program.

Ms ALLAN (Bendigo East) — I commence by congratulating you, Speaker, on your elevation to the position of Speaker. The opposition looks forward to working with you over the coming months.

I will make a few brief comments on the conditional government business program that has been moved by the Leader of the House. I will not go into any great detail on the bills on the program other than to note that there are a number of bills. There are the two planning scheme amendments, there is the joint sitting tomorrow evening for the election of the upper house member, and there is that very important noting by the house of the fifth anniversary of the Black Saturday fires in Victoria. That is an important, serious and respectful matter for this house to take note of.

I went through that list to indicate that there is a very busy government business program this week. I understand there are a number of things on the agenda, and the Leader of the House has taken on our request for a consideration-in-detail stage on a conditional basis. I think the message is that all of us on this side of the house have to be good boys and girls and we might get some conditional speaking time later in the week, but we will see about that.

There are also other important issues in the community that are worth considering over the course of this week. There can be no more important issue than that of jobs in the state of Victoria. Hundreds and hundreds of jobs in the state of Victoria have gone under this government's watch. That is why I would like to move an amendment to the government business program. I move:

That the words 'notice of motion, general business, given by the member for Tarneit on 12 December 2013, which must be completed before any other items on the program are considered — —

Ms Asher — On a point of order, Speaker, the member for Bendigo East has moved an amendment which is not in order. The government business program is for the government business program. I refer the member to standing order 34 'Precedence of government business', and to the standing orders covering the government business program. It is not in order for the member for Bendigo East to move an amendment to the government business program to debate general business. I would have thought she would have understood this point by now. The amendment is out of order, and I would ask you to rule it so.

The SPEAKER — Order! I support the point of order raised by the Leader of the House.

Ms ALLAN — I understand the forms of this house, but I regret that the government wishes to hide behind every means possible to avoid debating the most important matter before the Victorian community. As I said, that matter is the very critical issue of the hundreds and hundreds of jobs, particularly in the manufacturing sector, that are going out the door under this government's watch. The government does not want to debate this. It wants to run away and hide from this issue, particularly as we have seen during question time with the Premier. That is a great shame. We think there is no more important issue in the state of Victoria than debating the parlous state with job losses and the thousands of families that are affected.

Mr TILLEY (Benambra) — I would like to take the opportunity to congratulate you, Speaker, on your elevation to high office. I am confident that you will be able to execute the duties of Speaker efficiently and extraordinarily well in this place. I would also like to acknowledge and thank the member for Bass for his service to this Parliament and for the work that he has done in that role.

Today it is back to work. I rise in support of the motion by the Leader of the House regarding the government

business program. No doubt members from both sides have returned to this place refreshed from their summer break, and hopefully they are keen to get back to work. I remind all members that the Christmas period, also known as the silly season, has finished. Listening to the member for Bendigo East talk about the intent of the opposition in relation to seeking deals on getting into consideration-in-detail stages on bills, we can see that the silly, childish, petulant behaviour is already starting in this place. I certainly hope those opposite significantly contemplate the cheap point-scoring and the undermining of this great institution, the Parliament of Victoria.

I would also like to ask all members to stop to consider that there are a lot of Victorians across this great state who rely on us to carry ourselves well and to undertake the business of the house. The whole manufacturing industry in this state is facing significant challenges. I know with absolute confidence that the government is working towards ensuring that the business it carries out in this place will support manufacturing and jobs in Victoria. I ask that we conduct ourselves accordingly in this place so that we can protect Victorians — not only their jobs but also their livelihoods and their families. I do not think it is selfish of me to ask these things. Now that you have been clearly elected as Speaker, there will be some significant changes that will ensure that members, particularly those in opposition, will behave themselves so that we are able to conduct the business of the place.

This week amongst the matters on the government business program we will be debating the Crimes Amendment (Grooming) Bill 2013, which will make every effort to tackle the burgeoning scourge of child grooming and paedophilia. I can think of no greater responsibility that this house is charged with than the protection of our children. We will also be debating the Summary Offences and Sentencing Amendment Bill 2013, which will further enhance the ability of police to deal with the perennial issue of street violence — that is, the thuggish, inconsiderate and offensive behaviour on our streets. This is an issue of concern to the whole Victorian community. It behoves this house to give this issue the attention and respect that the community expects.

Finally, on Thursday the house will pause to acknowledge the anniversary of Black Saturday. We all know that Black Saturday is a tragedy that took the lives of 173 Victorians. It left an indelible scar on the landscape and the psyche of Victoria. Such a tragedy, including the suffering and sorrow that was inflicted on our community, should not be bookended by puerile behaviour, catcalling and cheap, immature antics from

those on the other side. Any member who engages in such behaviour disrespects the memory of those who lost their lives and brings shame on this house and themselves. I implore the house to take that into consideration, along with the important work that we are trying to achieve in this place, so that we can negotiate and work for the betterment of Victoria.

Mr PALLAS (Tarneit) — I rise to support the member for Bendigo East in her efforts to, firstly, oppose the government business program, and secondly, recognise that the priorities of the government are set by its business program. The fact that the government has not dealt with the issue of jobs and the need for a genuine debate about it really does speak volumes about the business and the capacity of the government to put time aside.

I am not sure whether the member for Benambra was arguing in support of or against the government business program, because he addressed this place indicating that people's very jobs, particularly in the manufacturing industry, were in the balance. In addressing this Parliament about the importance of the government business program he could not restrain himself from recognising the issue that is on the lips of every Victorian, and that is the issue of jobs and job security and what this government is doing about it. That is why the member for Benambra has made the case for the amendment moved by motion of the member for Bendigo East; he has effectively indicated that.

We have lost 38 000 jobs in the manufacturing industry since November 2010, which means the state now has the lowest number of manufacturing jobs it has ever had since records began. It does not get worse than that. As a consequence of the government's stewardship, we have 4800 fewer full-time jobs than when it first came to power. That speaks volumes about the priorities of this government and its business program. It is one thing to lecture this side of the chamber about good behaviour; it is quite another to demonstrate how good behaviour should follow the lead of a good government. That is where this government falls down. Government members have failed to behave in a way that reflects the principal interests of the community; they have failed to stand up for people. Effectively this is a plan B government. We are still waiting for the penny to drop; the people of Shepparton are still waiting for the penny to drop. I oppose the government business program because it fails to deal with the issue that most concerns Victorians today.

Mr CRISP (Mildura) — I congratulate you, Speaker, on your new appointment. I rise on behalf of

The Nationals to support the government business program. We have a busy program before us, which I note Labor is opposing. No doubt we will have a division on that matter shortly.

The bills before the house include the Crimes Amendment (Grooming) Bill 2013, which takes an important step forward on an issue that many of us find abhorrent by introducing a new offence of grooming for sexual conduct of a child under 16 years and embedding it in law. The Legal Profession Uniform Law Application Bill 2013 is an important bill for The Nationals as it seeks to address some cross-border anomalies for representation in border areas. The Parliamentary Budget Officer Bill 2013 provides for the parliamentary budget office to prepare costings of election policies and outline their impacts.

The Summary Offences and Sentencing Amendment Bill 2013 is on the table for consideration in detail, which we look forward to should it happen. The Travel Agents Repeal Bill 2013 seeks to address the continued operation of the compensation scheme — albeit it for a limited time — and to make amendments to the Australian Consumer Law and Fair Trading Act to repeal the 1986 bill. The planning amendments are also important.

Finally, members will all be reflecting on the fifth anniversary of Black Saturday. It is one of those moments in our lives when we all remember where we were. Our hearts go out to all those people who have been scarred by that event. The Nationals support the government business program. It is a fair program, and it is a busy one, so let us get started on it.

Mr McGUIRE (Broadmeadows) — Firstly, Speaker, I would like to acknowledge your election today to this important office and wish you well with your duties in the future.

On the government business program, I support the amendment moved by the member for Bendigo East and manager of opposition business. I also want to make an additional point in a constructive fashion. Long after the sound and fury of the 57th Parliament have faded, the landmark report entitled *Betrayal of Trust* will resonate throughout the community because it revealed a cover-up and a systemic failure of scrutiny, accountability and compliance and restored respect to people whose lives have been blighted by grievous sexual, physical and emotional abuse.

Critically, the findings and recommendations of the Parliament's Family and Community Development Committee were bipartisan, which is a gift that

ultimately only the opposition can give. The Premier and the Leader of the Opposition embraced this bipartisanship, which last year echoed throughout both chambers of this Parliament. The result has been that *Betrayal of Trust* has been hailed as a landmark report. In its New Year's Day editorial, the *Age* cited it as restoring dignity to the Parliament. This is an issue that I want to go to — —

Honourable members interjecting.

Mr McGUIRE — Precisely. I welcome the introduction today of the Crimes Amendment (Grooming) Bill 2013, which proposes to implement the committee's recommendation to create an offence of grooming. It will help expose the insidious nature of grooming and the lifelong impacts such manipulation has on children, their families and communities — —

The SPEAKER — Order! The member cannot debate the bill.

Mr McGUIRE — I am not; I am complimenting the fact of the bill coming before the house. The point I want to make, in the spirit of bipartisanship, is that as the government business program evolves it should be done — in response to the *Betrayal of Trust* report — in a coordinated and not a piecemeal fashion. The point I wish to put on the public record is that the need for this was shown graphically last night on 7.30 — —

The SPEAKER — Order! I must bring the member back to the government business program.

Mr McGUIRE — In summing up, I want to constructively place on the record that we need to keep bipartisanship in place. Let us get this done. Let us implement it as a matter of urgency and in a coordinated fashion.

House divided on motion:

Ayes, 43

Angus, Mr	Naphine, Dr
Asher, Ms	Newton-Brown, Mr
Baillieu, Mr	Northe, Mr
Battin, Mr	O'Brien, Mr
Bauer, Mrs	Powell, Mrs
Blackwood, Mr	Ryall, Ms
Bull, Mr	Ryan, Mr
Burgess, Mr	Smith, Mr K.
Clark, Mr	Smith, Mr R.
Crisp, Mr	Southwick, Mr
Delahunty, Mr	Sykes, Dr
Dixon, Mr	Thompson, Mr
Gidley, Mr	Tilley, Mr
Hodgett, Mr	Victoria, Ms
Katos, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr
McCurdy, Mr	Watt, Mr

McIntosh, Mr
McLeish, Ms
Miller, Ms
Morris, Mr
Mulder, Mr

Weller, Mr
Wells, Mr
Wooldridge, Ms
Wreford, Ms

Noes, 44

Allan, Ms
Andrews, Mr
Barker, Ms
Beattie, Ms
Brooks, Mr
Campbell, Ms
Carbines, Mr
Carroll, Mr
D'Ambrosio, Ms
Donnellan, Mr
Duncan, Ms
Edwards, Ms
Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Green, Ms
Halfpenny, Ms
Helper, Mr
Hennessy, Ms
Herbert, Mr
Howard, Mr

Hutchins, Ms
Kairouz, Ms
Kanis, Ms
Knight, Ms
Languiller, Mr
Lim, Mr
McGuire, Mr
Madden, Mr
Merlino, Mr
Nardella, Mr
Neville, Ms
Noonan, Mr
Pakula, Mr
Pallas, Mr
Pandazopoulos, Mr
Perera, Mr
Richardson, Ms
Scott, Mr
Shaw, Mr
Thomson, Ms
Treize, Mr
Wynne, Mr

Motion defeated.

ELECTION OF DEPUTY SPEAKER

Mr RYAN (Minister for State Development) — I propose the member for Rodney, Paul Weller, as Deputy Speaker, and I move:

That the member for Rodney be appointed Deputy Speaker of this house.

Mr WALSH (Minister for Agriculture and Food Security) — I second the motion.

The SPEAKER — Order! Does the member for Rodney accept the nomination?

Mr WELLER (Rodney) — I am honoured to accept the nomination.

Motion agreed to.

The Speaker declared the honourable member for Rodney duly elected as Deputy Speaker.

Mr RYAN (Minister for State Development) — I take this opportunity to congratulate the member for Rodney on his elevation to high office. I think all in the chamber recognise that the role of Acting Speaker has been discharged very well by the member in the time he has been acting in the chair over the course of this Parliament. He is a person well versed in the issues of the Parliament, particularly in relation to rural and

regional Victoria. Apart from anything else, the wonderful record he has in service both inside and outside the Parliament I am sure will be brought to bear for the benefit of all of us in this chamber.

Finally, this appointment could well be interpreted as a cost-saving measure because if ever there were a member who did not need to use a microphone, it is the member for Rodney.

Mr ANDREWS (Leader of the Opposition) — I add the congratulations of the Labor Party to the member for Rodney on his elevation to high office. The role of Deputy Speaker has been discharged admirably by your good self, Speaker, for the life of this Parliament, and no doubt the member for Rodney will continue that work. We are ready to work with you in your role as an impartial and fair Speaker, and no doubt the Deputy Speaker will act in exactly the same way.

The member for Rodney had some trouble finding a seat, but it is pleasing for all of us, certainly on this side of the house, that we have now found him a chair. We wish him luck and all the best in his new role.

Dr NAPTHINE (Premier) — I join the Deputy Premier and the Leader of the Opposition in congratulating the member for Rodney on being selected as Deputy Speaker. Assisting you, Speaker, in ensuring the smooth running of the house in the best traditions of the Westminster system is a very important position in this Parliament. The member for Rodney has a great track record of parliamentary service, community service and service to his electorate. He has always upheld the traditions of the Parliament and this house, and I am sure he will continue to do so in this new role.

MEMBERS STATEMENTS

Grampians tourism

Ms ASHER (Minister for Innovation, Services and Small Business) — As members of this house would be aware, tourism is a major economic driver for regional Victoria, and after the recent bushfires it is important that Victorians support businesses, including tourism businesses, in the Grampians.

This week the coalition government announced it will provide \$50 000 to help promote the 2014 Grampians Grape Escape, which is being held from 3 to 4 May in Halls Gap. It is important that we help these businesses recover from the fires. Part of the funding will be used to promote a number of lead-up food and wine events that will be held across the region from 8 April to

2 May 2014. The event will play a significant role in bushfire recovery activities for the Grampians. We hope the funding will help increase visitation to the region and that the event will provide an economic yield.

I commend the work of the member for Lowan, along with that of Simon Ramsay and David O'Brien, members for Western Victoria in the Council, who have liaised with various businesses and my office.

The coalition government will continue to work with the tourism industry to encourage visitors to return to the region. Considerable discussions have already been held between Tourism Victoria and the regional tourism authority, which has indicated it wants some work done in the lead-up to the Labour Day long weekend in March and over the Easter break. The government will accommodate that request to ensure that those businesses get the support they need.

Election of Speaker and Deputy Speaker

Ms GREEN (Yan Yean) — I take great pleasure in congratulating you, Deputy Speaker, from this side of the house on your appointment to high office. I ask you to pass on my congratulations to the new Speaker, particularly because she is the third woman to hold the position.

Australia Day

Ms GREEN — On local matters, Australia Day is a great day to celebrate what brings us together rather than what divides us. Celebrations were held across this great state, and many were held in my electorate. I had the privilege of attending several ceremonies in my electorate, including those at Wallan, Whittlesea and Nillumbik. I attended two joyous citizenship ceremonies, and I wish to single out members of the Nguyen family, who lost everything in the Black Saturday bushfires and who are now citizens of this great country.

Numerous citizens were acknowledged with awards for their volunteering efforts, and I would like to name them. Amanda Gibson received Nillumbik Shire Council's citizen of the year award. Also honoured were Joy Ferguson, Jenny Kennedy, the Diamond Creek men's shed, Paul Herbert, Rhiannon Tracey, Ken Jeffrey, Domenic Castagna, Wendy Blair, Alan Vidal and a former staff member of mine, Tony Comley.

These great people make great volunteering efforts that make our community a better place — particularly my friends Amanda Gibson and Ken Jeffrey. I took great joy in seeing them receive these awards.

Bushfires

Mr WELLS (Minister for Police and Emergency Services) — I would like to update the house on the fantastic work that all of our emergency services staff and staff in partner agencies across government have undertaken since the heatwave of early January commenced. I want to commend every single one of them for working in such a coordinated and cohesive manner.

Under the leadership of fire services commissioner Craig Lapsley, we will see a united approach with our emergency services as they all work together to tackle another severe weather period this week. Victoria is now extremely dry, and with no forecast of any significant rain the grass and bushfire risk will continue for weeks. The fires in the Mallee and the Grampians are now contained, with the fires in East Gippsland still burning in remote forests.

The Napthine government has oversighted the readiness, response and relief and recovery efforts in relation to these fires. The potential risk of fire has been significant, and I am pleased to report that the first response of our fire services, including the Country Fire Authority, the Department of Environment and Primary Industries, Parks Victoria and the Metropolitan Fire Brigade, has been exceptional, with only a small number of fires growing to major status. The state aircraft unit has proved itself yet again with its 42 aircraft being supplemented on the highest risk days with additional aircraft, which is all part of the State Bushfire Plan.

To assist with the sustained firefighting efforts in Victoria, fire services from Queensland and NSW are currently providing incident management personnel, and NSW and New Zealand are providing specialist forest firefighters.

Sri Lankan independence day

Ms BEATTIE (Yuroke) — I rise today as secretary of the friends of Sri Lanka, along with the member for Derrimut, who is the co-convenor, to wish all Sri Lankan people a very happy independence day. For more than half of the 66 years since it achieved independence from British rule, the country has been racked by civil war. Having just returned from a visit to the island nation, I can attest firsthand to the developments, achievements and growth in infrastructure, community capacity and human capital that have been a feature of the almost five years since the end of that conflict.

In the discussions I had, whether they were formal or informal meetings with numerous ordinary Sri Lankans, as I travelled from Jaffna in the north to Trincomalee in the east, Galle in the south and many villages and cities in between, two themes emerged consistently: a strong sense of optimism for the future of Sri Lanka and a genuine belief and faith in the many opportunities available to the people and to the nation. The enthusiasm for continuing along the positive path of post-conflict rebuilding and ongoing reconciliation to ensure that the country's present and future are borne out in peacefulness and prosperity was tangible.

The country has experienced, survived and moved beyond conflict. Today it proudly reflects on its commemoration of having achieved independence from the British in 1948. I wish a very happy independence day to all Sri Lankans here in Australia, especially the member for Cranbourne, those in my electorate of Yuroke and those back in the motherland.

Bangerang community

Dr SYKES (Benalla) — I congratulate the Deputy Speaker. Two weeks ago I participated in one of the most moving experiences of my 11 years as the member for Benalla. The occasion was the announcement by the Minister for Aboriginal Affairs of an allocation of \$5000 to the Bangerang people to assist them in the formulation of their application to become a registered Aboriginal party (RAP). It was moving because four generations of proud Bangerang people were present, including three prominent elders, Uncle Sandy Atkinson, Uncle Wally Cooper and Uncle Freddie Dowling. Also present were representatives of local government from Campaspe, Moira, Indigo and Benalla and many government agencies and community groups.

Four state MPs were present, including the Minister for Aboriginal Affairs and member for Shepparton, Jeanette Powell, the member for Murray Valley, Tim McCurdy, a member for Northern Victoria in the Council, Amanda Millar, and myself. Apologies were received from Wendy Lovell and Damian Drum, members for Northern Victoria in the Council, and from the member for Rodney, Paul Weller. The federal member for Indi, Cathy McGowan, was also present.

The other notable group in attendance was composed of members of families who have had generations of affectionate and respectful interaction with the Bangerang community going back 150 years.

Whilst the quantity of money was small, the significance of the announcement was great. As Uncle

Sandy said, it will help the Bangerang community address the recent rewriting of Indigenous history in the area. I look forward to the Bangerang community and its supporters using the money to present a sound case for RAP status for consideration by the Victorian Aboriginal Heritage Council.

Gary Mao

Ms GARRETT (Brunswick) — I congratulate the Deputy Speaker. It is with great pleasure that I rise to acknowledge the strength and character of the staff and students at Brunswick Secondary College, the Brunswick community and one of our most loved sons, Gary Mao. Gary, who is now 16, has been living in Australia since he was 10, growing up in Brunswick with many friends. He loves footy and his school.

In very difficult circumstances, Gary's family and visa situation led in May last year to him facing deportation to China, as well as a period in detention. Despairing at the situation, the school community rallied together to make sure Gary was supported, and it sought to ensure that he was able to complete his education in Australia. We banded together to fight for Gary to stay and to organise to look after and shelter him when his mother was deported back to China. With departmental processes looking grim, impassioned pleas were made to the then ministers for immigration, Ministers O'Connor and Burke, with the latter acknowledging the merits of the case and allowing a visa for Gary to stay to finish his Victorian certificate of education.

However, as was reported in the *Age* earlier this year the incoming minister advised Gary that he would be deported to China. The school once again had to swing into action. Gratefully that was taken heed of and the minister allowed Gary to stay in Australia. I thank the school community and all those who assisted.

Australia Day

Mrs BAUER (Carrum) — It was my pleasure to attend Australia Day celebrations for the cities of Kingston and Frankston. During the festivities I was honoured to meet Australia's newest citizens — men, women and children who took an oath of allegiance to their adopted country. A highlight of any Australia Day ceremony is the crowning of the municipality's citizens of the year.

I would congratulate Frankston Citizen of the Year, Philip Holt, a senior science teacher at McClelland College, Frankston, who has been a State Emergency Service volunteer for more than 30 years. The inspirational Senior Citizen of the Year was Frank

Mahr, 85, from Seaford. With a personal story of survival and determination that would inspire any filmmaker, Frank now mentors schoolchildren around the city as well as teaching at U3A. The 2014 Frankston city Young Citizen of the Year is Dimity Lynch. The Frankston 19-year-old volunteers in the community and demonstrates an empathy and compassion for others.

The City of Kingston Outstanding Citizen of the Year is David Catchpool, whose focus on social justice and community cohesion has benefitted the Kingston community for more than 40 years. The Citizen of the Year for Kingston is Lesley McGurgan. Lesley is involved in numerous groups and organisations in the city and for 20 years has been a key player in organising special events and celebrations. The Kingston Community Group of the Year is Special Olympics Victoria, Melbourne Southern Region, which has provided encouragement and support to children and adults with an intellectual disability for 26 years. Congratulations to all involved.

Hellenic Australian Community Service Association

Mr PANDAZOPOULOS (Dandenong) — First I would like to congratulate the member for Rodney on his elevation to the position of Deputy Speaker.

I wish to congratulate the Hellenic Australian Community Service Association (HACSA), which held its first large-scale gathering at Kingston football club reserve in Clayton South on Sunday. I congratulate the president of the organisation, Theo Giourtis, and my friends John and Magda Athanasopoulos, as well as others on the HACSA committee, for working so hard for the last two years and supporting a new type of migrant.

These migrants are Australians who have been living in Greece. They are people who were born here of Greek decent who went back to Greece, often along with their parents, and who have now migrated back to Australia as Australian citizens because of the economic situation in Greece. Frequently they left Australia to form businesses in Greece, and they have come back given the struggling economy there. There are also people who have at least one parent who is an Australian citizen and who was born here, and they have obtained Australian citizenship as a result.

There are about 3000 people in this group here in Victoria; they have mostly settled in the northern and south-eastern suburbs. HACSA has been organising welfare support for these migrants. To help people return when they have left the country that they grew

up in — Australia — to live in Greece and have then had to leave it and come back to their home country requires a lot of resources. HACSA has been out there supporting people in relocating. It has been finding furniture for people and providing moral support. It has also tried to support people in relation to obtaining skills qualification and gaining recognition, and I congratulate them.

Australia Day

Ms WREFORD (Mordialloc) — The City of Kingston Australia Day awards acknowledged some amazing contributions by many worthy nominees. Among them was the Citizen of the Year, Lesley McGurgan, an extremely worthy winner who was mayor of Mordialloc and who has done outstanding community and charity work over 20 years. David Catchpool was Outstanding Citizen of the Year and was recognised for 40 years of work in community service and social justice, including a stint as mayor of Oakleigh. The Special Olympics Victoria, Melbourne Southern Region, was the Community Group of the Year. Well done.

Mordialloc electorate citizenship awards

Ms WREFORD — At the close of 2013 I awarded the Mordialloc electorate citizenship award to some outstanding students: Paige Street from Parktone Primary School, Dayna Mignone from Mentone Park Primary School, Xavier Stanley from St John Vianney Primary School, Cameron Vajdic from St Brigid's Primary School, Mitchell Newman from St Mark's Primary School, Zack Aldred from Mordialloc Beach Primary School, Nicholas Thiele from Parkdale Primary School and Eimear Cunningham from Our Lady of Assumption Primary School. Congratulations.

Aspendale Senior Citizens

Ms WREFORD — The traditional Christmas lunch demonstrated what an outstanding group Aspendale Senior Citizens is. It is an amazingly happy, supportive and active group. It does a terrific job for its members and the broader community.

Chelsea Yacht Club

Ms WREFORD — I attended the Chelsea Yacht Club Discover Sailing Day, which was fantastic. The community's closeness to the beach means everyone can get involved in this family-orientated club.

Home and community care services

Ms EDWARDS (Bendigo West) — I also offer my congratulations to the Deputy Speaker. The Liberal-Nationals coalition cuts to home and community care (HACC) services are being felt in regional Victoria. The City of Greater Bendigo has been forced to withdraw its community car service, leaving 11 elderly residents without the capacity to leave their homes to attend medical appointments, to go shopping or to attend social or club events. In 2012 Labor warned the government that cuts to this vital funding for the vulnerable and elderly people in regional communities would have a serious impact. Now that councils are receiving less money from this government, the City of Greater Bendigo has been forced to cut this important and much-relied upon community car service.

This government has been responsible for a statewide 2 per cent cut in home-care hours, despite spiralling demand due to an ageing population. By offering a range of basic support services, such as domestic help, garden maintenance and shopping assistance, HACC services have enabled people to remain living independently in their own homes. With less access to HACC services, such as the community car service, elderly Bendigo and regional residents who have depended on the provision of this service will now be forced to either rely on family or pay for public transport or taxis to enable them to travel to important medical appointments or to get out and socialise. The Nationals, as usual, have failed to stand up to their Melbourne-centric Premier and push for an increase in funding for this vital service, particularly for people in rural and remote areas who are even more impacted by these cuts to our HACC services.

Australia Day

Mr NORTHE (Morwell) — Congratulations to you, Deputy Speaker. As always the Australia Day celebrations in the Morwell electorate were well attended and many local residents were recognised for outstanding community service. Order of Australia medals were deservedly awarded to Keith Chenhall, Jack Vinnall and Vicki Hamilton, while the City of Latrobe Citizen of the Year award went to Frank Bezzina, who does much community work in his role as Koko the Clown. Bayley Charalambous was our Young Citizen of the Year, the Gippsland Motorcyclists Toy Run was awarded the Event of the Year and the Morwell State Emergency Service unit was awarded the Community Service of the Year award.

Recognition awards were presented to John Harris from Yinnar, Yallourn North residents Judy Lipman, Bill O'Donnell and Warren Xerri, along with Jean Tops of Moe and Olivia Blackwood from Traralgon. A number of community organisations and events were also acknowledged for outstanding service, including the Coalies Weekend at the Old Brown Coal Mine Museum, the Gippsland Ethnic Communities Council three-day multicultural festival, the Moe Traders Association with the Moe School's Superstar event, Strzelecki Showtime, the Buddy Bear Sewing Group at Creative House, Forever Friends Animal Rescue, Mrs Lyn McAlister and Morwell Neighbourhood House program volunteers.

Black Saturday

Mr NORTHE — On a serious note, 7 February 2014 is the fifth anniversary of the Black Saturday bushfires, and from both an individual and community perspective in many instances the recovery still continues. It is an opportune time to reflect on the events of that awful day and the fires of January 2009 that impacted the communities of Mirboo North, Boolarra and Yinnar. It is a time to remember those who lost their lives. To the families and friends of those 173 persons we again pass on our sincere condolences while acknowledging the extraordinary efforts of those who fought those fires and all the amazing individuals and organisations that assisted in the recovery efforts.

Injured police recovery fund

Mr FOLEY (Albert Park) — Congratulations on your elevation, Deputy Speaker. On Saturday, 4 January, an explosion injured three of our community's finest police officers and also injured two members of the Port Melbourne Metropolitan Fire Brigade. In the course of their duties these five front-line protectors of our safety suffered injuries that give us all cause to reflect. Every time an emergency service worker puts on their uniform and answers a call they potentially risk their lives in our name. On this occasion, in response to a check on a self-harm alert, the risk sadly saw injuries, including very serious injuries, suffered by our emergency service workers.

In response, the Victoria Police community has gathered around in warm embrace of its colleagues, along with the assistance of the wider local community. I was pleased to lend my personal support to the recovery fund launched to assist Sergeant Tony Scully, First Constable Emma Quick and Constable Varli Blake. I urge all Victorians in our communities to lock in and lend assistance to the fundraising effort of the trust that has been established in their name. I urge all

Victorians to do what they can to assist the recovery of those who protect us. On behalf of the entire Parliament I send best wishes for a speedy recovery to Emma, Varli and Tony and indeed send my best wishes to all those fine Victorians who protect us.

Midsumma Festival

Mr NEWTON-BROWN (Pahran) — Premier Napthine launched the 2014 Midsumma carnival day this year. He is the first Premier to ever attend in the event's 26-year history, thereby demonstrating that he is a Premier who leads for all Victorians. On the day he made a truly historic announcement regarding legislation to expunge historical convictions for homosexual sex before it was decriminalised by a Victorian Liberal government in the early 1980s. Premier Napthine finished off what Premier Hamer started all those years ago. I offer my congratulations to Aaron Hockly, chair of the Midsumma board, and to the festival manager, Monique Thorpe, and her team, for organising an amazing day which celebrates the lesbian, gay, bisexual, transgender and intersex community.

St Jerome's Laneway Festival

Mr NEWTON-BROWN — Eleven years ago a little music festival was staged in a now demolished laneway behind Melbourne Central. The St Jerome's Laneway Festival has now taken on a life of its own and has become an international touring event that attracts tens of thousands of people. This festival is renowned for discovering and supporting emerging local live music talent. The line-up this year included Client Liaison, Vance Joy and Jagwar Ma. The festival also included international acts such as Savages, Haim and Lorde. Congratulations to the laneway festival for showing the world that the home of live music is Melbourne.

Pride March

Mr NEWTON-BROWN — I was once again pleased to speak at Pride March Victoria annual march down Fitzroy Street in St Kilda. Under a sunny St Kilda sky I was joined by City of Sydney councillor Christine Forster and her partner Virginia Edwards, as well as my state parliamentary colleagues the Minister for Health, another member for Southern Metropolitan Region, Georgie Crozier, the members for Caulfield and Gembrook and the federal member for Higgins. I was also joined by the Chief Commissioner of Police, Ken Lay.

City of Hume street lighting

Mr McGUIRE (Broadmeadows) —

Congratulations on your appointment, Deputy Speaker. I am writing to the Prime Minister and the Premier demanding that the coalition governments stop their reverse Robin Hood strategy of taking money from the poor to give to the more prosperous. This approach has now spread to public safety, which should be funded in the public interest and placed above politics.

Nevertheless the federal coalition has again shown its disregard for the safety of residents in the city of Hume by withdrawing funding promised to the Hume City Council for the installation of lighting along Tanderrum Way in Broadmeadows, in Craigieburn Gardens and in the Sunbury town centre. A \$300 000 grant was pledged by the former federal Labor government under the National Crime Prevention Fund, but it was withdrawn by the federal coalition government just before Christmas. The installation of lighting was to protect families who are attending the Hume Global Learning Centre in Broadmeadows, which is now evolving from a lifelong learning proposition into a multiversity to teach skills for jobs. It is vital for the community, especially after Ford's decision to end production.

The decision to withdraw the funding joins a growing list of occasions on which the state and federal coalition governments have reallocated funds initially earmarked for the Hume area in favour of marginal seats. This includes \$60 million for the Broadmeadows railway station and \$30 million for the Broadmeadows central activities district. I am calling on both the federal and state commonwealth governments to end this strategy and invest on a needs basis where you will get the biggest return for that investment, and to always protect public safety.

Waitangi Day

Mr SOUTHWICK (Caulfield) — Congratulations to you, Deputy Speaker, on your elevation to your new position. On 1 February I had the pleasure of attending my third Waitangi Day celebration at the New Zealand sub-branch of the Caulfield RSL to commemorate a significant day in history: the signing of the Waitangi Treaty in 1840. I thank the president, Danny Allen, and the secretary, Russell Railton, for organising this important event, which gave me the opportunity to meet with many Kiwi brothers and sisters and hear about their ongoing trials and tribulations settling in Australia. I also would like to acknowledge the president of the Caulfield RSL, Bob Larkin, for his

continued great work in supporting multiculturalism through this iconic community event.

Lunar New Year

Mr SOUTHWICK — The Lunar New Year is an important time for reflection, and I give my best wishes to all those celebrating this important time, particularly those in my electorate of Caulfield who are welcoming the Year of the Horse. I have built some great friendships over the years with Victoria University alumni, and I particularly want to acknowledge Chua Teck Boon, who is now a politician in Malaysia, Kim Seah from Singapore and Kevin Li from China. I wish them, their alumni chapters and their communities a very happy Lunar New Year.

City of Glen Eira planning

Mr SOUTHWICK — I again welcome the Glen Eira residential zones and mandatory maximum building heights as set out by the state government, which have been adopted by the City of Glen Eira. The Glen Eira City Council was the first council to adopt this important planning change which will protect the community of Caulfield's homes from being overshadowed by large developments, something which is very important to my local residents. In addition, transition buffers will ensure that the simple beauty of Caulfield remains intact.

Balaclava railway station

Mr SOUTHWICK — I also welcome the upgrade of the Balaclava railway station, which is on track for completion by October 2014.

Festival of New Beginnings

Ms KANIS (Melbourne) — I also congratulate you, Deputy Speaker, on your new position.

On Sunday, 1 December 2013, I attended the Festival of New Beginnings at the Church of All Nations in Carlton. During the festival the newly refurbished church was officially reopened. The church has created an open and flexible space that will provide for spiritual, community, music and arts programs. It was great to see a large number of people from the local and diverse Carlton community attend the event. A delicious lunch was prepared by the Carlton Horn of Africa Community.

I also congratulate the Church of All Nations community, which has been very ably led by the Reverend Dr John Evans, on creating such an inviting space and welcoming the whole community into it.

Australian Somali Football Association

Ms KANIS — The annual Australian Somali Football Association tournament was held at the end of December 2013. I have been involved in and been a supporter of this project since its inception, and it has been great to see the tournament go from strength to strength. This year saw teams from across Australia and New Zealand compete to win the cup. Two local teams, Carlton and North Melbourne-Flemington, battled it out in the final, with North Melbourne-Flemington the victor.

Congratulations to the team of dedicated volunteers who worked to make the event such a success. Particular thanks go to Ahmed Dini and Ahmed Shide for their leadership.

Australia Day

Ms KANIS — The Kensington Australia Day festival was again held this year. It is a terrific, inclusive festival, and it was great to see the whole community coming together and having fun. Congratulations!

Mildura electorate bushfires

Mr CRISP (Mildura) — Congratulations, Deputy Speaker, on your elevation to the position of Deputy Speaker. You are a colleague and a friend, and I have confidence that you will discharge your responsibilities effectively and with dignity.

The threat of bushfires became a reality in my electorate a few weeks ago with fires in Wyperfeld and Bronzewing. The community of Yaaheet was under siege for days, and the local Country Fire Authority volunteers and farmers were under enormous pressure for nearly a week. I wish to place on record my admiration for all those who gave their time and in many cases their machinery to fight these fires.

Lindner family

Mr CRISP — Congratulations to the Lindner family of Tutye on being presented with the Hanslow Cup, which the family won in 1968. Unfortunately the cup and the medallion contained a spelling error and were not presented until now. I wish to congratulate the Minister for Agriculture and Food Security and Rob Sonogan on correcting the mistake and presenting the cup, albeit many years later.

Australia Day

Mr CRISP — Congratulations to the Irymple community, in particular the Irymple Lions Club, the Country Fire Authority and the Irymple Progress Association, on a wonderful Australia Day breakfast. Congratulations also to progress association president, Dorothy Knight, on being awarded Irymple Citizen of the Year and to Ivana Bleicic and Christopher Lawrence on being named Junior Citizens of the Year. It is community contributions like those at Irymple that build and maintain a great nation like ours.

Mildura harvest

Mr CRISP — We are now moving into the table grape, wine grape and almond harvest season in Mildura. Seasonal weather, good markets and being paid for their product are all on growers' minds. As agriculture is still the heart of Mildura, we all wait nervously for the outcome of this harvest.

Crown land boundary fencing

Mr CRISP — The coalition government is again delivering for regional Victoria. In my electorate the government's policy of sharing half the material costs of fences damaged on the boundary of government land will be taken advantage of by many farmers.

Casey Hospital

Mr PERERA (Cranbourne) — Congratulations, Deputy Speaker, on your elevation to the position of Deputy Speaker.

Casey Hospital's health system has gone backwards since the coalition took office. The elective surgery waiting list at Casey Hospital has blown out since the election, with over 2000 people now waiting, and there is still no sign of the promised 800 new beds where they are needed most.

The government has failed to meet its own benchmarks. At Casey Hospital only 51 per cent of category 2 elective surgery patients are treated within 90 days, and only 69 per cent of category 3 patients are treated within a year. Overall, 30 per cent of emergency patients are not treated on time, and only 66 per cent of category 3 patients are treated within 30 minutes. Seventeen per cent of ambulances are taking longer than 40 minutes to transfer patients, and in 2012–13 ambulances spent an average of 376 hours a month ramped outside Casey Hospital.

Our School Needs campaign

Mr PERERA — It is a pleasure to report on the record the Labor Party's Our School Needs campaign. The Our School Needs campaign will enable parents and teachers to nominate local schools where facilities are in dire need of upgrading. People can add individual school needs, along with their contact details, to Labor's dedicated website. The Labor Party's campaign will let parents, teachers and other members of the local community have their say on what they are worried about at our schools.

Many students in the Cranbourne electorate are unfortunately learning in unfinished school buildings — —

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

Operation Newstart

Mr BATTIN (Gembrook) — Congratulations, Deputy Speaker; what a great elevation for you. I wish you all the best.

I rise today to support the Operation Newstart program in the south-east. I understand that some opposite may like to use this program to score political points, but I do this as a passionate supporter of the program and as the original facilitator of the then south-east, now Dandenong program. Victoria Police has supported this program since its inception in Frankston as a marine-style program to assist youth at risk. Over time the expansion of the program has seen more land-based physically and mentally challenging activities to give young people the tools for the challenges in life.

In the south-east we have seen the results for young people and their mental health, we have seen the issues surrounding disengagement and we have seen concern for youth with no goals. I understand Victoria Police makes these operational decisions, and I support the work its members do in the community. I request that, as this decision will affect the future of young people in a challenging world, Victoria Police consider the program on its merits.

The program has had in-depth analyses by the Royal Children's Hospital and other organisations which prove this is an effective program with tangible results. I will continue to talk about the program. I have personally seen the changes in the lives of young people, and I support the committee and local-level facilitators who strive to make the lives of young people in the growth corridor better.

When we were in the program we never forgot that the young minds we were working with were our future. They will be the people who ensure that we have a vibrant future. It is important to work with them and guide them on the path they want to take, and I assure you that not one participant wanted to follow a pattern of crime or disengagement, but many did want to get the tools and learn to be the person they wanted to be in the future.

Buninyong & District Community Association

Mr HOWARD (Ballarat East) — I add my congratulations, Deputy Speaker.

In December I attended the monthly meeting of the Buninyong & District Community Association to again find that the former Buninyong Progress Association is stronger than ever due to the commitment of many very capable community representatives. As well as making good progress in developing and promoting community events, including a monthly farmers market, the group has been attempting to work with the City of Ballarat and VicRoads to improve the amenity of the thriving village of Buninyong. Members of the group are, however, frustrated that their efforts to improve traffic management are not progressing to show tangible outcomes.

Their no. 1 priority is to have flashing lights installed at the school crossing on the Buninyong hill, and although I have written to the Minister for Roads on several occasions since March 2011 regarding this issue, the response to this request has been negative even though similar flashing lights have been erected near Magpie Primary School and at so many other sites around the state. Other traffic management proposals put forward by the group have also gained limited or no support. Clearly the Buninyong community deserves better.

TRAVEL AGENTS REPEAL BILL 2013

Second reading

Debate resumed from 13 November 2013; motion of Ms VICTORIA (Minister for Consumer Affairs).

Mr SCOTT (Preston) — I rise to speak on the Travel Agents Repeal Bill 2013. With the indulgence of the house and in the spirit of fraternity that has existed around the appointment of the Deputy Speaker, I too would like to pass on my congratulations. Perhaps it is not 'liberty' and 'equality' in this place, but in the spirit of fraternity I would like to pass on my congratulations. As the Deputy Speaker may remember, I have a family

connection to the electorate of Rodney, and I wish him well in conducting his duties.

Before turning to the details of the bill, I would like to thank the member for Mill Park, formerly the shadow minister for consumer protection, for her work on this legislation on behalf of the opposition. Her work included attending briefings, entering into correspondence, contacting stakeholders, performing the duties that are required of a shadow minister and helping with the smooth running of Parliament. In that context I would also like to thank the departmental and ministerial staff who afforded her the courtesy and time that they did and provided follow-up information relating to the particular act of Parliament to which this bill relates.

Despite the often raucous and conflictive nature of debate in this place, the workings of the Parliament really rely on the cooperation of persons willing to act in the public interest in terms of seeking information. That information has been useful in order for the opposition to consider the bill and form its position. Therefore on behalf of myself, the opposition and, I am sure, the member for Mill Park, I would like to pass on my gratitude for those who have cooperated in the provision of information.

The bill seeks to repeal the Travel Agents Act 1986, to provide for the continued operation of the compensation scheme under that act for a limited period and to make consequential amendments to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998.

At the outset, after giving consideration to this piece of legislation and the related policy area, the opposition will not be supporting this bill but will oppose it. This bill arises out of an agreement reached in December 2012 by a majority of state and commonwealth ministers for consumer affairs to implement a travel industry transition plan (TITP). It is useful to return to a joint communique that was issued by those ministers, and the relevant parts of that communique are worth placing on the record in relation to this debate. First, under the heading 'consumer protection in travel services', it says:

Ministers today approved, by a majority ...

I note that the Western Australian and South Australian representatives had reservations, and in fact I understand they were not in support at that time of some aspects of the transition plan:

- (a) a staged phasing out of the existing national scheme, commencing with the proposed cessation of prudential

supervision in mid-2013, followed by the repeal of travel agents' legislation by mid-2014;

- (b) reliance on the Australian Consumer Law and other generic incorporation laws, as well as industry-led regulatory mechanisms and market-based remedies such as credit card chargebacks —

and that is an interesting turn of phrase —

to protect consumers;

- (c) winding up the TCF —

that is, the Travel Compensation Fund, which is their compensation scheme —

and dedicating a proportion of remaining reserve funds (for those states and territories who choose to adopt the TITP) to a range of purposes, including but not limited to:

stakeholder communication and education initiatives both as part of the implementation process for the recommended reforms and on a long-term basis;

one-off grant for consumer research and advocacy purposes;

one-off grant to fund development of an industry-led accreditation scheme by a national working party of government, industry and consumer representatives; and

paying any transitional compensation claims and the TCF's legal fees for undertaking cost recovery action relating to these claims; and

- (d) funds will be redistributed according to the terms of the trust deed of the TCF.

It goes on to discuss the implementation of the plan, with the plan commencing on 1 July 2013 with the view of full implementation in 2015.

At that point in time South Australia and Western Australia were considering their positions in light of the national scheme no longer operating. I will return to the Western Australian position. A consultation paper issued in August 2013 by the West Australian government highlights a number of issues that are useful to discuss in this debate.

If you go to the time line of national reforms, these occur in four phases. From 1 July 2013 travel agents will not be required to lodge annual financial returns to the TCF. As I have discussed, travel agents legislation will be repealed by 30 June 2014. A voluntary industry accreditation scheme will be introduced and, as I stated earlier, the TCF will be closed by mid to late 2015. Final payment of any consumer claims will be made by 30 June 2015.

The Western Australian and South Australian governments did not support the abolition of the TCF at that meeting, but they have each signed the variation of trust deed for the TCF. It is useful to note what will happen to the funds that are redistributed, and information was provided to the then shadow minister, the member for Mill Park, relating to what will happen to funds when the TCF is wound up. I will quote from the response from the minister's departmental liaison officer. As I said earlier, this information was useful to the opposition in forming an opinion on the bill. Under the heading, 'What happens to any funds that may still be in the fund when it is wound up?', it says:

The balance of any remaining funds in the TCF reserves will be redistributed to state and territory governments in proportions determined under clause 27.2(b) of the TCF's governing trust deed, once all other liabilities and obligations have been met.

Here a link was provided to the trust deed. It goes on to say:

Examples of these liabilities and obligations include paying out any outstanding claims or legal fees for bringing action against an agent who has caused claims against the TCF. They also include paying out any grants (such as for national consumer education, research or advocacy) which jurisdictions agreed under the travel industry transition plan would be paid out of TCF reserves before the fund was wound up.

Under the trust deed, all jurisdictions, except NT (which is not involved in the TCF), will receive a distribution in proportion to the number of TCF participants in their respective state or territory as at 30 June 2014.

It would be useful if the minister would outline the proportion when she responds to the second-reading debate. As of 2012 I think there was a figure of roughly a quarter. Some information was provided to the opposition, but I would be grateful to know whether there is any later or updated information. If any 2013 figures are available, they would be useful. I understand they may not yet be available, but they would be useful in terms of responding to any information.

The information letter that was provided continued:

In Victoria's case, the redistribution will be to the credit of the Victorian government (consolidated revenue) fund ...

That obviously means the proportion of money left over within the fund — roughly one-quarter, at this point — would be transferred to consolidated revenue.

The member for Mill Park asked for information on how much money there is now and how much it is anticipated will be left. I understand there are difficulties in calculating what the entitlement would be, but information was provided — and again the

opposition is grateful for factual information provided on these matters. The information was that as at 31 December 2012, the TCF reported accumulated funds of \$28 184 610. A caveat was put on this information that there may be a variation — higher or lower — in the figure as at 30 June 2014. If there is any more up-to-date figure, I think it would be worthwhile and reasonable in the context of this debate to provide that to the house.

At this point — and I accept that this figure will vary given the nature of the claims that would have to be paid out or given other figures — my calculation is that if the arrangement was struck on the figures pertaining to funds available as of 31 December 2012, Victoria's share would be approximately \$7 million. Obviously that would vary depending on the liabilities of and the moneys paid into the fund, but that is the sort of money we are talking about in the context of payment to consolidated revenue.

It is important to note the Western Australian position. At the meeting in December 2012 the Western Australians did not support the disbandment of the scheme. The main reason they gave — and this has had some weight in the thinking of the opposition — was that there will be no equivalent to the compensation fund provided by the TCF if deregulation occurs. The prospective absence of the fund — particularly the fact that the fund will not be available in the context of bankruptcies of travel agents — is something that has had weight in the consideration of these matters by the opposition. I will go into further detail pertaining to the context of bankruptcies and what has happened in the Travel Compensation Fund as described in its most recent annual report, but for now I note that the government has provided information on why it has decided on the abolition of the national scheme.

I do not seek to verbal the government, but to give some commentary, my understanding is that fewer and fewer consumers are eligible to access the TCF, given the rise of online commerce, which has reduced the reliance of consumers on travel agents, with two-thirds of travel and travel-related expenses now being made without reliance on a travel agent. In response to that I note that CHOICE, in making comment on this issue, highlighted the fact that this is still an industry worth — I think the figure was — over \$9 billion. That is within Australia. If you look at that amount pro rata, you see that that means over \$2 billion worth of transactions are conducted via travel agents. Whatever way you want to cut that, that is a very large sum of money within the Victorian context. Expenditure of over \$2 billion of individuals' funds through travel agents constitutes a very significant element even though there has been a

shift to the use of online purchasing of travel services. I understand that that is an argument CHOICE made in its submissions to the national process.

The second argument used by the government is that the travel agent market is dominated by a small group of large companies that are subject to financial control under laws of general application and other industry-led mechanisms such as the new voluntary accreditation scheme — which also offers insurance products — to be administered by the Australian Federation of Travel Agents from 1 July. The opposition obviously has some concerns that there are players in the market who would not be covered by these arrangements that the government highlighted and that therefore there are increased risks for consumers.

It is argued that under the 2012 provisions of the Australian Consumer Law, existing company laws and remedies such as credit card chargebacks and voluntary insolvency insurance products provide significant regulation of travel agents and consumer protections. I will touch upon this, and I note the discussion of credit cards. While many members of the community use credit cards regularly, there is a presumption that credit cards are ubiquitous and that all members of the community use them. This is simply not the case. There are many persons who use other forms of payment and do not rely upon credit cards. This is so particularly among those who are more vulnerable — those whose incomes are such that they cannot obtain credit cards, many older Victorians and pensioners and the many persons with a poor credit history or, as alluded to, who have a low income. So the reliance on credit card chargebacks is something we are concerned about in that the very persons who are most in need of consumer protection would not be afforded protection by one of the elements of protection that is highlighted by the government. In terms of dealing with the issue, then, we have concerns relating to those mechanisms that the government has highlighted, particularly, as I say, in terms of credit card chargebacks. Then of course there is the issue of whether a loan product — and a credit card is a loan product — is a suitable form of consumer protection. There are some issues of concern the opposition has there.

CHOICE highlighted a number of these issues, and it made a submission to the draft travel industry transition plan process in October — prior to December. There are a number of very germane recommendations which were made, as I said, by CHOICE. The first recommendation it made in its submission was that the Travel Compensation Fund not be abolished, as this would lead to significant consumer detriment. This particular recommendation is something that has

weighed heavily in the opposition's consideration of this bill. Recommendation 2 is that consideration be given to ways in which the Travel Compensation Fund could be reformed and built on in order to address the issues raised by the plan, such as changing consumer behaviours. Again on behalf of the opposition I accept that there are changes in the market, but simply getting rid of the TCF is not, in our view, the ideal response. I think a much more nuanced approach, where reform of the TCF is considered and where consumers do not lose the protections that exist under that fund, would have been greatly preferable.

Recommendation 3 is that chargebacks and private travel insurance not be considered as viable proxies for consumer protection. I discussed the issue around chargebacks, but this also raises the issue of private travel insurance plans, which of course would not be mandatory in this context, and that is a consideration for the opposition as well.

There are a number of other recommendations. I know that time is limited, but the issues raised by CHOICE have featured quite heavily in a press release CHOICE issued at the time. For instance, CHOICE highlighted some examples, such as that the 5000 passengers who had bookings on cancelled Athena cruises were told to contact the Travel Compensation Fund, with most people believed to have paid deposits of 40 per cent. The press release quotes CHOICE's Matt Levey as saying:

If the fund is abolished, consumer affairs ministers need to explain where they will direct people next time a travel company fails, recognising that one-third of travel expenditure is still done through agents, often for very expensive holidays ...

There is a repetition of other elements, but I will quote it nevertheless. It states:

... arrangements which CHOICE, along with other consumer groups and part of industry, believe are inadequate.

That is in terms of the chargeback protections and the industry accreditation scheme and travel insurance. In relation to chargeback protections, the CHOICE spokesperson said:

Chargeback is a piecemeal replacement for a compensation scheme because not everyone pays by credit card, and moreover, it's wrong for governments to promote high-cost debt payments as a form of mainstream consumer protection ...

I do not need to lecture the house about some of the issues that arise from the use of debt products such as credit cards, some of which have very high interest rates which can impact upon vulnerable members of the

community. Even though some serious issues relating to this matter have been highlighted not only by CHOICE but also by the West Australian and South Australian governments, I made reference only to Western Australia.

This matter leads members of the opposition to hold the view that we are very concerned about this serious issue, and we are also concerned about proposed remedies, particularly in relation to the taking on of debt in order to create consumer protections.

Opposition members are concerned not only about the issue of the abolition of the Travel Compensation Fund but also about a number of the remedies, particularly the use of credit cards and debt products as a means of consumer protection. These matters raise serious concerns and mean that members of the opposition are unable to support this legislation. Although, as I said, the opposition accepts that this is a changing area of consumer behaviour and that sensible reform over time is reasonable, on behalf of other members of the opposition I say that the use of high-interest-rate debt products is not considered to be a reasonable form of consumer protection.

Our view is that it would be useful for government members to also consider the annual report of the Travel Compensation Fund. The report itself makes intriguing reading, and I urge members considering this bill to look up the fund's most recent annual report, the 2012 report. In it, the TCF's chief executive officer states:

... the TCF also experienced its busiest year since the Ansett/Traveland collapse in 2001. This is directly attributed to two wholesaler collapses: Independent Travel Adventures, which traded as Kumuka Worldwide, and Classic International Cruises.

The report goes on to talk about the collapse of 15 travel agents in 2012, which generated 1903 claims, as compared to the 355 claims made in 2011. The gross amount of claims lodged for compensation was \$6 900 126, an increase of 283 per cent on the number for 2011. These reported figures are worth adding to the debate.

The report notes the gross number of claims and claimants in 2012 and compares them to the number for 2011. These are quite usefully broken down per state. If we compare 2012 with 2011, the number of claims in Victoria for 2012 was 142, with the number of claimants being 296. Of course we should note that this figure is due to there sometimes being more than one claimant related to a particular claim — often families, couples and friends travel together. The total amount paid was \$522 052. In 2011 the number of claims was

53, with the number of claimants being 137 and the total amount \$221 839. On the categorisation of claims by location over a number of periods the report provides figures for the period between 2007 and 2012. The figures vary significantly, obviously depending upon a range of external conditions. As I stated, there was an increase in 2012 to 296 claimants, up from 137 in 2011, and there were 107 in 2010. In 2009 there were 1255; in 2008, 574; and in 2007, 2060.

In the report information is provided for Victoria about travel agent failure claims paid and moneys received for 2012, and the report makes reference to the failures of John World Over Travel, which failed in 2009; Jetset Frankston, in 2011; Travelscene Shepparton, in 2011; and Exitnorth Travel & Tours Pty Ltd, in 2011. These were all Victorian failures. There is further information, relating to the nature of legal actions and financial recoveries, which is worth adding to the debate. Some of those related to actions within Victoria. The report states:

An action, T. H. Van trading as Sky Flights Travel, launched in 2010, settled just after 2012 year end. This Melbourne agent collapsed in 2009 with claims on the TCF of \$217 000. The TCF alleges that the auditor breached auditing standards and misled the TCF in failing to notify the TCF in annual financial reviews that the agent had lost her travel agents license in 2007.

This case highlights a couple of issues: TCF issues and also the deregulation of licensing. It is not as if there are not examples within a Victorian context whereby there have been actions by the fund that relate to both its payment of compensation and also the licensing arrangements. There have also been other failures in Victoria that have resulted in legal action. There was Orient Pacific, which collapsed in 2007, with claims of nearly \$1 million — \$991 000. This company was part of a group which included Travelshop and TSG Leisure, and recovery proceedings were initiated.

I will not go into the details of all the cases, but the report highlights that there have been legal and fund recovery actions within Victoria relating to the failure of Victorian businesses, which I am sure had a detrimental effect on Victorian consumers. There have also been collapses and failures of travel agencies outside Victoria to the detriment of Victorians who had purchased services from agencies operating in other jurisdictions.

I will reflect on the issue of credit card payment. As a Parliament we should think very seriously before we rely on credit card payment as a means of consumer protection. Credit cards are by their nature a credit service — a loan service — —

Honourable members interjecting.

Mr SCOTT — I will ignore the interjections, but I am sure that many MPs have dealt with constituents who have gotten into all sorts of trouble with state government agencies relating to financial matters. One of the common threads in the subjective experience that I have had relates to problems of debt, credit and credit cards. As part of the government's justification for moving down a path of consumer protection which involves deregulation and a reduction in consumer protection, the reliance upon the use of a credit product which can attract very high interest rates is something the opposition has grave concerns about. We are particularly concerned about those who are vulnerable or in financial difficulty.

A person's credit rating should not determine their level of consumer protection. That would mean, if members take a step back, the greatest protection was afforded to those who are most powerful within society, whose financial arrangements are in fine shape. That is a reversal of the usual onus. The state usually intervenes to protect those who are vulnerable. Interventions by the state are justified in the case of industries which entail a significant risk for individuals who are customers. Investors in and owners of travel agencies risk their own capital in order to legitimate the generation of profit. That is a common part of the mixed economy in which we live.

But where there is significant risk to individuals — and travel often represents a significant cost for individuals, with package holidays and other services sometimes costing tens of thousands of dollars, which can be a large element of the discretionary expenditure of someone in the community — and these payments are made, the legislation passed in 1986 established a fund to protect consumers in the event of a bankruptcy. To move away from that and to remove those protections in a context where one of the protections which is relied upon relates to the provision of credit — —

Honourable members interjecting.

Mr SCOTT — I will not respond directly to interjections, but to apply for a credit card you have to undertake credit checks. If you apply for a bank loan for a house and you have a credit card, that credit card is essentially taken to be at its limit. It is assumed that the available line of credit will be used to its maximum, because many people do that. Comments may be made that that is a voluntary action, but to apply for a credit card is to make a loan application, and it is treated as such in consumer credit law.

We as members of this place should be clear that to use consumer credit as a means of consumer protection opens up a series of issues which have the potential to seriously harm the financial interests of disadvantaged individuals within our community. For those reasons — the abolition of the TCF and the reduction in consumer protection as highlighted by CHOICE, the sorts of issues that have arisen with large-scale collapses of travel agents and others in the industry in the past, and the sorts of issues that arise for the most vulnerable, who will not necessarily be afforded the protections that will be afforded to those who are more financially able to deal with the collapse of a travel provider — the opposition feels that this is a bill we are unable to support.

As I said, we do not believe there is no change in the law at all, and there is an evolving market, but to pick up the points made by CHOICE, a logical response to changes in the market is to ensure that consumer protection is expanded for those who are most vulnerable in the community. I know there are others who wish to speak on this bill, so on behalf of the opposition I will end with these comments: we cannot support this piece of legislation in its current form, but I accept that there is likely to be a need for reform in this area over time. In the opposition's view, this reform should not involve the abolition of the TCF and should not rely on consumer credit products in order to provide consumer protection.

Ms ASHER (Minister for Innovation, Services and Small Business) — I wish to indicate why the government supports this bill from my perspective as Minister for Tourism and Major Events and as Minister for Innovation, Services and Small Business, as so many of these agencies are small businesses.

The bill will repeal the Travel Agents Act 1986 and remove references to that act in other Victorian legislation. The key point underpinning this bill is that the travel business has changed substantially since the regulatory regime that now governs it was introduced in 1986. I well remember when that regulatory regime was introduced. There had been a number of instances of collapses of travel companies, and the regime was put in place, but times have moved on: the travel industry is different and the world is different. Over the past three decades computers, the internet and changing business practices have significantly transformed the way consumers both research their travel choices and buy travel services.

On 7 December 2012, following the release of the preliminary review findings and a public consultation process, a majority of Australian governments

approved a travel industry transition plan. This is not some frolic of the Victorian government on its own; this is a position agreed upon by a range of governments across Australia. This bill helps implement the key recommendations of that travel industry transition plan, in particular the winding up of the Travel Compensation Fund, which has provided oversight of travel agents and paid compensation in the event of travel agent insolvency, by the end of 2015.

The bill will also remove licensing requirements for travel agents and provide transitional provisions in relation to the Travel Compensation Fund. My understanding is that most states and territories are working towards similar legislation and that New South Wales is at a similar stage to Victoria in its development of legislation, which I think the minister mentioned in the second-reading speech.

The facts of the matter at the moment are that two-thirds of travel and travel-related expenditure is now made without a travel agent. Travel has changed. The way people book their travel has changed completely since 1986 when this regime was introduced and when the majority of people went through travel agents. The government has been advised that two-thirds of travel and travel-related expenditure is made without a travel agent, and these purchases are not covered by the current travel agent scheme. The opposition is arguing for the retention of a scheme which does not cover two-thirds of travel bookings. It is expected that coverage will continue to shrink.

I listened to the comments made by the member for Preston about credit cards. I do understand that there are some significant issues in relation to the provision of credit for low-income people who perhaps should not apply for credit cards; however, that is not the majority of the population. The majority of the population use credit cards responsibly and rely on them. Consumers are now comfortable buying travel services, such as air tickets or hotel rooms, directly from businesses online and with their credit cards. Consumers also access services from travel agencies controlled by overseas companies that are not covered by this existing regime.

I take up the point made by the member for Preston that travel can be a very large discretionary item of expenditure. I agree that it can; however, the cost of travel has massively decreased since the 1980s in a relative sense, and travel over significant distances could now be compared with the cost of whitegoods, given the complexity and cost of some whitegoods. It is completely realistic to compare the cost of whitegoods

and travel. A whole range of electronic equipment that people have is not covered by consumer protection schemes other than the protections offered by the ministry of consumer affairs and other legal protections. There is not a special compensation fund if somebody pays \$10 000 for electronic equipment. The opposition is arguing for travel to be treated differently from other goods of the same value.

There is an overlap at the moment between the current scheme and other regulatory controls and industry-led initiatives. As I indicated earlier, consumers are protected by general consumer and commercial law. Many travel agent businesses are also accredited by the International Air Transport Association. I think I have made the point: there are other protections in play, and the industry is changing. It is clear that the cost of the current scheme is much higher than the benefits to consumers. I refer members of the opposition to a PricewaterhouseCoopers report that found that compliance with the Travel Compensation Fund costs the industry \$19.3 million per annum — that is the cost of this particular regulatory regime — suggesting a high cost for comparatively little consumer benefit because the average payout to consumers was up to \$2 million per annum over a period of time. We have something of enormous cost — \$19.3 million — compared with payouts of \$2 million.

It is also apparent that there are competition implications with the current regimes. Travel agents are required to meet different regulatory standards when offering the exact same goods and services being sold by other businesses. Consumer affairs ministers have made the decision that the travel agents should be covered by the same regulatory protections.

The Australian Federation of Travel Agents is developing an accreditation scheme with the help of a \$2.8 million grant funded by the Travel Compensation Fund. The Australian Federation of Travel Agents is also encouraging the introduction of new insurance products to the Australian market. We are seeking a reform package. It is not just about the removal of one element; it is also the redistribution of that current package. I refer to the peak national export body for tourism, the Australian Tourism Export Council (ATEC). Its membership ranges from large national and multinational corporations in transport and accommodation to many small and medium-size tourism businesses throughout regional Australia. The council wrote a public submission to Consumer Affairs Victoria in 2012 and put the following points:

ATEC is fully supportive of the review of the current consumer protection system operating under the Travel

Compensation Fund (TCF) and the overall direction outlined in the travel industry transition plan. In particular ATEC recognises the inconsistencies in the current system in its application to various businesses across the tourism sector.

In ATEC's view the current system fails to support a 'level playing field' and places an unfair burden on some businesses which are carrying a significant financial burden for little benefit to either their business or the consumer.

With the strengthening of overall consumer protection laws across the states and territories in recent years, ATEC believes the TCF, and the protections it once offered, have now been largely superseded.

The government wishes to remove an outdated regulatory regime which does not recognise the way travel products are now purchased. It does not recognise the fact that many consumers are buying their products online and that many consumers are buying their products through credit card networks. When credit cards are used, there is protection for the consumer. It is the perspective of the majority of Australian governments that the industry costs of \$19.3 million per annum are a very high cost for very little benefit.

The government has indicated that it wishes to reduce the regulatory burden on businesses, and in terms of registration, travel agencies will benefit from this as well. The government wants to reduce red tape on business by 25 per cent in this term of office and the legislation before the house will contribute to that. While I recognise the good intentions of the member for Preston, he has not taken account of the changing nature of the travel business, the way consumers book travel these days, the national agreements on this issue or the fact that the scheme which was put together in the 1980s in response to some specific travel agency collapses is no longer relevant to the world today. The world has changed. We have the internet, we have credit cards and we have a different way of booking our travel. This bill recognises that the world has changed; it is a great shame that the opposition does not also.

The DEPUTY SPEAKER — Order! Before I call the member for Dandenong, I remind members that audible chatter is out of order in the chamber and ask that they show some respect to the member on their feet. I now call the member for Dandenong and ask members to show him the respect he deserves.

Mr PANDAZOPOULOS (Dandenong) — It is a pleasure to speak on the Travel Agents Repeal Bill 2013. The opposition has some concerns about the premature nature of some of the changes. As a former Minister for Tourism I am supportive of reducing the burden of unnecessary red tape on the travel sector and the tourism industry where it may be appropriate. My

concern with this bill is that it has come out of a Council of Australian Governments process on reducing red tape. There is nothing wrong with reducing red tape. The reality is that we all reduce red tape, but if government members want to sit there and say, 'We're going to reduce red tape more', then they are getting down to the thin edge of the wedge about what is being reduced.

The main focus of concern for the opposition is the Travel Compensation Fund and the reduction in consumer protection. I would rather trust CHOICE than conservative governments from around Australia on this issue. While the data tells us that two-thirds of people buy their travel online using credit cards, the fact is that one-third of people still go to travel agents. That is a massive market composed of people who are on some of the lowest incomes in Australia. We know from the data that those people who do not have, or who are less likely to have, a credit card are pensioners, migrants and low-income earners. We also know that the travel market is changing. You might be able to buy cheaper travel online than through travel agents but some people do not have access to the internet or online purchasing to do this.

In my electorate there are migrants who save money for a big trip to their country of birth — where they have not been for many years — to see their family or go to a niece's wedding or a relative's funeral. When the early bird flight deals come out, they contact the travel agent, who is often someone from a similar background. If you were to go to some of these travel agents in April or May, which is when the European and Mediterranean fares come out, you would see people who have just been to the bank and taken out thousands of dollars to pay for their trip. They totally trust the travel agent with their travel plans. These are the sorts of people who will lose consumer protection.

While there may only be \$2 million of claims a year, the Travel Compensation Fund is there so that the travel industry can deliver consumer protection. If that fund is closed, there is no doubt that in the future there will be more problems for those people who pay in cash. I do not want regulation just for the sake of regulation. The fact is that this is a reality for those people who pay cash in these transactions, and that is what pensioners and low-income earners do. They do not want credit cards, because they are concerned about them, not to mention the fact that every single travel agent imposes a surcharge of up to the 3 per cent on travel if someone chooses to pay for it by credit card. Some credit cards offer automatic travel insurance as part of being a member of their rewards scheme, but you pay for it — —

Ms Thomson interjected.

Mr PANDAZOPOULOS — Some of them do. For example, it is provided if you have a gold credit card, but you pay for it. Most cards do not have it. Those people who take a big trip every few years to go to a wedding or a funeral or something like that depend on their travel agency. Imagine what it would mean for those people if the travel agency should go bust? As members would know, there is a history of that in recent times. In such cases those people would have no protection.

We need to change our practices in line with what consumers want, but if we choose to just ignore one-third of them, I do not think that we are necessarily doing the industry any good. The reality is that under these provisions a consumer will now be told that if they have no consumer protection in Australia, they should start investigating purchasing it from somewhere where there is higher consumer protection. I can tell members that I would rather make my purchase from a European travel company because there is more consumer protection for travel under European union laws than in Australia. The same people who are complaining about people making overseas retail purchases online will soon be telling people to make overseas travel purchases online. That is going to hurt travel agencies.

The reality is that because we are reducing the barrier to entry there is no registration required — that is a question that needs to be debated; I do not necessarily think that it is inappropriate — and there will be a number of new entrants in the market which call themselves travel agents but which will have no history. At least I can go and pick a travel agent. I use certain travel agents regularly because I know they have a history and I can trust them. But there are a lot of other consumers who do not travel regularly — which we do as members of Parliament — who put their complete trust in the local travel agent that they are referred to at the local strip shopping centre. It is these people that the opposition is concerned about. That is why I believe these changes are premature and are simply driven by a need to be able to tick off the list how much red tape has been reduced rather than looking at how it benefits the industry.

The Travel Compensation Fund is going to be abolished, and a lot of the money in it will go to consolidated revenue. To assist those who support the travel industry I would have thought that rather than money going into consolidated revenue maybe that money should go — something we have not seen — to Tourism Australia to support tourism commissions in

the other states and to run a domestic tourism marketing campaign to support travel and tourism around Australia. I would rather see money go there than into consolidated revenue, which is what has generally happened.

In the racing industry money was taken out of its funds and returned to the industry because it was the body that generated that revenue. The same principle should apply to the Travel Compensation Fund. Let us support our tourism agencies around Australia to promote domestic travel. With the high Australian dollar, even though it is falling now, we see huge pressure from international buyers who are price sensitive. We should encourage people to travel around Australia. That would be a much more effective and reasonable use of travellers' money. It is their money in the Travel Compensation Fund, and it is simply going into consolidated revenue and no-one knows where it goes. The ministers have signed up to these reforms. We think this is just too hasty and that the job has not been done properly, because they are ignoring the most vulnerable people. I do not think there has been consultation with a number of affected groups.

What should we tell elderly people, migrants and working-class people to do about their planned travel now? I reckon there will be a great deal of uncertainty in the marketplace as a result of this measure. You go to a travel agent because you know there will be consumer protection. But it is not just about that relationship; it is not just about the transaction being price driven: it is more to do with consumer protection. Yes, we can all hunt around on the internet for lower prices or offshore travel agents and travel businesses, but at the end of the day if we do things that way we do not have the same level of certainty. Those businesses accept our money, but there is no guarantee that the service will be delivered. There is more confidence in the marketplace in using travel agents, and that is why low-income people use them and pay cash.

They are our concerns. The government is being too hasty in introducing this bill. If it is going to implement it then it should return the money to the travel industry. Consumer affairs ministers around the country will now have to start monitoring these new entrants into the marketplace. They will be new entrants with no history in Australia. They may prove to be good — we do not know — but if this bill goes through we need to have a process. Rather than just ticking the box for one additional red tape reduction let us put resources into monitoring what might happen with some of these new entrants.

I think we are going to have a lot more problems, and cannot necessarily measure the performance of agents because the measure of service delivery now is claims to the Travel Compensation Fund. By the time the media get onto some of the stories, time will have passed and meanwhile consumers are going to have lost literally thousands of dollars, because that is what it costs to travel overseas. To buy an airline ticket to travel in Europe during this European summer will cost two people at least \$4000 in cash. That is a lot of money in anyone's language. The things that are being bought most from travel agents are air fares. They are not travel packages, they are air fares. That is where the money is going and that is where people will be vulnerable if travel agents close.

Ms MILLER (Bentleigh) — Thank you, Deputy Speaker, and I congratulate you on your appointment. I rise to speak on the Travel Agents Repeal Bill 2013, and I first want to comment on the contribution by the member for Dandenong, who talked about the economic loss that would ensue if this bill is passed. We know that the coalition government is building a better Victoria, and we know that Labor cannot be trusted to manage Victoria's economy. It cannot be trusted to deliver on its infrastructure commitments, and it cannot be trusted to protect Victoria's building construction industry from militant unions.

Ms Thomson — On a point of order, Deputy Speaker, I understand wide-ranging debate, but I would have thought the member would have at least commenced speaking on the bill before the house before talking about the construction industry.

The DEPUTY SPEAKER — Order! I have heard enough. I believe the member for Bentleigh was coming to the bill.

Ms MILLER — Indeed I was, Deputy Speaker. The purpose of this bill is to repeal the Travel Agents Act 1986 and to provide, for a limited period, for the continued operation of the compensation scheme under that act. The bill also makes amendments to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998 consequent upon the repeal of the Travel Agents Act 1986. Subject to clause 2(2), this act will come into operation on a day to be proclaimed.

This bill makes consequential amendments to various Victorian acts which make reference to the Travel Agents Act 1986. The bill repeals and removes references to the Travel Agents Act in other Victorian legislation. It abolishes the practice of the Business Licensing Authority licensing agents, including the

requirement for agents to be members of the Travel Compensation Fund (TCF). It will also provide for the continuation of specific provisions relating to TCF operations. These provisions do not prescribe the content of the TCF, which was originally created by a deed of trust on 12 December 1986. The continuation of these provisions is required in order to align with the TCF termination date, which is currently stated to be either 31 December 2015 or as soon after 30 June 2015 as the TCF's obligations are met and the trust is wound up.

We have had some passionate debate about this bill, but we know that the way people travel today, not only in the Bentleigh electorate but in Victoria and around the world, has changed. The Travel Agents Act was introduced to Parliament in 1986, but things have changed now, because of technology. How we go about travelling, how we book it, how we experience it, how we pay for it has certainly changed. More importantly, it is actually a lot cheaper today to book a holiday than it was years ago.

Two-thirds of travel and travel-related expenditure is made without a travel agent, and those who make travel plans without the assistance of travel agents are not covered by the TCF and therefore will not be affected by this bill. In opposing this bill, the opposition has not taken into account that two-thirds of the population. I would have thought that members of this Parliament were representatives of the majority of Victorians rather than the minority.

There are approximately nine travel agents in the Bentleigh electorate, and that number includes Flight Centre, Jetset and Harvey World Travel, which is a large business that dominates the tourism industry.

The bill will repeal the Travel Agents Act 1986, and it will remove references to that act in other Victorian legislation. This will give effect to a recommendation of the national travel industry transition plan. The travel agents' licensing legislation will also be repealed. During the transitional period the TCF's board of trustees will continue to perform certain functions such as paying any claims for compensation made prior to the repeal of the legislation and undertaking any legal action necessary to recover those funds from the travel agents involved. The bill outlines the powers that will lapse on the TCF's termination date. This date is currently prescribed in the TCF's governing trust deed as 31 December 2015 or as soon after 30 June 2015 as the TCF trustees can meet all outstanding obligations.

We know that the financial burden the TCF imposes on the industry — currently somewhere between

\$19.3 million and \$25.3 million per annum — is of little benefit to the consumer. We know that opposition members do not understand money or the Victorian economy. This is a very important issue, because a lot of people today, particularly young people, like to travel the world. Many members have probably done that. We have all had big overseas backpacking holidays of some kind, but of course the way we booked those holidays was very different to the way it is done today. I have spoken to some of the travel agents in the Bentleigh electorate. They are very supportive of this legislation, and they look forward to it being passed by the house.

As I said, opposition members have not taken into account the bulk of people seeking to book travel and the costs that are incurred by them, and certainly that is not good enough, because Victorians deserve better. This government cares about Victorians and their financial welfare. This piece of legislation is about not only the issue of travel but also growing the economy. If we grow the economy, there will be more cash in the state of Victoria and of course that will lead to jobs. That is certainly something this government is passionate about, something it understands clearly and something members opposite do not really care about. Members opposite do not care about the welfare of Victorians, the economy or jobs. This piece of legislation is very important, and it is very disappointing that those opposite are not getting on board and supporting it.

As I said, I have spoken to several travel agents in my electorate. They all have similar stories — they have all talked about the changing ways in which people travel, where they travel to and the costs of travel. There has been an increase in the number of people travelling to destinations in the Asia-Pacific region. More people are starting to do cruises. Like most things, forms of travel and the destinations to which people travel go in and out of fashion.

This piece of legislation is certainly something that the travel agents in my electorate are looking forward to. Historically we have seen that those opposite do not understand small business or economics. The Travel Agents Repeal Bill 2013 is a small part of a greater picture. It will certainly help those who wish to travel today or in the future, and it will also help the tourism industry to further establish itself and allow it to expand in the future. This is a very important piece of legislation for small business.

The bill provides, for a limited period, for the continued operation of the compensation scheme under the act. It will give effect to a national travel industry plan that

was endorsed on 7 December 2012 by a majority of Australian ministers for consumer affairs and that recommended the deregulation of travel agents, promoting industry-led regulatory mechanisms to ensure the presence of good operators within the industry and reliance on remedies such as credit card chargebacks to address consumer loss. There has been talk about the use of credit cards and the impact their use can have on consumers when they purchase goods or services but do not actually receive them. Consumers should receive compensation for that.

This piece of legislation the government has put forward recognises current practices, and I strongly commend it to the house.

Ms THOMSON (Footscray) — I would like to congratulate you, Deputy Speaker, on your elevation to the position you now hold, and I am sorry that I have strayed from the bill in doing so.

I do not know where to start after the contribution of the member for Bentleigh. I remind people that the Travel Compensation Fund (TCF) is actually an insurance fund. It is an insurance policy against people going belly up. It has been used time and again and, as we heard from the member for Preston, it has been used in recent years.

The other things I want to deal with are issues around who relies on this fund and the fact that under this bill we are doing away with the licensing of travel agents. The opposition is opposed to this bill, not because it is opposed to reform of this industry but because it is concerned about the pace at which that reform should take place. We wish to consider the way it is done to ensure that consumers are protected — particularly the most vulnerable consumers — if we choose to deregulate this industry.

I can say that I was Minister for Consumer Affairs at a time when this was tried, and it was rejected.

Mr Newton-Brown — How'd that go?

Ms THOMSON — I just told you: it was rejected.

Mr Newton-Brown interjected.

The DEPUTY SPEAKER — Order! The member for Prahran will stop interjecting.

Ms THOMSON — The thing I would like to say about this is that people need to realise there are families who save up for years and years to be able to take that first family trip overseas. They do not pay on credit card because they do not want to pay the

surcharge that goes with that. They could be paying well over \$10 000; they may be looking for packages that also include accommodation. This is an expensive exercise for those families.

Yes, most of us would get online and book our airfares to go to Canberra, Sydney, Perth — wherever — but if we are looking for packages, most of us would still choose to go to a travel agent. For a more complex trip this saves us the trouble of having to search the internet, get the best prices and do all those sorts of things. It also provides the security of knowing that we are going to a licenced travel agent and that we have the protection of the TCF.

These are things we need to consider when we talk about deregulating this industry. If we are going to take away the registration of travel agents, should we not at least take some time to review how that might work? Should we not take some time to think about what real compensation or avenues people might have if the TCF were not there? These are things we need to think about.

It was not so long ago in the memories of most of us that airlines were going belly up. Everyone in this room can probably remember the Ansett debacle. All you need is a change in economic circumstances for another major provider of travel services to go belly up. There is no protection for consumers. I tell you now: if you are on a basic credit card, you are not going to be helped by that credit agency in chasing down that money; it is just not going to happen. It will be lost, and it will be lost to those families who are most vulnerable and can least afford it. There could be families still stranded as a consequence of this.

We need to think very carefully. We are not opposed to having a look at this —

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

Ms THOMSON — Before the dinner break I was talking about the importance of being cautious about changes that may affect the most vulnerable in our community and the need to ensure that we have mechanisms in place to review changes so they have the effect we want. Reference was made to the CHOICE submission to the review of consumer protection in the travel industry. The one recommendation it made was that a national travel consumer advocacy centre be established. I have not heard anything that suggests that will occur. We have nowhere where consumers can go when they have a problem with a travel agent or a problem with some service provider collapsing and then not being able to

complete or fulfil the rest of their trip. There is an assumption of a certain level of knowledge and understanding, of language level and confidence. Not everyone has the education level, confidence level or language level to be able to confront such situations when they have a problem. We are making it much harder for these people to be able to activate and get redress if they find that their trip cannot take place because an agency goes down or one of the wholesale components of that trip goes bankrupt or runs off with their money.

In opposing this bill the Labor Party wants to make clear that it is not opposed to change. The question is not whether or not we change and adapt to circumstance. That is not the issue. Yes, a lot of members in this chamber are very confident about organising their travel arrangements online and looking for a bargain deal, but we are not the average Victorian. We are in a much more luxurious position than a lot of Victorians who would not know how to book an airline ticket or get that package deal if they did not go to a travel agent.

All of a sudden we are taking away all the assurances they had: firstly, that the travel agents are licensed, and secondly, that they can rely on the Travel Compensation Fund should something go wrong. Do not be mistaken: not all credit cards give you the luxury of getting redress if something goes wrong. People need to be conscious of that fact. For members to sit in this chamber and assert that two-thirds of the population are online is a furphy of an argument, because the one-third who are not online have relied on this legislation and this assurance, and it makes them feel more confident about travelling.

I want to tackle the issue that more people are travelling. That is true: a lot more people are travelling now. That is why it is even more important to consider those on low incomes who are saving up money each week so that they can have that trip with their family because they can now possibly afford to; it is a dream they can actually reach. They may take years saving up that money to travel. They have gone to the travel agent and paid in cash or by cheque for the once-in-a-lifetime trip. It might be to go and see family overseas. It might be to take their kids to Disneyland. They rely on that travel agent and they rely on the fact that that travel agent is regulated. They rely on the fact that there is a TCF to rely on.

Whilst we accept that the world is changing and the way people access travel arrangements is changing, we should be a little more cautious about how we deregulate this industry and what protections should or

should not be in place for those consumers who desperately want to be able to go to a travel agent and be guaranteed that their trip will happen and that it will happen without incident.

Whilst we on this side accept that change needs to occur, the question is: what is the change? What are the protections that are in place? What is the rate of change? How are we ensuring that consumers are protected? Do we have a national advocacy body, as CHOICE suggested? We do not. There are no guarantees for consumers in this piece of legislation. As members of Parliament our role is to look after the most vulnerable in our community. We are not ready for these drastic changes at this point in time. We should be more cautious. We should be certain that we have mechanisms in place to protect the most vulnerable consumers, and at the very least we should have a national body of advocacy for consumers when they travel. I support CHOICE's suggestion, and I oppose this legislation.

Mr NORTHE (Morwell) — Once again, Deputy Speaker, congratulations on your appointment to high office. I am sure you will undertake your duties with aplomb; there is no doubt about that.

Opposition members seem to be suggesting that this bill heralds the demise of travel agents in Victoria and that there will be no consumer protection under this legislation. That is not factual, and I am happy to debate some of the points that opposition members have raised during the course of this debate.

Firstly, I will point out the purpose of the bill. Primarily it will repeal the Travel Agents Act 1986, although it provides for the continued operation for a limited period of time of the compensation scheme that exists under that act. It also makes a number of amendments to other acts that are consequential upon the repeal of the Travel Agents Act.

I will quickly talk about the way consumers make their travel arrangements in the contemporary world. They have changed, there is no doubt about that, and I will relate a story that gives a local perspective to that change. In the *Herald Sun* of 23 January there was a report on the humble Morwell Motel, which has been crowned the most popular bargain hotel in Australia on the TripAdvisor travel website. People not only book their travel arrangements through such sites but they are able to provide recommendations. Anthony Mayer and Grant Maddern have done a fabulous job with the Morwell Motel. It was also voted the second-best small hotel in Australia, which is an amazing achievement for

a couple who have been in those premises for only a relatively short period of time.

When we are talking about travel and tourism it is clear that we have some great tourism bodies in Gippsland, whether it be Destination Gippsland, the Latrobe City Business Tourism Association or others. They do a great job in ensuring that people come to our wonderful region. But I highlight the story about the Morwell Motel because the owners have an online booking system and they have had accolades bestowed upon them through the use of technology and other means, so it is an important part of the debate on the bill we are talking about today. I have younger children — Tim, Matthew and Thomas. They have not travelled a lot, I must confess. Matthew was problematic being the middle child, but I am sure that over time he will travel. It is about making sure that they have the ability to book their travel and accommodation in the future.

With this legislation we are implementing recommendations made in the national travel industry transition plan. The plan did not come about at the drop of a hat. There have been two public consultations and two cost-benefit analyses as a result of that plan and obviously there has been a lot of industry input. In his contribution the member for Preston referred to Western Australia as perhaps opting out of the plan. But I think he needs to look at the most recent contribution from Western Australia, which indicates it is actually opting in. So whether it is Western Australia or Queensland or New South Wales or Victoria, all the jurisdictions across our great nation are looking at implementing this plan. I do not understand the logic of the arguments put by opposition members in opposing the bill. They just do not make sense.

The regulation of travel agents has been in place since 1986. As you know, Deputy Speaker, because you are very good with numbers, that was a long time ago. In a contemporary world it is important that the regulation of the industry and the industry itself are updated to meet the needs of consumers. The initial purpose in having a national scheme was to have some consistency. It ensured that agents were licensed and would become members of the Travel Compensation Fund. The intent was twofold: one, to make sure that the financial position of agents was monitored, and two, that there was compensation for consumers if agents failed to pay for travel or a travel-related provider on their behalf.

As I said, the industry has evolved, and consumers have evolved. We do things differently these days. In a sense we are not so reliant upon the fund in a world where although we do use travel agents, and they do have a

future, at the same time a lot of travellers now make their own arrangements, and that is the point being made with respect to the bill.

The Minister for Innovation, Services and Small Business, who is also the Minister for Tourism and Major Events, quite rightly made the point in her contribution that some studies have been undertaken to determine the compliance costs associated with the fund. In 2011 PricewaterhouseCoopers noted that there was a \$19.1 million cost to industry. In 2012 KPMG noted that there was an \$18.4 million cost to industry. Once you have such massive overheads with little input from consumers something has to give.

This government has said very strongly on many occasions that where we can reduce red tape, we will do so. That is a benefit to consumers and to business, and it represents some of the positives of the bill before us today. When you are talking about positives, you also have duplication of some existing regulations. Whether it is a publicly listed company or an incorporated body, it is already subject to a number of financial and regulatory controls. Therefore it makes sense that you remove that duplication, remove that burden and make sure that we have a more simplistic model available to one and all.

The transition plan has two key changes to be achieved by the end of 2015. The first is the removal of the fund's prudential supervision function, which will lead to the eventual closure of the fund itself. The second is the repeal of the travel agents licensing legislation by 1 July. As I noted earlier, it is important that certain provisions be retained for a limited time. A couple of examples are the minister's original powers to declare the fund an improved compensation scheme, and there is still the right to appeal any compensation decision of the fund itself. These provisions are retained until the fund's termination date, which it is proposed will be 31 December 2015 or as soon after 30 June 2015 as those obligations are met and the fund has been closed.

I turn now to some of the fund's consumer protection provisions. It is important that we know about these as there seems to be some suggestion that those consumer protections were removed holus bolus. I will mention a couple of things here. From the fund \$2.8 million has been allocated to assist the Australian Federation of Travel Agents (AFTA) in its endeavours. As has been articulated in the second-reading speech, the prospect has also been courted with International Passenger Protection — which is a UK-based insurer — to cover defaults both by travel agents and suppliers. From a consumer perspective, we are establishing a fund — when I say 'we', I mean they — and the fund will have

grant money to create a consumer voice. There has been some conversation from the opposition about the CHOICE organisation's opposition to this. CHOICE is involved in discussions to make sure that consumers have a voice, so there will be research and advocacy and that will empower consumers who transact in an international industry.

When you talk about protection for agents and consumers, there seems to be some suggestion that the current fund protects against business collapse. That is not correct. In fact in 2012 Kumuka, a worldwide travel wholesaler, had a collapse. It was a global business, but it fell over; so you cannot use that as an excuse. However, we have things such as the Australian Consumer Law, existing company laws, industry-led regulatory mechanisms, credit card chargebacks and a voluntary insurance accreditation scheme by AFTA. A whole range of measures are in place to ensure there are ongoing protections.

Mr HOWARD (Ballarat East) — Thank you, Deputy Speaker. It is a nice change to be able to address you as the Deputy Speaker. I congratulate you on your elevation to this significant role.

In regard to the legislation that is before us tonight, I along with other members on this side of the house speak in opposition to the Travel Agents Repeal Bill 2013. We have several concerns with regard to the legislation. As members on both sides of the house have already said, this legislation comes about with a view to ensuring that we provide a national scheme for the way travel agents are regulated around the state. It also recognises that travel has changed. The way people make their travel bookings has changed very significantly over recent years with the advent of the internet and people being able to make a lot of bookings online. We recognise that.

As somebody who has travelled quite a lot over the years — more so before I came into Parliament than since I came into Parliament — I have to say that I have appreciated being able to use my Ballarat travel agent to help me with making my airline bookings. However, I have found in recent years that I have tended to use my travel agent less and less. I have found it is useful to be able to look online and find that there are ways of even comparing airline bookings through the internet. When looking at accommodation, the use of Booking.com, Agoda.com and other providers of information about booking certainly has made booking easier.

I have to admit that I am the sort of traveller who likes simply to travel to a destination and perhaps have the

first accommodation place booked for me. At least then I know that if I am arriving in a country late at night, I have my first night's accommodation booked. But once I get to a country I like to go looking around the town to find out for myself what I think are the best places to stay at the most reasonable rates and so on, so I rarely even use those accommodation providers online. However, as I have said, I have appreciated using the one travel agent that I have found has been very helpful, supportive and able to get back to me with lots of useful information. It is nice to be able to know that I can trust a travel agent. Many others who perhaps are less adventurous than myself like to go to a travel agent, book up their whole trip and know that when they get on their first flight they are going to be able to rely on the bookings that their travel agent has made both in terms of the flights, accommodation at the other end, transfers to and from accommodation and so on, or booking a cruise — that everything is looked after.

The existing legislation, which is being repealed, recognises that over the years a number of people who have paid a lot of money for their travel arrangements have found their travel agents have gone into liquidation and that they have therefore lost all their money and been left at the whims of those travel agents. A central feature of the principal act that people know about these days is that if there is a problem with a travel firm going bust, people who have paid for various aspects of overseas travel — for their cruises and whatever — are covered by the existence of the Travel Compensation Fund into which all travel agents have to pay some of the money they get from fees.

The Travel Compensation Fund also has a role in ensuring that the various travel firms are being overseen from a financial point of view so that the community knows they are sound and not likely to go bankrupt and are likely to follow through with providing travellers with the various forms of travel they have paid for.

The system as we have it at the moment is very sound and very reliable. Travel agents have of course pointed out that it is somewhat expensive for them to pay into the Travel Compensation Fund. They point out quite rightly that they are getting less and less travel business because more and more people are booking their travel arrangements directly online. What this government and governments across Australia have therefore done is to have a meeting and to say, 'We need to nationalise the scheme. The compensation fund is expensive, so we are going to do away with it'. They are doing away with the mandatory regulation of travel agents and instead having travel agents setting up their own schemes, with the Australian Federation of Travel Agents (AFTA) providing some support for some travel

agents, although not all travel agents will have to be AFTA members. So we are going to have a system in place that leaves a number of travellers pretty vulnerable, meaning they can still have their fingers burnt.

Yes, we hear from the government and we read in this legislation that there are lots of schemes in place through consumer affairs that will provide protection and that paying via credit card will provide protection, but this side of the house is not convinced that those new forms of protection will be reliable and sound. We are not convinced that a number of people who cannot afford to lose their money will not still book holidays and find they have lost their money because their travel agent was not part of AFTA or was not part of a relevant scheme, or because it had not been mandated that they be part of the scheme they had fallen out of it.

This side of the house is therefore very concerned about that. We want to see all people being protected when they book their travel arrangements, meaning people will know that when they go into a travel agency they do not have to look and see whether the agent is part of AFTA or part of some other protected scheme or has perhaps decided to go it alone, because if those people do end up finding that some aspects of their travel have not been paid for and they have been left high and dry, they do not need to go through consumer affairs or other difficult and less reliable forms of redress; instead they can rely on the holiday arrangements and the agent they have booked them through. So we are concerned about what is being put in place.

We have heard from other members on this side of the house that stakeholders such as CHOICE are opposed to the abolition of the Travel Compensation Fund. CHOICE says there is reason — and we accept there might be reason — to reform that fund and change the way it operates, but we still think that those arrangements, and even credit card chargebacks, are not reliable and that the only way to ensure that all people who go to a travel agent can be assured they will get what they paid for or be supported if arrangements fall through is to have a mandatory system where all travel agents have to have insurance through a compensation fund. CHOICE raises a range of concerns in its submission, which was a significant submission of over 21 pages. Others have also expressed concerns to the Labor Party. We believe this legislation is significantly flawed.

As I have said, I have enjoyed the travelling I have done. I am confident that if I use a travel agent, I am going to be able to rely on that travel agent. I am also satisfied that any bookings I do over the internet will be

made in small components and will not expose me unnecessarily. Of course I am also a person who is able to use my credit card to make those bookings. However, it is a matter of ensuring that all people who look to travel and who have that dream set before them when they look at advertisements will be able to rely on the travel arrangements they pay for and will be appropriately supported. We oppose this bill.

Mr LIM (Clayton) — I would like to humbly join the chorus being sung in praise of you, Deputy Speaker, in relation to your elevation to your new office. It is just so pleasing to see your beaming smile coming from that chair. I know I can expect tolerance, understanding and expediency on your part in allowing for wide and far-reaching discussion on the bill.

This bill is a real let-down. Before I go into detail, I note that on our side of the chamber we are very disappointed and that we oppose the bill. The shadow Minister for Consumer Affairs, the member for Preston, has elaborated quite eloquently the various aspects of why we oppose the bill.

I will start by looking at what the bill seeks to do. Apparently the bill is intended to repeal the Travel Agents Act 1986 and to provide a limited period for the continued operation of the compensation scheme, the Travel Compensation Fund (TCF). Importantly the bill makes a consequential amendment to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998. Consequently from 1 July 2014 Victorian travel agents will no longer have to be licensed. This applies an agreement reached in December 2012 amongst a majority of state and commonwealth ministers for consumer affairs to implement a travel industry transition plan to abolish the National Co-operative Scheme for the Uniform Regulation of Travel Agents, thereby removing the requirement for travel agents to be licensed by 1 July 2014 and closing the Travel Compensation Fund, which is the most worrying aspect of this bill.

Apparently the national reforms will occur in four phases: from 1 July 2014 travel agents will not be required to lodge annual financial returns to the TCF; travel agents legislation will be repealed by 30 June 2014; a voluntary accreditation scheme will be introduced; and TCF will be closed by mid to late 2015, with final payments being made for any consumer claims by 30 June 2015. But — surprise, surprise! — Western Australia and South Australia did not support the abolition of the TCF, and both have signed the variation to the trust deed of the TCF. I heard the objection made by a member opposite to the trust deed of the TCF.

The national scheme commenced in 1986 and has regulated agents who make travel-related arrangements as intermediaries. The national scheme required jurisdictions to enact uniform legislation requiring travel agents to be licensed and for those agents to become and remain members of the Travel Compensation Fund.

Let us look at the government's rationale for introducing this bill and its members' decision to abolish the national scheme. Members of the government believe that fewer and fewer consumers are eligible to access the TCF because the rise of online commerce has reduced consumers' reliance on travel agents. Two-thirds of travel and travel-related expenditure is now made without reliance on travel agents, and this is predicted to increase further and is considered to be a good enough reason to abandon one-third of consumers; apparently they can all go to hell.

Earlier in the debate we heard from the member for Dandenong — probably one of the best ministers for tourism we have ever had in this state. He eloquently advocated on behalf of the migrant community — people who have limited English language skills and limited ability to negotiate the system and use the internet. These people have their own way of paying for services, including paying cash directly to a travel agent. When travel businesses fail, these people are the ones who suffer the consequences of this government's neglect. Government members may think that times are changing, but it appears to me that what is happening is that change is being made for the sake of change and with no consideration of one-third of consumers.

The second rationale for this bill is that the travel agent market is dominated by a small group of large companies that are subject to financial controls under laws of general application and other industry-led mechanisms, such as the new voluntary accreditation scheme offering insurance products to be administered by the Australian Federation of Travel Agents.

The third rationale for this bill is that, under Australian Consumer Law and existing company laws, remedies such as credit card chargebacks and voluntary insolvency insurance products provide sufficient regulation of travel agents and consumer protections. We on this side of the house believe that is not good enough.

I only have to refer to CHOICE to show this. Whether rich and knowledgeable or poor, members on this side of the house all believe what CHOICE says and advocates, and I believe most of the people on the other

side of the house are the same. Before buying any particular investment product, they would consult the CHOICE website. CHOICE has a lot to say about this bill and does not agree with what the government has come up with.

CHOICE has argued that the chargeback protection is a piecemeal replacement for a compensation scheme because not everyone pays for services with a credit card and that it is wrong for governments to promote high-cost debt payments as a form of mainstream consumer protection. That should be enough for members of the government to step back and examine this whole process. CHOICE argues that existing travel insurance products do not cover the insolvency of travel agents. We have all seen examples of some travel agents becoming insolvent, including some in my electorate.

In the limited time remaining to me I will turn to why those on this side of the house oppose this bill. This bill throws the baby out with the bathwater and puts at risk important consumer protections. The government failed to explain why a mandatory accreditation scheme would not have provided better protection for consumers. It also failed to explain where it will direct people for compensation next time a travel company fails, recognising that one-third of travel expenditure is still done through agents, often for very expensive holidays. The government also failed to explain how small consumers would be able to finance complex insolvency actions against professional indemnity insurers under the Australian Consumer Law 2012. In particular the government has not been able to explain why the TCF should be closed down ahead of the industry's accreditation scheme proving its worth to consumers. Most importantly the government has failed to explain why there is no need for an independent consumer complaints scheme.

For all these reasons it is an understatement to say that the government needs to step back and look at itself properly. One-third of consumers will be affected by this bill. We on this side of the house have made a strong and compassionate case, providing compelling reasons why the government must withdraw the bill.

Mr CARBINES (Ivanhoe) — Before speaking on the Travel Agents Repeal Bill 2013, I take this opportunity to congratulate you, Deputy Speaker, on your election to your new position. I am sure the people of Rodney will be pleased to hear about your elevation to your office of responsibility. I am pleased to acknowledge that in the house this evening before making my contribution on the bill.

I start by acknowledging one of the reasons people in our community seek to use travel agents: they rely on the confidence and capacity of others to assist them by providing advice to them and making travel arrangements for them in the full knowledge and hope that they are protected under consumer laws — under the Travel Agents Act 1986 — enacted to look out for their interests. At times people also choose to use travel agents because they are expending significant funds on holidays or business trips and they want to make sure they are doing so prudently and getting the best value. They make this choice because while using a travel agent may cost more, they feel that using a professional organisation with consumer protections means that perhaps better decisions are made by those in the profession than they would make on their own, especially significant financial decisions.

That goes to some of the issues and concerns the Labor Party has in relation to the bill, and in particular to the repeal of the Travel Agents Act 1986 and the savings provisions by part 2 of the bill. I note that page 2 of the explanatory memorandum refers to the repeal of the Travel Agents Act 1986 by clause 3 and says:

This effectively removes the need for travel agents to be licensed, and all matters relevant to this requirement.

The Labor Party has significant concerns with some of those matters.

I turn to the statement of compatibility and second-reading speech. The Minister for Consumer Affairs noted in the second-reading speech:

It is now estimated that two-thirds of travel and travel-related expenditure — or \$18 billion out of \$27 billion — is now made without relying on a travel agent. Growth forecasts predict that this trend is likely to continue.

Given that \$18 billion out of \$27 billion in expenditure is now made without relying on a travel agent that leaves some \$9 billion — a significant expenditure of funds in the Victorian community — which requires oversight and community and consumer protections so that the people of Victoria can have some confidence that those matters will be dealt with under the law. That is a significant amount of funds in the Victorian community that should be policed and managed appropriately to ensure that there is significant and available redress under the law for those who invest their funds through travel agents. The Labor Party is concerned that the bill does not continue to ensure the rights and protections of consumers investing in and using the services of travel agents and the compensation that is available remain.

I take people to comments made by the CHOICE organisation, the people's watchdog, in relation to these matters. CHOICE as a nationwide consumer advocate organisation has the great respect of the community generally. It has provided great independent advocacy by presenting its views to governments past and present on different organisations without fear or favour. It has provided advice to many Australian consumers, including Victorians, informing them about their expenditure, the decisions they make about the goods they purchase and the organisations they invest in for service provision. CHOICE is one of those iconic organisations, much like Archicentre and others, which has great credibility in and provides a great service to the community.

CHOICE made a submission to the draft travel industry transition plan in October 2012. The submission relates to a number of the changes that are being put forward in this repeal bill that have been determined across a range of states and jurisdictions that have led us to this point. There is some discussion in the CHOICE submission of the decisions that were made across jurisdictions and in ministerial council meetings that have led to this bill being brought in. On page 4, the executive summary states:

CHOICE also believes that the best option for consumer protection against travel agent insolvency is to reform the TCF —

Travel Compensation Fund —

to make it more relevant in the current market while retaining its role as a compensator and prudential regulator.

The submission goes on to touch on some of the concerns CHOICE has with the remedies and suggestions that have been put forward through the bill to try to address those matters on behalf of consumers.

One of the options put forward by the government is the chargeback scheme. In explaining that scheme CHOICE indicated that the chargeback offered by certain credit card providers provided a relatively simple means by which consumers can protect themselves from risk, but in its submission CHOICE indicated:

... we believe that chargebacks do not provide adequate consumer protection and will certainly not result in 'enhanced consumer protection' because:

making travel payments by credit card is becoming less, not more, popular;

not all cards offer chargebacks;

chargeback is still not well known amongst consumers ...

We need to ensure that in the government's rush to find reasons to reduce red tape the rights of consumers and the rights of Victorians to redress and compensation under the law are not diminished. That is not the role of, and should not be the motivator of, a reduction in red tape. Reducing the rights of consumers and the responsibilities of service providers is not a reduction in red tape that is supported by the Labor Party.

We note that in this bill the government proposes that from July next year travel agents will no longer be required to be licensed and that these natural reforms and the phases in which they will occur mean that from July last year travel agents will not be required to lodge annual financial returns. Travel agent legislation will be repealed this year, and there will be the introduction of a voluntary industry accreditation scheme. I have seen the operation of many voluntary accreditation schemes across a range of sectors under a range of governments, and I have been less than satisfied with the way in which they have operated and been enforced, policed or held accountable by the government of the day.

There has been a failure by this government to explain where it will direct people for compensation next time a travel company fails. Recognising that one-third of travel expenditure still takes place through agents, that is some \$9 billion being spent, often on very expensive holidays. Victorian families often save throughout the year for their one opportunity to get away and have a holiday. They often go through a travel agent not because they do not have the time or expertise to organise that holiday directly themselves but because of the protection that they, as consumers, are offered under the Victorian law. They go through those travel agents because of the agents' professionalism and because they want some security and professionalism in dealings relating to the investment they will make and because of the redress they have under the law. They are concerned that those opportunities will no longer be available to them if these changes under law are passed by the government.

The government has not explained why the Travel Compensation Fund should be closed down ahead of the industry accreditation scheme proving its worth to customers. Where is the opportunity to address and reassess whether what the government proposes works and whether the voluntary accreditation systems will be successful? Why can we not continue to have a TCF that provides protection for consumers while we assess the true value, compassion and result of what the government has proposed? There has not been an explanation by the government for why there is no need for an independent consumer complaints scheme. These

are questions that we hope the government will address in the ongoing debate on this bill.

Many Victorians invest significant sums of money in travel, and they hand over that money to travel agents. They deserve to have the consumer protections the government seeks to take away under this repeal bill.

Ms GARRETT (Brunswick) — Thank you, Deputy Speaker, and congratulations on your elevation to the Deputy Speaker role. I am certain you will discharge your duties with the impartiality and skill that we have known you to possess.

It is a pleasure to rise to speak on the Travel Agents Repeal Bill 2013. As many of my colleagues have already pointed out and made clear, Labor opposes this bill. It does so because it believes that at the heart of any legislative response in the area of consumer affairs should be the issue of consumer protection. This bill fails that test.

At this time it is important to acknowledge the hard work of the shadow minister responsible for this bill, the member for Preston. He is known in our show as extraordinarily forensic; his attention to detail is renowned. He has examined every corner of this proposed legislative response and provided very clear direction for the Labor caucus as to why this bill should not be supported by the opposition.

When we consider this bill and when we consider the fundamental and critical nature of consumer protection, the devastation for consumers in this area cannot be understated. When things go wrong in this space, they go very, very wrong. Hardworking men and women who save, often for months and years, for holidays for themselves and their families expect — indeed quite rightly demand — that they should be able to enjoy the fruits of their labour. Removing consumer protections means that those hardworking men and women are at risk of losing not just their money but also their effort, their hopes and their dreams along with the hopes and dreams of their families. Frankly, it is a thoughtless and careless approach from what has been a demonstrably thoughtless and careless Napthine government.

As we have heard, the bill seeks to do a range of things. It applies to an agreement reached in December 2012 amongst state and commonwealth ministers, or a majority thereof, to abolish the cooperative scheme for the uniform regulation of travel agents, thereby removing a range of requirements from travel agents. It seeks to abolish a national scheme which commenced in 1986 and which has regulated intermediary agents who make travel-related arrangements for travel

consumers. As we have also heard, the national scheme requires travel agents to be licensed and to be ongoing members of the Travel Compensation Fund. For the state government to wind this back requires very good cause.

The government's stated rationale for introducing this legislation is based on a number of issues, including the fact that the rise in bookings made online has led to a significant reduction in the use of travel agents and therefore a reduction in the number of people who are able to access the Travel Compensation Fund; that other regulations — including existing company laws, voluntary insurance products and credit card chargebacks — provide enough protection for consumers, according to the government; that the travel agent market is dominated by a small number of big companies which are subject to a range of existing controls; and that, also according to the government, the new voluntary accreditation system, which is to be led by industry, will be sufficient to cover the range of consumers who rely on travel agents to book their holidays.

We have heard, most notably from our lead speaker, the member for Preston, that key stakeholders, including CHOICE, have expressed considerable concerns about this bill. The major issues highlighted by CHOICE include that the bill is a piecemeal response and is not an appropriate replacement for a compulsory compensation scheme because, for example, not everyone uses their credit card to pay for their holidays online. It is also of concern, according to CHOICE, that the government is imposing a system that promotes high cost debt payments through the form of credit cards, that existing products do not cover travel agents' insolvency and, most importantly — and I think the house should reflect on this — that there is no certainty, would you believe, that such coverage will emerge if the fund is abolished.

As the member for Evelyn assumes the Chair, I will just pause to place on the record my congratulations on her elevation to the role of Speaker. I will return to the bill. As the member for Dandenong quite rightly pointed out during his contribution, many migrants use travel agents on a regular basis to book their trips overseas. This is also particularly relevant to my electorate of Brunswick as well as that of Richmond. The member for Dandenong spoke about migrants going to the bank to take out money before visiting their travel agents, and doing this over many years. These people will be left terribly exposed by the changes proposed by this legislation. As the member for Ivanhoe pointed out, we know that a voluntary scheme will not provide consumers with the protection they deserve.

In CHOICE's submission to the government's draft plan on this matter, it argues very strongly — and those opposite should take note — that in its view the proposed changes are likely to leave travellers out of pocket and fall well short of the government's stated commitment to enhance consumer protection. Labor shares the deep and well-considered concerns of the highly respected consumer advocacy group CHOICE. We believe that this bill and the scheme it introduces will hurt consumers, particularly the many who cannot or do not want to rely on using credit cards to make bookings online.

We know — and the member for Prahran also knows this through the government's own figures — that about one-third of all travel expenditure is still made through travel agents and that a huge number of people rely on a robust regulatory system to make sure that travel agents are doing their jobs properly and that in the case of insolvency there is some recourse.

Why are we not surprised that the government has failed to properly articulate a message about or articulate how this substantial group of consumers will be protected with the abolition of the mandatory accreditation scheme? Unsurprisingly the government has failed to demonstrate how small consumers — particular those on the lower end of the economic scale, and we do hope that the Napthine government will recognise them at some point — will be able to finance or launch insolvency actions under the complex web of existing insolvency legislation regulation. Those in the house may or may not know that I was formerly a lawyer —

Mr Wynne — Oh, really?

Ms GARRETT — I say to the member for Richmond that, yes, I was a lawyer. I know the complexity of navigating a system when you are a small punter who has been done over or lost money at a very low scale — it is very hard to navigate that system. The member for Prahran will know how hard it is to navigate the system. The loss of your holiday, for which you have saved so hard for your family to enjoy, is so keenly felt. The loss is huge when you consider what you would have to do to go forward and prosecute.

There has been no proper explanation from the government — again, why are we not surprised? — of why the Travel Compensation Fund should be abolished. Once again the government has failed to demonstrate why it is necessary to not have an independent consumer complaints system.

In summary, Labor does not oppose this bill lightly. It understands that times have changed; it understands that the ways people navigate their social and leisure times have changed. But they have not changed to the extent that a significant number of people do not still need the protections provided by the Travel Compensation Fund and the regulatory system, because the losses from rogue agents are great if there is a problem. They will be far greater if this government fails to properly assess the situation or consult and quite frankly fails to properly protect the consumers of this state. Labor opposes this bill and does so with pride.

Ms KANIS (Melbourne) — Thank you, Speaker. May I congratulate you on your appointment to the position of Speaker today and wish you all the best in the role. This bill seeks to repeal the Travel Agents Act 1986 and to provide, for a limited period, for the continued operation of the compensation scheme under that act and make some consequential amendments to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998. Labor opposes this bill.

In illustrating some of the reasons Labor opposes this bill, I would like to share a personal story and also the story of some people who came through my electorate office fairly recently. First of all it is personal story about one of my first ever travel experiences in booking a trip overseas. I was fairly young, and unfortunately I booked that trip through a travel agent who was not reputable. I was in London at the time, and I waited and waited for my tickets to arrive in the mail. Lo and behold, those tickets did not arrive.

As a young person on a limited budget the loss of those tickets was devastating for me and my holiday. I was quite fortunate at the time because I had some family support in London, which meant that I was not left without any funds to continue my trip, but I sometimes think about what might have happened had that not been the case. Unfortunately at the time I did not have the benefit of a compensation fund such as the one we have in Victoria. This bill underestimates the proportion of savings that someone spends on booking overseas travel as well as the potential consequences of the loss of those funds.

In the electorate of Melbourne there are a number of people who suffer financial difficulty, and there are a number of financial counsellors in the area who have more clients than they can deal with because people get themselves into trouble, particularly with credit card debt. Those financial counsellors spend a lot of time trying to encourage people not to rely on credit cards to pay for important expenditure. They encourage people

to save and pay cash for important purchases because they then have much greater control over their funds and do not have exposure to the high interest rates of credit cards. This is because we know that often when you put something on your credit card with the very good intention of paying the balance at the end of the month, that does not always occur.

This bill appears to assume that everyone who pays for travel in Victoria will be paying by credit card and therefore will benefit from some of the guarantees one gets from paying by credit card. But what we know is that credit cards are not the way to finance major expenditure, particularly major leisure expenditure. In the seat of Melbourne we are trying to encourage people to save and pay cash for such things. However, if this bill passes and becomes law and someone takes the advice of their financial counsellor and pays cash for their holiday and then their travel agent becomes insolvent, they will no longer have the benefits and guarantees of the Travel Compensation Fund.

The tragedy is that this bill assumes that everyone is able to manage their finances, but unfortunately that is not the case. What we really need to be doing is making sure that people are living within their means and that people who choose to pay cash, something we are encouraging people to do, will have the benefit of some sort of insurance if the travel agent they use goes broke.

I have been a great user of travel agents as a result of the experience I outlined earlier of having had a holiday that did not go right. About four years ago I needed to cancel a holiday I had booked because of family illness, and the expertise of our travel agent in dealing with all the incidental worries of cancelling a holiday was invaluable. Even though a lot of people use direct bookings for their holidays — and the statistics are, I think, that two-thirds of holidays are booked directly — we cannot underestimate the importance of travel agents and protection for consumers who use travel agents.

Labor therefore opposes this legislation, and I echo the comments made by the member for Brunswick in thanking the member for Preston for his forensic and detailed analysis of the bill. In our view this bill reduces consumer protection, and that is not something we can support at a time when consumer protection is very important. Labor opposes this bill because we think it is very important that consumers continue to have protections. While some of us travel quite freely and easily, there are a number of people for whom an overseas holiday or even a local holiday is one of the most important expenditures of their retirement or indeed their lives. These people must be protected from

travel agents that unfortunately fail financially. We believe it is important that those protections remain.

Ms GREEN (Yan Yean) — I take pleasure in joining the debate on the Travel Agents Repeal Bill 2013. Labor members have always stood up for the rights of consumers, but standing up for the rights of consumers does not always mean you are in support of greater red tape for business. The reasons Labor opposes this bill, which the member for Preston and other speakers have outlined, are because of concern for small businesses as well as consumers, particularly disadvantaged consumers.

In the early 1990s I had the privilege of working in the former ministry of consumer affairs. I worked on a number of inquiries and programs that related specifically to disadvantaged consumers, particularly people from non-English-speaking backgrounds and young people. Maybe those on the government benches who have attained high office have forgotten about people from non-English-speaking backgrounds. They may want to leave behind any vestige of relating to non-English-speaking communities or they may wish to forget about young people, but those of us on this side of the house understand that disadvantaged consumers are much more likely to use cash for their purchases and therefore are more likely to be disadvantaged by this legislation.

I use travel agents all the time. I do not travel often, but when I do I find it much more convenient to have an agent do the work for me. Darebin Travel in Diamond Creek, which is owned by Andrew Gillard, is a fantastic agency. I recently met Deepak Chettri, who operates a home-based travel agency in Doreen named Travel Desk International. The government has said the market is now dominated by a small group of large companies that are subject to financial controls and other industry-led mechanisms, such as the new voluntary accreditation scheme, which offers insurance products to be administered by the Australian Federation of Travel Agents from 1 July 2014.

The government has also said that existing company laws offer remedies, such as credit card chargebacks, and that voluntary insolvency insurance products provide sufficient regulation of travel agents and consumer protections. That might be the case for those who are purchasing online or purchasing without using travel agencies, but if we were to see the insolvency of any of the large providers that provide these sorts of services, there would be an even greater propensity for people to use online services rather than services of small businesses based in their communities, yet those businesses would have a greater understanding of what

their clients needed. By going down this path the government will encourage even more people to purchase their holidays online, and that will mean that our small businesses will suffer and people will have less trust and faith in travel agencies like Darebin Travel and Travel Desk International. Small travel agents will not be advantaged by this legislation.

From having worked in consumer affairs in the early 1990s, I understand, as I believe any consumer would, the weight of opinion and value that CHOICE as a consumer association brings to the area of consumer affairs. CHOICE is incredibly well regarded as the major body advocating on behalf of consumers in this country, and given the fact that it has opposed the government's proposed abolition of the Travel Compensation Fund and instead has advocated for its reform, I am surprised that the government and other conservative governments in other states have gone down this path. CHOICE has argued that chargeback is a piecemeal replacement for a compensation scheme, because not everyone pays by credit card. It is wrong for governments to promote high-cost debt payments as a form of mainstream consumer protection. A number of other members have talked about low-income families for whom the one great purchase they might make aside from the purchase of a property or a car may be a family holiday.

My electorate has many new communities, and on Australia Day in my electorate we welcomed many new citizens. When those families get together to return to their home countries to visit their loved ones they may be using a very significant proportion of their savings to do so, and losing that sort of money would be heartbreaking for them. We have seen that people who have received compensation payments, such as those who received a lot of cash after the bushfires, when they are very distressed often pay cash for a lot of things at that difficult time in their lives and then regret it later. Such people would also be impacted by this proposal of the government. Simply establishing a voluntary industry accreditation scheme with no compensation fund and no prudential oversight will do nothing to enhance consumer protection.

CHOICE released a submission on the draft plan and argued that the proposed changes fall well short of the minister's public commitment to enhance consumer protection and are likely to leave travellers out of pocket. Funds are being made available to consumer groups for advocacy and research, and funds have been provided to the Australian Federation of Travel Agents to assist in establishing its voluntary accreditation scheme.

I place on the record my acknowledgement of the work of the member for Preston. It seems that the whole time I have been in this place whoever has been the member for Preston, whether they have been on the frontbench or not, has been a champion of consumer rights. That is a credit to those who represent working-class areas and disadvantaged communities and consumers because they recognise the importance of appropriate consumer regulations and legislation that protects as broad a range of people as possible.

I again congratulate the Speaker on her accession to high office. In conclusion I reiterate that Labor opposes this bill because it disadvantages disadvantaged consumers. The minister and the government need to revisit this, and I urge those on the other side of the house, whether it be members of The Nationals or the member for Frankston, to consider joining the opposition in opposing this bill.

Mr HERBERT (Eltham) — Thank you, Speaker. I add my congratulations on your elevation to your position. It is good to have a member of the parliamentary poultry lovers bipartisan group in the chair! We have something in common, that is for sure, over and above politics.

However, I will now get to the bill. As we have heard others say, the bill repeals the Travel Agents Act 1986. It provides for the continued operation of the compensation scheme — that is, the Travel Compensation Fund (TCF) — for a limited period, and it makes consequential amendments to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998.

The big problem that we on this side of the chamber have with this bill relates to the scrapping of the TCF, which is basically a compulsory insurance fund that covers the consumer when a travel agent goes under — goes insolvent, goes broke and closes its doors — and there are people who have paid their money but who have not received their tickets and who are out of pocket. Our position is that this is quite a concern because the scheme has been a great safeguard for many people. The government, rather than repealing this legislation, should have reviewed and reformed it. We are not pro-regulation if it is not effective, but this is an essential piece of legislation, and our view is that it should have been properly reviewed. It should have been reformed, and those who need that protection should get it.

Of course we are not alone in that viewpoint. In particular, as many members on this side of the house have said, one of the biggest critics of the move to

abolish this important provision is CHOICE, which has argued that basically chargeback is a piecemeal replacement for the scheme, that not everyone pays by credit card and that it is wrong for governments to promote high-cost debt payments in the form of mainstream consumer protection. It is a weird kind of thing, is it not? The government says, 'You should get a credit card and put things on your credit card to get insurance'. I do not get that; it seems like a really retrograde step to me.

CHOICE, as I say, is a strong opponent of this bill. It argues that existing travel insurance products basically do not cover insolvency of travel agents, and there is doubt that other products will materialise if this bill is passed by this Parliament and this compensation scheme is abolished. CHOICE has no faith in a voluntary industry accreditation scheme without any compensation fund or prudential oversight, and it believes this legislation will do absolutely nothing to enhance consumer protection. We are on the side of enhanced consumer protection. We understand that there are many people — thousands of people, and I will go further into that statistic later — who save up for the trip of their lifetime and who have their dreams dashed because an agent goes under and they lose the money they have saved for so long to pay for their tickets.

It is hard to understand why this government is bringing this legislation in; it does not seem to benefit anybody, really. It certainly does not benefit those people. As has been pointed out by the shadow spokesperson, the member for Preston, tens of millions of dollars come from this scheme into consolidated revenue and the Treasury coffers. It is madness even on an economic scale for the government, which is always bleating about not having enough money to go around, to scrap that revenue stream. We do not say that the money should go into consolidated revenue; we say the scheme should continue and the money should go into tourism and consumer tourism protection measures, as well as advocacy and marketing.

This is a very bad move because it takes safeguards away from some of the most vulnerable people — those do not have credit cards and those whose credit cards have very low limits, and we have all been in that circumstance! This is particularly the case for the elderly and the young. Often young people want to travel but because of their income streams they cannot get credit cards with high limits. If my kids are any great example, I am very pleased by that, let me tell you!

The safeguards are important, as is this fund. You are in dire circumstances if you lose the money you have paid for your ticket. The other side of this is that people pre-purchase not only their travel but also their accommodation overseas, as well as internal and cheap flights. If you are a young person, you might go online and buy a ticket on one of the cheaper airlines — such as EasyJet in America or one of the European cut-price airlines — and then you might get your accommodation online. Of course if you lose your ticket, you often lose your deposit and all the other money you have paid. Many young people keep their credit cards exclusively for those costs. They will save up and pay for their airline tickets in cash. They will keep their credit cards with limited amounts for paying for incidentals as they travel and for accommodation.

Mr Watt — No, they don't.

Mr HERBERT — Many do; my children do. You often find it is a double whammy if they lose their tickets, because they are essentially losing the whole lot.

The other side of it is the increase in the use of debit cards. We have not heard much from the Minister for Consumer Affairs on this, nor from other members of the government. Many people nowadays have debit cards, which are not credit cards but which can be used to purchase airline tickets, accommodation and virtually anything else you want. There is no insurance product attached to that whatsoever. We are seeing a lot of changes in the way people are getting debit cards, particularly because the massive interest payable on credit cards is often prohibitive. What happens to those people once this fund has gone? Their safeguards will be completely gone also.

A few members have talked about their personal experience. I am still waiting for a response from the American United Airlines complaint line about a ticket I bought online. I got pretty poor service, and the ticket cost me a fair bit of money. I think it was six months ago that I put in my complaint to United Airlines, and I am yet to get a response; I certainly have not got a cracker back. I have no faith that there are other mechanisms around to get your money back in many cases.

As the member for Dandenong, a former Minister for Tourism, pointed out, the industry is going through quite substantial changes with many new players entering the market. These overseas agencies and companies have little knowledge of Australia, and people know little about them. It seems like a strange time to introduce legislation that takes away a

compensation fund when new entrants with little knowledge of the market are coming into the marketplace. They have a much higher likelihood of failure, as most new businesses coming into new countries have, so why would you bring this legislation into the house now?

This is not a small bill. This is a major industry, with \$9 billion worth of travel receipts going through Australia every year. A couple of billion dollars of that occurs in Victoria, and yes, half to two-thirds is on credit cards. A substantial number of people also use debit cards that do not attract any insurance because you do not pay your 3 per cent — pretty simply, you pay for what you get in life.

The travel industry is also growing. I was recently looking at some of the statistics. In 2012 a record 8.2 million residents left Australia's borders — that is, 31 out of 100 Australian residents are travelling overseas. That figure is up from 3.5 million residents travelling overseas in 2002. In a decade the figure has gone from 3.5 million to 8.2 million. That is the scope of the sort of compensation we see in this fund if it goes under — if this Parliament passes this bill. That is an awful lot of expenditure and an awful lot of people who will be impacted, and for what reason we cannot see.

We oppose this legislation. We think it throws the baby out with the bathwater and is unnecessary. The Travel Agents Act 1986 should have been reformed rather than repealed. This bill will create hardship for many people.

Ms GRALEY (Narre Warren South) — It is a pleasure to rise this evening to speak on the Travel Agents Repeal Bill 2013. I commend the member for Evelyn on her elevation to the auspicious and important role of Speaker in this house. It is an important role for us parliamentarians and the Parliament itself. I wish you well. I would like to put on record acknowledgement that you are the first Liberal Party woman to take on that role — well done.

The bill seeks to repeal the Travel Agents Act 1986, provide for a limited period for the continued operation of the Travel Compensation Fund (TCF) under the act and make consequential amendments to the Australian Consumer Law and Fair Trading Act 2012 and the Business Licensing Authority Act 1998. If this bill gets through, from 1 July Victorian travel agents will no longer have to be licensed.

As we heard from previous speakers, the member for Preston, who is the shadow Minister for Consumer Affairs, has provided members on this side of the house

with a forensic and detailed analysis and understanding of this bill. In his presentation he quite rightly suggested that whilst the industry needs some modernising it is not the correct thing to throw the baby out with the bathwater. As he said with great concern, the abolition of the TCF reverses the onus onto the more vulnerable. It puts more people at risk and allows the wealthy, who have high limits on their credit cards, to buy expensive holidays or a family holiday to Queensland and have the protection that comes with the use of a credit card. That is not something all people have.

It is of great concern to members on this side of the house that the most vulnerable will be affected. Day in, day out I am dealing with many people who are experiencing financial stress. It is the no. 1 issue in my electorate office. People find it very hard to pay their mortgage. When you speak with them one of the reasons they are having difficulty paying their mortgage is that they are having difficulty paying their credit card bill as well. That is not to say that they should not be able to have a holiday. They should be able to, and they should be able to have a holiday with the protection of knowing that if that wholesaler or retailer in the travel industry goes bottom up, they will be treated the same as every other person in Victoria who has access to a credit card with a large limit. They should be treated with the same dignity, access and support that other people have.

The travel industry has changed. It does need modernising. More people are travelling than ever. There is a vast array of experiences on offer. You only have to pick up the weekend newspapers and do one of my favourite things on a Sunday morning: get a coffee, read that travel section and imagine what it might be like to escape to another place to do lots of amazing things that in history only the privileged have been able to do. The world is certainly our oyster. I believe we are in a golden age of travel. As members have indicated, more people are travelling more often and doing amazing things.

It has been said a number of times already that this industry is worth \$9 billion to Australia, and you only have to go to the airport to see how busy it is. I flew up to Queensland a couple of weekends ago for a wedding, and I just could not believe the traffic going through the airport at that time. People from all sorts of backgrounds and from all sorts of groups in society were there. It does concern me that people have invested in their travel, and as other people have said, they are often planning the trip of a lifetime for their family. So many people in my electorate are taking their kids to Queensland to the theme parks or, if they are more fortunate, to Disneyland. Just imagine if they

had paid cash for that trip and the travel agent or the travel wholesaler had gone bottom up.

I note that this was not something that concerned all states, and that is obviously why this government is going gung-ho. But when a consultation position paper was put out about regulating travel agents in Western Australia it said in the executive summary that while many of the arguments for deregulation are persuasive — and they are — this process was opposed primarily because there was no equivalent to the compensation provided by the TCF if deregulation occurred. Western Australia was flagging this with every other state but, sadly, it was obviously outvoted and it has had to come out with some other proposition, which is why it put its paper out.

As the West Australian government said, the main reason was that it did not support the complete abolition of the fund. It disturbs me that this bill abolishes the fund, which we have already said is of concern to the most vulnerable and those at risk in our society. It does not replace it with anything that would allay the concerns of people who want to use cash when they go to a travel agent — and I am one of them. I am the sort of person who says I am not going to put the cost of my trip on a credit card. I was not brought up to pay for it later; I pay for it now. I go to the bank, I get the cash out and I walk over from the bank to the travel agent — —

An honourable member interjected.

Ms Asher — You'll get robbed!

Ms GRALEY — I hope I do not get robbed. I hope the streets of Melbourne are sufficiently safe that I do not get robbed when I cross from one side of the street to the other. But as I said, I get the cash out of the bank and I go across to my very pleasant, if not inspirational, consultation with my local travel agent and I pay him in cash. He likes it too. It is my little way; it suits me and it suits the travel agent, and it supports that industry, which is somewhat under threat from all the travel sites on the internet. But it is a good way of supporting small business, because that is what travel agents are. We hear a lot from the other side of the house about this. I ran a small business and I know how it works. It is nice to be able to support the other people in the street where you have your business and that is exactly what I enjoy doing, and I know lots of other people do too.

I will conclude by saying that CHOICE, the people's watchdog, agrees that it is not a good thing to abolish the fund. CHOICE says there is no evidence to suggest that there is a case for removing the ongoing prudential

oversight of the industry undertaken by the TCF. CHOICE is a very well respected organisation. It does a lot of work, it conducts studies that are very comprehensive. It has a very highly skilled research team and it is right on the ball with this.

Like others in this house, I am concerned that some credit card providers are charging up to 3 per cent when cards are used to buy an overseas trip. That is a lot of money when maybe you are taking a family of four or five with you. CHOICE is most concerned that this is pushing people — the vulnerable and those at risk who cannot afford to be paying high interest rates on their credit cards — into a situation where they use cards to pay for the trip of a lifetime.

As I said at the outset, Labor opposes this bill. I implore the minister to reconsider the situation. Lots of people like to go on holidays, but they would like to go on holidays with the peace of mind that if they have made a booking and something happens, the fun of going on a trip is not taken away from them and they do not go to bed at night worrying about whether they are going to get to the airport and get on that plane.

Mr DONNELLAN (Narre Warren North) — It is an honour today to make a small contribution to the debate on the Travel Agents Repeal Bill 2013. At the outset, as other opposition speakers have mentioned, I state that the Labor Party is opposing the bill. It is not so much opposing the bill per se; we support reform but with robust consumer protection. We are very much a party that has supported deregulation for an extensive period of time, whether that be in the labour market or the banking industry and the like, but we think this one falls short in terms of protecting consumers.

For many people the cost of overseas trips is a substantial personal expenditure. Many of them save for years to travel back to their home countries. They might take a couple of family members with them and spend \$30 000 to \$40 000 on their travel bookings. You would want to be reasonably certain you had some protection and that if you placed your money with an agent who is not honourable, you would have some protection. Unfortunately it looks as if we are heading down the path of assuming, as many speakers have previously said, that two-thirds of people purchasing overseas trips use credit cards and the other third are in many ways left unprotected, and that is a serious concern.

We have seen from Consumer Affairs Victoria (CAV) — or Treasury more so than anywhere else — a desire to remove unnecessary regulation, and that is very much a good thing. But if I relate that to consumer

protection in my portfolio area, there are proposals currently being put forward in discussion papers and the like in relation to removing roadworthy conditions for cars. That is not directly on the bill, but it is related to consumer protection. When people buy a car, which is a substantial personal expenditure — a bit like an overseas trip — it is important they have some confidence.

When you are purchasing a car, you want to make sure the car works, that its basics are solid and the like, and you would expect the same thing from your travel agent because of the system that has been set up over many years through the Travel Agents Act 1986. That system ensured that travel agents were required to keep a certain amount of money in cash and the like to ensure they could meet contingencies. Since 1986 the Travel Compensation Fund has paid out approximately \$60 million to various travel agents who have not been able to meet their bills.

On this side we are saying that, yes, reform is important and unnecessary regulation is undesirable, but also that protecting the consumer is the most important thing above all else. When I read the Consumer Affairs Victoria press release entitled ‘Consumer Affairs Victoria’s initiatives to reduce red tape’, I thought it read like the agency had bolted out of the gate before the race had started. The initial paragraph says:

This project will abolish licensing of travel agents and wind down compulsory membership of the Travel Compensation Fund —

the one I mentioned previously —

to reflect the evolution of the travel industry, and the development of new quality assurance schemes ...

I am not sure I would call them quality assurance schemes at this stage. Firstly, they have not begun operating, and secondly, there is no absolute certainty that they will operate well. If you are just asking people to join a scheme on a voluntary basis, my suspicion is that most people will not join up to such schemes on a voluntary basis. The Consumer Affairs Victoria press release goes on to say:

Travel agents would face lower costs because:

they would not have to comply with licensing requirements;

educational requirements for staff would be abolished —

I would have thought that would be reasonably concerning and that most travel agents would want their staff to be well trained —

businesses would not need to meet existing requirements to maintain membership of the Travel Compensation Fund, such as having accounts audited or maintaining excess capital reserves.

I think they are important protections that exist at the moment.

I know that travel agents would welcome the reduction in regulation. On the other hand, if you were a consumer and were not fully aware of this, I would have thought you would be a bit concerned. Further, having dealt with Consumer Affairs Victoria over many years in many ways, I believe it is understaffed for the job it has to undertake and the compliance regime it has to apply. This is not a reflection on the quality of staff there. Having dealt with them numerous times, I know they find it very difficult to keep up with the dodgy people in various industries — not just the travel industry but also other industries.

Consumer Affairs Victoria has indicated in the press release that it is going to provide assistance to businesses through what it calls ‘compliance assistance’. It says:

Small businesses often do not have the expertise in-house to fully understand their regulatory obligations. By providing compliance assistance for small businesses, CAV anticipates this free service would save traders time in getting up to speed unaided.

That is good; it is good to see Consumer Affairs Victoria helping business. However, its other role is very much to protect consumers. This statement is very much focused on reducing red tape but does not reflect anything to do with the agency’s name — that is, ‘consumer affairs’ and protecting consumers. We are assisting business, but I am not sure that we are protecting consumers.

The press release goes on to say:

... site visits would normally follow and support industry-wide education ...

If we have a voluntary scheme and people do not join it, then you have to assume there is limited education for travel agents. Yet Consumer Affairs Victoria — which is understaffed and limited in the number of people it can send out for compliance — somehow or other is going to have to get around to educating people and to providing industry support. I just do not believe it has the capacity to do that. That is not to have a go at the staff or public servants there; it is really a matter of there not being enough of them to undertake this job.

In my experience Consumer Affairs Victoria has fallen short in many areas, and that is largely because it is

understaffed. This has come from various people who work in the agency who have told me that themselves. The minister may beg to differ, but these are the internal experiences I have had with CAV, including dealings in relation to the smash repairs industry and with the voluntary codes of conduct which were established for the smash repair industry and the like. Unfortunately these really have not worked. I was partly involved with them, and sadly it is really just the fact that CAV does not have enough staff.

Labor will always support reform, but we very much want reform that is focused on protecting consumers. As I said previously in relation to vehicle roadworthy conditions, I am not convinced removing the requirement of a roadworthy condition for cars is going to provide protection for consumers, which is what this bill is about. More than anything else, it is not about that. We seem to have a developing trend whereby it is seen to be important to assist business. There is no doubt about that — that is who employs people and above all else that is very important — but while you are assisting business, you very much have to look at whether you are also protecting consumers. Basically, I think this bill fails the test. It does not protect 100 per cent of consumers. We might protect two-thirds through chargebacks in the credit card industry, but what about the other third? That is very concerning. I am happy to have made this short contribution and to say that we do not support the bill.

Mr BROOKS (Bundoora) — I appreciate the opportunity to contribute to the debate on the Travel Agents Repeal Bill 2013.

Speaker, at the start of this contribution I wanted to congratulate you on your election to the position of Speaker in this Parliament. I have known you for some years now in this place, and, like all members in this place, I am sure you will do a great job in the role of Speaker, acting in an impartial and fair way and enhancing the dignity and respect of this chamber. Congratulations to you on your elevation to that important role.

In relation to this bill the lead speaker for the opposition, the member for Preston, very eloquently and articulately set out the opposition's concerns, and I want to go to some of those concerns in my contribution. This bill effectively means that from July 2014 Victorian travel agents will no longer have to be licensed. As a result of the travel industry transition plan we will see the abolishing of the cooperative scheme for the uniform regulation of travel agents and the closing down of the Travel Compensation Fund (TCF).

The concerns the member for Preston raised relate to the reasoning of the government in relation to its introduction of this bill. The arguments that have been put forward in support of the bill relate to the increased use of online commerce in relation to purchasing products in the travel industry. The figure that has been provided to members is that two-thirds of the commerce in the travel industry now occurs online and only one-third occurs through direct payment. The government argues that a new voluntary accreditation scheme would offer some protection to consumers and that other measures — for example, credit card chargebacks and voluntary insolvency arrangements or products — would also offer some level of protection to consumers.

As has been pointed out, not all people agree with that overview put by the government. In its submission to the travel industry transition plan process of 2012 the respected consumer advocacy organisation CHOICE indicates quite clearly:

We are not convinced that the replacement initiatives proposed (such as private insurance and credit card chargebacks) will satisfactorily address the problem of consumer loss due to agent insolvency.

We therefore have a fairly respected independent organisation pointing out very clearly that it does not think the consumer safety mechanisms in the transition plan would be enough to protect consumers. CHOICE's first recommendation in that submission was quite clear. It was:

That the Travel Compensation Fund not be abolished as this will lead to significant consumer detriment.

The third recommendation of its submission was that:

Chargebacks and private travel insurance not be considered as viable proxies for consumer protection.

That has been a point that I think has been well made by speakers on this side of the house this evening. CHOICE's submission goes on to make a very important point in terms of the rationale for not supporting the changes that have been put forward by the government tonight. The submission points to the joint statement released by ministers for consumer affairs back on 3 June 2012. That statement said:

Ministers consider that modernisation of the regulatory framework for the travel sector needs to foster ongoing consumer confidence in the sector and enhanced consumer protection, business compliance and financial capacity, and competition and innovation.

CHOICE's submission makes the point that it is obvious from that statement that the ministers sought to

enhance consumer protection; they specifically used the phrase 'enhanced consumer protection'. CHOICE said:

This is of course important because the TCF's primary role is to 'underpin financial stability and consumer security in the Australian travel industry sector'.

It would therefore be unacceptable and contrary to the council's objective for the TCF to be abolished if it were to be replaced with an arrangement that does not enhance consumer protection.

It is on this basis that we object to the focus of the plan on an industry-led accreditation scheme for travel agents in her contribution as a possible successor to the fund.

CHOICE therefore put the argument very clearly, and it is one that I think would sway most reasonable people.

The argument of reducing regulatory burden, which has been put by the government, is one that governments of all persuasions are wont to support — but not when doing so compromises consumer protection. Review of legislation and regulatory arrangements to reduce the burden on business and to free up economic activity is an important part of the functions of government, but regulation exists for a purpose in most cases. It exists for protection, for safety and for a whole range of other reasons.

In this case, it provides protection to — according to these figures — about one-third of people who purchase their travel products using means other than the internet and credit cards. It is therefore necessary when we consider the argument about reducing regulatory burden that we also understand that it is important in some cases to have a level of regulation to ensure consumer protection, as it is in relation to this bill.

Coming to Parliament this week, I would not have guessed that this bill would have seen members of the Liberal Party and The Nationals displaying their born-to-rule, arrogant approach that we see them display in relation to so many other issues. I would have thought this bill would have involved a straightforward, technical debate. That attitude was demonstrated particularly in the contribution of the lead speaker for the government today, the member for Brighton. This government, the Napthine government, dysfunctional as it is, has little regard for consumers, which I think for many Victorians reflects a broader disregard.

The argument put by the member for Brighton in her contribution was effectively that because only one-third of travel customers are affected by the ripping away of this protection, it did not matter, that because travel costs were down — that because travel was cheaper in

her opinion — this change and this ripping away of protection did not matter, and that because we now have the internet and the world has changed, the regulatory framework should also change and this protection for one-third of travel customers should be ripped away. We on this side of the house are concerned about all consumers and want to ensure that this government does the right thing, is held to account and does not arrogantly remove protections that are important to many people.

I imagine that typically the sort of people we might expect to purchase travel products through direct payment as opposed to online purchases or who do not have a credit card are older people. Anecdotally — from what I have heard through communicating with people in my electorate — people who request to be communicated with in a non-online manner are typically older people who do not have access to the internet.

There are a whole range of reasons for that, but I think such people would be adversely affected by the changes that are being put forward in this bill. In addition, as the member for Eltham quite rightly said, many young people do not have the ability to access credit cards and some do not have a high enough limit on their credit cards to enable them to purchase travel products. The need for some people to purchase travel products with a direct payment method exposes them to the effects of the changes being put forward tonight by members of this government.

In conclusion, this bill rips away some important protections for consumers. The government has failed to make a coherent argument to support this legislation, and its members have failed to address concerns raised by consumer advocates and members of the opposition. It is notable that despite the personal objections that some members opposite might have, not one of them has bothered to get to their feet to rebut any of the positions put forward by members of the Labor Party, so I can only assume that either they agree with what we are saying or they are too weak to get to their feet.

Mr Newton-Brown interjected.

Mr BROOKS — The member for Prahran might wish to jump up and speak on this bill, but I suspect he will not. He will have the opportunity to get the call in 20 seconds. He will have that chance, but I doubt that he will do so. I do not think he has the ability to mount an argument on this particular bill. As I said, members of the opposition do not think this bill enhances consumer protection. We think it does the opposite, and that is why we will oppose it.

Mr PERERA (Cranbourne) — Before I make my contribution to the debate, I congratulate you, Speaker, on your elevation to the important office you now hold. You have made history by becoming the first female Liberal Speaker in this Parliament. Well done.

I wish to speak on the Travel Agents Repeal Bill 2013. Some of the government speakers have referred to this bill cutting red tape which is costing the whole travel industry between \$18 million and \$19 million. On the other hand government figures indicate that two-thirds of travellers are bypassing travel agents. As a result the government has calculated that total travel expenditure is \$27 billion and has conveniently claimed that two-thirds of it, or \$18 billion of transactions, bypasses the hands of travel agents, with only \$9 billion going through their hands. Even if I accept the two-thirds to one-third ratio with reservation, I cannot accept the ratio of \$18 billion to \$9 billion; it is not a matter of simple mathematics.

For the time being let us reluctantly assume that the government's ratio is correct. What is this Travel Compensation Fund that the government proposes to remove? The TCF monitors the financial position of travel agents and provides compensation to consumers who have suffered financial loss because their travel agent has failed to pay for travel or travel-related services provided on behalf of its customers. The minister said as much in the second-reading speech. The TCF provides insurance that protects air travel consumers from unsavoury operators. According to government figures presented to us, that protection is costing the whole industry \$27 billion, with only \$9 billion being contributed by people who buy their tickets through travel agents — that is, the whole industry is spending only 0.2 per cent on providing protection for consumers from whom the industry earns \$9 billion each year. On the balance of probability, is that fair and just?

In reality large volumes of domestic travellers bypass travel agents. Of course domestic travellers do so; however, I cannot imagine that that is the case for international travellers. So far I have not come across anybody who has organised all their international flights, accommodation and travel for a single tour without going through a travel agent. That is why I say that although high volumes of domestic purchases of lower value bypass travel agents, the bulk of high-value international travel purchases do go through travel agents, therefore the \$18 billion to \$9 billion travel purchase ratio is very doubtful. It should be much more than \$9 billion that is bypassing travel agents. It is true that sometimes people book accommodation through the internet and book their travel through travel agents.

They may book their domestic flights online, but they often book overseas travel with travel agents. The perception still exists that travel agents can package flights and accommodation to give customers a better deal than if those customers made their own bookings on the internet. I do not think a single first-generation migrant uses the internet to buy international tickets for their travel requirements.

Many travel agents advertise particular destinations in particular global regions. For example, we only have to take a look at any Indian language newspaper or magazine in Victoria to see how many travel agents offer special deals for India and South Asia. We could also take a look at any other Melbourne ethnic newspaper — a Greek language newspaper, for example — to see how many people operate in the travel market. We can readily observe how many travel agents operate in exclusive markets. If consumers are bypassing travel agents, how have the agents survived for so long and how can they advertise continuously? Yes, the world is changing and Victoria has changed. Melbourne is the multicultural capital of Australia, but I think members of the Liberal Party and The Nationals have not grasped the nature of multiculturalism.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Operation Newstart

Mr NOONAN (Williamstown) — I raise a matter for the Minister for Police and Emergency Services. The action I seek of the minister is that he meet with the leaders of Operation Newstart to determine how their award-winning program can remain viable after the decision by Victoria Police late last year to withdraw all ongoing operational support. I am sure the minister will be familiar with the activities of Operation Newstart, but I think it is important to place on record the value of its work. Operation Newstart is a unique program that has assisted more than 2000 young people since its establishment in 1997. The program has many important key partners, including the Department of Education and Early Childhood Development and, up until recently, Victoria Police.

Many of the secondary school-aged young people who have benefited from this program have been described as gifted but through a variety of circumstances they have fallen on hard times and dabbled in crime, drugs, alcohol or other antisocial behaviours. As such, many

drop out of school and potentially consign themselves to lives lacking hope or direction. That is why Operation Newstart matters to them. In the organisation's words, it aims 'to find the key to unlock the individual from his/her current situation and allow him/her to move on to the positive next phase in either their secondary schooling or post-secondary schooling stage'.

Such has been the success of the program that in 2010 Operation Newstart was recognised at a national level in the Australian Crime and Violence Prevention Awards. The citation stated that the tangible benefits of Operation Newstart programs are a reduction in court appearances, fewer indictable offences, fewer police cautions, higher school retention rates, better employment opportunities and a significant increase in training apprenticeships. This great work should be supported, but instead, in the words of Operation Newstart CEO Phil Wheatley, the program is now facing 'a perfect storm'. The withdrawal of Victoria Police support is one thing, but a grant of \$300 000 promised by the federal Labor government has been withdrawn by the Abbott government, inflicting a serious attack on the program.

The Napthine government must now step up. Let me remind government members of a statement the coalition made in a press release on the eve of the 2010 state election, where it pledged to do everything it could to boost school retention rates. It stated very clearly:

Schools may need additional support to run alternative programs for students at risk of dropping out of standard school programs.

That is why Operation Newstart matters. Sadly, the decision by Victoria Police to withdraw support has already resulted in the immediate suspension of the central Victorian and southern metropolitan programs. Now is not the time for the minister to duck for cover or handball this problem. I implore him to sit down and meet with the leaders of Operation Newstart and genuinely seek to understand how his government can help.

Melbourne International Comedy Festival

Mr NEWTON-BROWN (Pahran) — My adjournment matter is directed to the Minister for Tourism and Major Events, and the action I seek is that she provide funds to the Melbourne International Comedy Festival to assist with marketing and promotion.

The Melbourne International Comedy Festival occurs annually in March and April, and in 2014 the festival

will be held from 26 March to 20 April. It is the largest comedy festival in Australia and the second largest in the world. It showcases and celebrates the best of Australia's comic artists, nurtures and develops new work, and presents international comic talent. It is really one of the gems of Melbourne's events calendar. The festival presents a combination of stand-up comedy, theatre, cabaret, music, film and visual arts. The festival continues to attract national exposure and visitation. It strengthens Melbourne's position as the arts capital of Australia and also enhances Victoria's diverse annual events calendar during the autumn period. In my patch venues such as the Royal Botanic Gardens Melbourne and Chapel Off Chapel will be used to showcase performances that are part of the festival.

The Melbourne International Comedy Festival appeals to a broad audience, providing an opportunity to promote the event, alongside other attractions and events, to interstate visitors. This would provide them with greater incentive to visit Melbourne during March and April and also encourage greater expenditure from tourists already in Melbourne during the festival period. The festival has a core audience aged between 18 and 49, and most stay in Melbourne for one to three days. In 2013 the festival attracted over 630 000 attendees, confirming itself as Australia's largest ticketed cultural event. This represents an increase of over 12 per cent from the 2012 festival figures.

The Melbourne International Comedy Festival has boosted the profile of Australia's comedians and the local comedy scene and has launched the careers of many of our finest artistic talents and personalities. People such as Dave Hughes, Fiona O'Loughlin, Corinne Grant, Wil Anderson, Charlie Pickering, Josh Thomas and Tim Ferguson, one of my local constituents, are all home-grown comics who started at the comedy festival before developing their international careers. I occasionally correspond with Tim Ferguson on Twitter. He teaches comedy classes, and he assures me that if I bought his book and attended his class, he could make a politician funny as well. I look forward to doing that sometime in the future perhaps.

This funding will assist with the interstate promotion of the festival and will help to increase visitation by people from interstate so the festival will be able to continue to deliver and promote high-quality comedy shows featuring local and interstate performers and also attract the best comedy performers from across the world. I urge the minister to take this action.

School governance review

Mr BROOKS (Bundoora) — I raise a matter for the attention of the Minister for Education. The specific action I seek from him is that he release the review of school governance that his government has apparently been working on for some time. This dysfunctional government has failed to deliver a key paper on the review into school governance which was supposed to be released for comment before the end of term 4 last year. One would have hoped that it would have been released in time for communities and school communities to digest and respond to it by the end of last year, but here we are with schools back for 2014 and as far as I can tell we still have not seen this government's much-vaunted review into school governance.

The review included an internal report by the Department of Education and Early Childhood Development and also a report by the Victorian Competition and Efficiency Commission. Children have gone back to school. Last year we saw a media release by the minister in which he talked about multi-school boards and a range of other changes to governance structures, but this year school councils are starting to go back to do the important work they do in their local school communities and they are still none the wiser as to what the minister has planned for the structure of their school councils.

The government claimed that the review would develop new options for government schools, including more strategic governance models. The minister said that this would include an exploration of additional autonomy options for long-term high-performing schools, including the potential for the school governing body to employ principals, manage principal performance and be more flexible in determining teacher career structure within the school. I think we know what it means when we have the Liberals and Nationals talking about more flexibility!

The government talks about lifting standards, but it has shown that it cannot deliver on its own basic commitments. We on this side of the house know, and the Victorian community has become only too aware, of this government's track record in education. It has made over \$625 million in cuts to the education system, and over \$300 million a year has been ripped out of TAFEs. One of the great programs this government has damaged is the Victorian certificate of applied learning, with \$48 million taken out of that important program.

Victorians are becoming increasingly aware that this government is using the cover of school autonomy to

make cuts and remove support from Victorian schools. They are sick of excuses from this government, particularly when it tries to cover up its own education failures. This single piece of incompetence from this government and this minister should be addressed. I ask the minister to come into the house and say when he will release his paper.

Anti-Semitic graffiti

Mr SOUTHWICK (Caulfield) — I rise tonight to raise an issue for the Minister for Crime Prevention. The matter I wish to address is the growing anti-Semitic graffiti problem that has arisen in my electorate of Caulfield, particularly over the summer period. The action I seek is for the minister to visit Caulfield and meet with local community leaders to discuss practical ways to address this alarming problem.

One of the great things we can be proud of in Victoria is our tolerance and acceptance of others. For many years Victoria has been a leader amongst the states when it comes to multicultural and ethnic community engagement. Much of the success of our state and country can be attributed to migrants who have come here seeking opportunity, the ability to contribute and the ability to make our home their home. The Jewish community, which has many migrants, is no exception, with many of its people having fled Warsaw and Germany to then make significant contributions to this great state.

It is therefore disappointing and saddening that, despite all the great work done by all political parties and many Australians, in the year 2014 I must stand before this Parliament and report an unjustified and continued attack on an ethnic community. In a five-week period over summer my electorate saw a big spike in anti-Semitic graffiti. Up to 20 incidents were reported, and in some cases there were reports of targeted attacks with a prepared sticker sporting the words 'F... Israel' alongside a Nazi swastika.

I am very proud of the coalition government's contribution of \$120 000 to assist the Community Security Group (CSG) in providing security at our Jewish day schools, synagogues and community events. The CSG has been active in monitoring graffiti and has been working closely with Victoria Police to continue to act swiftly and cooperatively.

A report recently published by the Executive Council of Australian Jewry on anti-Semitism in Australia suggested that there had been a 20 per cent increase in total reports of physical anti-Semitic attacks. The report also concluded there had been a 77 per cent increase

from the previous year's average in graffiti reports. Reported incidents include anti-Semitic graffiti painted on a car belonging to a Jewish family in my electorate. Graffiti with the words 'Die Jews' was painted on private property in Melbourne, and swastikas with the words 'Hitler's Nazi master plan' were spray-painted at Melbourne University in May 2013.

I ask the minister, who has been proactive in promoting graffiti removal programs and crime prevention in his portfolio, to once again visit my electorate to talk to community leaders to see what we can do to address this alarming problem so we can remove this ugliness from our streets as soon as practically possible.

Southport Community Housing Group

Mr FOLEY (Albert Park) — I take this opportunity to congratulate you, Speaker, on your promotion to the position you now hold. I also say well done to the member for Caulfield. The issue he just raised is also an issue in my community and in others. All strength to his arm.

The matter I wish to raise is for the attention of the Minister for Housing. I seek the minister's urgent and immediate support for the Southport Community Housing Group's plans to secure the future of 31 low-income units in Emerald Street, South Melbourne, currently tenanted by 29 elderly long-term residents, many of them frail, ill and at risk. I do so because these tenants have been given their eviction notices. All of them face homelessness after being served these eviction notices by their landlord and property owner, the George Vowell Foundation.

The issue should come as no surprise to the minister. She and her department have been well aware of this matter for close to a year, as the Southport Community Housing Group has been working tirelessly to secure these properties for these tenants. I wrote to the minister last week to alert her to the urgency of the situation, given that these tenants have been given their eviction notices. So that the minister is clear as to the scale of the totally avertable catastrophe she has allowed to occur on her watch, I feel the need to put a few facts on the record.

This estate in South Melbourne has been run by the George Vowell Foundation since the late 1970s. The foundation plans to auction 31 affordable housing places with vacant possession. Father Bob Maguire, the long-term next-door neighbour of the tenants at this estate, has called on the minister to step in and save these residences. In the *Caulfield Glen Eira Leader* Father Bob is quoted as saying:

I know what it is to be evicted myself. It sucks all your energy ...

These people have created their own little village, and they are elders; they deserve stability and respect.

I could draw the house's attention to several examples, but I will just draw on one particular case. Stamatoula Janceva is distraught over her looming eviction. The 60-year-old, who suffers multiple health complaints, had just settled into her first stable home after six months of being homeless when she heard the news. It was a devastating shock. There is also Brian Redpath, almost 75 years old, whose doctors have given him six months to live. He has blood cancer and a dicey heart, and the chemotherapy he had two years ago for a malignant tumour has ravaged his body. There are multiple other examples. Some of these tenants are over 90 years old. Some of them have lived there for over 20 years. The minister needs to step up, partner with the Southport Community Housing Group and the City of Port Phillip, and act to save the homes of these residents and these long-term low-income units.

Mildura electorate bushfires

Mr CRISP (Mildura) — I raise a matter for the attention of the Minister for Agriculture and Food Security. The action I seek is for the minister to outline what assistance is available to those land-holders adjoining government land who lost fencing during the recent bushfires. In January my electorate had major fires at Wyperfeld and Bronzewing. The Wyperfeld fire was very large and ran for over a week and on several fronts and sectors around Lake Albacutya and parts of Wyperfeld. The areas it ran through included Paradise Reserve, which is part of the Nypo, Bullygall and Wirrengren sectors — these are all local names — and that demonstrates its size. Largely due to the great work of firefighters, the fire was contained to the national park but considerable boundary fences were lost. Day after day the fire also laid siege to the tiny village of Yaapeet. I admire the strength of that community for the great work its members did in both their private efforts and in supporting the firefighters while being under so much pressure for so long.

The fire in the Bronzewing reserve burnt for several days and burnt out most of it. Two boundary fences were lost and affected families are seeking reassurance that there will be government support to make repairs. Mr Scott Anderson, whose family has lived on a property adjoining the Bronzewing reserve for 103 years, noted when he met with the Minister for Agriculture and Food Security in Ouyen a week after the fire that his family records show that this was the first time that the reserve has ever been burnt out by

bushfire. Mr Martin Fyfer also lost considerable boundary fencing. Both men are anxious to know whether cost sharing is available on fencing work so that they can start planning repairs. They are both grain and livestock farmers who want to get on with the fencing before the cropping season begins.

As an aside, I note that the Mildura to Melbourne rail line lost over 6000 sleepers over a distance of 9 kilometres in the fire, and it was estimated that it would take until 10 February to fix it. The large amount of Mildura produce, including table grapes, cotton and some other goods, that needed to be shifted by rail demanded a more rapid fix. Thanks to the efforts of ministers for Public Transport, Regional and Rural Development and Agriculture and Food Security, the work of the Department of Environment and Primary Industries teams, particularly VicTrack, as well as the work of the men who went out there and worked on it, the track will now open tomorrow.

The action I ask for is that the minister provide details on how government policy will be implemented for those people in my electorate who have lost boundary fencing.

Wedge–Dandenong–Frankston roads, Carrum Downs

Mr PERERA (Cranbourne) — I raise a matter for the attention of the Minister for Roads. The action I seek is for the minister to fund the construction of traffic lights at the intersection of Wedge Road and Dandenong–Frankston Road, Carrum Downs, as a matter of urgency.

In the lead-up to the 2010 election the then Labor government pledged \$6.6 million for the installation of traffic lights. The Minister for Roads, the former Premier, the member for Hawthorn, and the member for Carrum know this very well. When this issue was raised at a 2012 Diwali function held at the Carrum Downs temple, I clearly explained the \$6.6 million pledge to the member for Carrum, but she pretended to be ignorant of it. I know the member for Carrum is panicking because after the redistribution she is more likely to be political history than not — —

The SPEAKER — Order! This is an adjournment debate; it is not an opportunity to attack another member.

Mr PERERA — I am just outlining the history of this matter. That was not an excuse for the member for Carrum to stoop to very low levels by distorting the history and presenting false and misleading information

to this chamber during the last adjournment debate of 2013. Both the Minister for Roads and the member for Carrum made appalling and misleading statements by saying that I, as the member for Cranbourne, did nothing to improve this intersection. I have risen in this place 19 times to seek the installation of traffic lights.

As part of its 2010 election commitments, Labor announced \$6.6 million for this intersection. I thought then that my hard work had paid off. I have also formally submitted petitions in this place containing over 1100 signatures which call for the improvement of the intersection. The Minister for Roads knows very well the work that I have done. On 12 October 2011, in response a question on notice from me, the minister said he had sought and received advice from VicRoads regarding the installation of traffic lights at the intersection of Wedge Road and Dandenong–Frankston Road. After two years, the minister's response to the adjournment matter raised by the member for Carrum is to just visit the place and look at the intersection. If members ever visit this intersection and take propaganda photos, I ask them please not to cover my signpost calling for the intersection to be improved; it has been sitting there for a long time.

I cannot understand how a minister of the Crown with a long career in this place and having all the facts and history at hand would get information from VicRoads and then seek to deliberately mislead this house by saying that I, as the member for Cranbourne, did nothing and then pretend that he knows nothing about the intersection and therefore needs to inspect it. What a load of rubbish. I ask the minister to allocate the funding in the next budget and get this done before he gets voted out of office.

Bentleigh electorate councils

Ms MILLER (Bentleigh) — Speaker, I take this opportunity to sincerely congratulate you on your appointment. I direct my request to the Minister for Local Government and ask that she come to the Bentleigh electorate to visit the Glen Eira City Council, the Kingston City Council, the Bayside City Council and other community sites in the electorate. The Minister for Local Government will have an opportunity to meet with the mayor of each council to discuss local government matters and also have a face-to-face meeting with representatives of these councils. It is also an opportunity for the minister to visit the Bentleigh library to meet with head librarian Jack Drajkopyl as well as visit other community sites across the electorate.

The Napthine coalition government provides local government with funding for multiple projects across the Bentleigh electorate in order to service the community. These improvements to the area demonstrate that the coalition government is delivering for Bentleigh and building for the future. These initiatives are building not only a better Bentleigh but also a better Victoria. We currently have many initiatives and upgrades taking place in our communities, including funding for grants for improvements to our local kindergartens, a pavilion upgrade at Centenary Park in Bentleigh East, which will benefit our community sporting clubs, and a Shop Local in Bentleigh initiative to keep small business strong. Due to the electoral boundary redistribution which takes effect from November 2014 this visit would also present an opportunity for the minister to meet with the mayor of Bayside City Council, which is a council new to my electorate as a result of this redistribution.

The Bentleigh community is home to many schools, kindergartens, parks, sporting clubs and small businesses. I call on the minister to visit our strong, community-focused electorate. The action I seek is for the minister to come to the Bentleigh electorate and visit the Glen Eira, Kingston and Bayside councils to meet with the mayor of each council and to explore the Bentleigh area and all it has to offer.

Littlecroft Avenue, Narre Warren South, bus terminus

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Public Transport. It concerns bus routes 847 and 892 in the electorate of Narre Warren South. The action I seek is that the minister direct Ventura Bus Lines and Cranbourne Transit to cease using a bus stop located on Littlecroft Avenue, Narre Warren South, as a terminus. I have previously raised this matter with the minister on behalf of James and Kathryn Gilluley. James and Kathryn live on Littlecroft Avenue and have contacted my office regarding their concerns about a bus stop located next to their property.

In an email addressed to me dated 19 December 2011, James wrote:

... the 847 and more recently the 892 use Littlecroft Avenue as a terminus, and during each stop they will wait for up to 20 minutes, usually 15 to 17, with the engine running.

He further added:

The end result is that in any 1-hour period there will be a bus sitting there, engine running, for a cumulative total of up to 45 minutes.

This is a most distressing and uncomfortable situation for James and Kathryn.

I wrote to the minister on their behalf, and in his response dated 6 March 2012 the minister advised me that Cardinia Transit had relocated the route 847 terminus from near Mr Gilluley's house to a bus stop across the road and 80 metres further west. The minister also advised me that Cardinia Transit removed route 892 from the shopping centre car park and relocated its terminus to Narre Warren-Cranbourne Road. Remarkably this was a very satisfying response from the minister, and it should have been the end of this story. Unfortunately this is not the case.

Earlier this week, James forwarded me an email he had sent to the minister explaining that Ventura Bus Lines and Cranbourne Transit buses were again stopping outside his house. James wrote:

The breaches have now got to the stage that we can no longer rely on the bus companies to stop them. We now can have some stays of up to 20 minutes ...

James and Kathryn have contacted the bus companies, they have spoken to the bus drivers and they have got nowhere. They have spoken to the minister's office as well. The buses continued to stop right next to James and Kathryn's property with their engines running. In fact the buses sit just outside James and Kathryn's bedroom. For this to be happening well before 6.00 a.m. until late at night every single day is simply unacceptable. No-one should be forced to endure the constant noise and air pollution these buses create. New terminuses have been established for routes 892 and 847, and they should be used.

Ventura Bus Lines and Cranbourne Transit run good services and are usually cooperative in dealing with the concerns of members of the public. It is a pity the minister will not help them to expand their services in the new parts of Narre Warren South. I ask the minister to take immediate action and direct Ventura Bus Lines and Cranbourne Transit to cease as soon as possible using the bus stop in Littlecroft Avenue, Narre Warren South, as a terminus.

Cann Valley Bush Nursing Centre

Mr BULL (Gippsland East) — I raise a matter for attention of the Minister for Health. The action I seek is that he travel to the east of the state to visit and officially open the state-funded Cann Valley Bush Nursing Centre redevelopment.

Members of the house, particularly those representing rural areas, would well know that bush nursing centres

play a critical role in regional communities. This is particularly true in East Gippsland, not only at Cann River but also at locations like Swifts Creek, Buchan, Gelantipy, Dargo and Ensay, which are all rural and remote communities.

Because East Gippsland is a region often ravaged by fire and floods — and we are seeing fires in the area at the moment — bush nursing centres play a vital role in our communities. The reality is that the township of Cann River is situated in the middle of one of the most fire-prone areas in the world and on a river that sees major floods that cause significant damage to the township whenever they occur.

The facility in Cann River, which has been named the Cann Valley Bush Nursing Centre to better reflect the area it covers, has recently undergone a significant renovation that was undertaken with state funds. For members who are unaware of the location of Cann River, it sits in the far east of Victoria about an hour from both Orbost and Mallacoota. In remote locations such as Cann River, the services provided by bush nursing centres are certainly needed and much appreciated by the community. At bush nursing centres remote area nurses work closely with the community providing valuable advice on healthy living and preventing chronic disease, and other visiting services operate out of these centres. For instance, when I visited the Cann Valley Bush Nursing Centre last year I was made aware of some of its additional services. The centre has regular GP services but also things like visiting dentist and counselling services.

The completed renovations at this facility will not only provide better premises from which to offer all of those services but will also provide a far better working environment for its staff. Just over 12 months ago I was delighted to visit the centre and announce funding of over \$41 000 for new medical equipment at Cann River. This included a sterilisation unit, a medical trolley and a defibrillator carry case. Members of the local community made it well known to me on that occasion that they appreciate the valuable services provided by the bush nursing centre.

I invite the minister to come to the far east of the state, which does not see a lot of ministers, I must admit, and officially open the renovated Cann Valley Bush Nursing Centre.

Responses

Mrs POWELL (Minister for Local Government) — The member for Bentleigh has asked me to visit a number of councils in her electorate. The councils are

Glen Eira, Kingston and Bayside city councils, which will become part of her electorate at the coming election due to the redistribution of electoral boundaries. The member has also asked me to visit some other community sites, including the Bentleigh library, to meet with its head librarian. I advise the member that I have just announced round 4 of the Living Libraries infrastructure fund. This fund has made almost \$4.8 million available for libraries around the state. If members have libraries in their electorates that need to be upgraded, have new branches or require a mobile library upgrade, they should encourage their councils to submit applications now so they can be considered for round 4.

As I said earlier, the member for Bentleigh also asked me to meet with Bayside City Council. As I said, this council will become part of the member's electorate at the coming election, but it also sits in the electorates of the members for Sandringham and Brighton. When the member for Bentleigh and I meet with the council, I will be sure to invite the members for Sandringham and Brighton to attend that meeting.

I am happy to work with the member for Bentleigh, whom I know is a very hardworking member of Parliament. She works really hard with councils, and I know her councils think she is doing a great job. I am happy to work with them and to meet the mayors, as I am happy to do at any time. Mayors are the representatives of their communities, so I enjoy meeting with mayors from councils around Victoria. I advise the member for Bentleigh that if my department can work with her office and with the offices of the other people concerned, I am sure we can organise a time that is suitable to all of us for me to make that visit.

Mr WALSH (Minister for Agriculture and Food Security) — I rise to respond to the issue raised by the member for Mildura in relation to the government program for assisting farmers with fences that were destroyed by bushfires. I refer the member for Mildura to the Department of Environment and Primary Industries (DEPI) website. All the information is there on the home page. It is at the front so that people can download the information. It sets out very explicitly the obligations that the government will carry out, stating that the government will pay 100 per cent of the restoration costs of fences damaged on private land as a result of machinery belonging to fire agencies in controlling bushfires. We will also meet half the cost of materials for boundary fences between state parks, national parks and state forests if they have been destroyed by bushfires.

This is a policy that I think as a government we can be very proud of. This was not done before we came to government. We gave a commitment to do this, and it is being done. There will be the rehabilitation of fire lines which have been constructed by agencies during bushfire emergencies — and if a fire happens to get away from a planned burn, DEPI will replace the fences and the assets that are destroyed. I encourage the member for Mildura to refer his constituents to the DEPI website. We made sure the information is on the front page so that people can look it up and access that assistance from the government.

Mr DIXON (Minister for Education) — The member for Bundoora raised an issue regarding the governance review of schools. I would like to say to the member that after discussions with our stakeholders — and this is a government that listens to its stakeholders — it was suggested that the issuing of a governance paper at the end of a school year would not enable it to receive the attention and the work that was needed, given the importance of the paper. I listened to that, and saw it as a very reasonable point of view. We said we would accede to the request and release the governance paper early this year.

It is worth reminding the member, who was asking me why it is not out now when the next year has started, that this is not the sort of issue that schools want to tackle at the moment. Having been a principal myself and from talking to schools I know that this is the last thing you want when students have not even been back a week. There are a whole range of issues with school starting, including a whole lot of administrative issues, and schools do not need that sort of impost in the first few days of the year. In accordance with the wishes of the stakeholders, who made their point very clearly, we will be releasing that important governance paper very soon. In practical terms, that is the right way to go.

As part of his contribution, the member said that this government had cut education spending. According to the accounts of this government, and the Auditor-General who looked at them, we have increased spending on education. When I compare the outputs of the last budget of the previous government in school education with our budget of 2013–14 in education, I see there has actually been an increase of more than half-a-billion dollars — that is, \$554 million more has been spent in education by this government. There have not been cuts to education. In a bit of late news to the member, seeing that he mentioned the Victorian certificate of applied learning (VCAL), the 2013 figures have just come out —

Mr Foley interjected.

The SPEAKER — Order! The member for Albert Park is out of his place and disorderly.

Mr DIXON — And wrong! Despite those opposite saying that it was the end of the world as we know it in relation to the changes in VCAL funding, we had a record number of schools and providers — and students — taking up VCAL last year. The member needs to check his facts before he just gets up and says things that he thinks people will believe. This government listens to schools, it listens to its stakeholders and it has increased education spending in every single budget since it came into government.

Ms ASHER (Minister for Tourism and Major Events) — The member for Prahran raised the issue of the Melbourne International Comedy Festival and requested funding to help market the 2014 festival, which will be held from 26 March to 20 April.

Mr Eren — Are you going?

Ms ASHER — I get enough comedy in here, mate, don't worry about that! The member for Prahran well understands the economic benefits that result from this event, particularly the significant flow-on on business for the local hospitality, accommodation and retail sectors. Some of the relevant venues are of course in his electorate. I am delighted to advise the member that the coalition government, through Tourism Victoria events program funding, will provide \$50 000 to assist the comedy festival in increasing visitation and event-related economic yield.

The festival is a signature Melbourne event that attracts thousands of local, interstate and international performers and visitors each year. Last year this event attracted over 630 000 attendees. The funding will be directed to intrastate and interstate marketing through television, radio and print advertising. It will also assist in promoting dining and accommodation packages. Again, the member is constantly promoting dining and accommodation in his own area, which is a terrific area for the tourist trade. The funding also provides an opportunity to promote the festival alongside other events in March, such as the Melbourne Food and Wine Festival, the Virgin Australia Melbourne Fashion Festival, the formula one grand prix and the Melbourne International Flower and Garden Show. I thank the member for Prahran for his advocacy for this event, and I am delighted to advise him of this funding.

Mr MULDER (Minister for Public Transport) — The member for Narre Warren South raised an issue with me in relation to bus routes 847 and 892, which are serviced by Ventura Bus Lines and Cranbourne

Transit. The member wrote to me in relation to concerns raised by residents of Littlecroft Avenue in Narre Warren South who had buses idling outside their properties. As a result of that inquiry I acted and we had that bus stop relocated because it was causing problems for people living at that location. It is news to me, but I understand that the problem has returned. What I will do is go back to Public Transport Victoria to find out why the buses are idling at that location when the stop was relocated because of this problem. When I find out from Public Transport Victoria the outcome of its investigation I will get back to the member for Narre Warren South.

An honourable member — Idling buses for an idling minister.

Mr MULDER — On this side of the house, mate.

The member for Cranbourne raised an issue with me in relation to the intersection of Wedge Road and Dandenong-Frankston Road in Carrum Downs. Last week I visited the Wedge Road intersection with the member for Carrum. She had raised this issue with me and asked whether I would come out with her and personally meet the local regional manager for VicRoads there so we could look at this intersection that has been causing concern for residents for many years. Nothing at all was done about this particular intersection by the former government other than a panic commitment to do something about it on the way out the door in 2010.

Everyone on this side of the house knows well that the member for Carrum is a doer not a talker. She has pushed very hard for something to be done at this location. I have asked VicRoads to undertake further investigations as to whether traffic lights, a major roundabout or road widening would be most appropriate. VicRoads is undertaking that work for me as I speak. It will then be in a better position to determine what the best outcome is for this location.

While I was visiting Wedge Road I looked over my shoulder and it was interesting that there was a massive sign on a fence, and it looked quite new to me. It read 'Dr Naphthine fix this particular crossing'. I do not think that sign was there during the years of the Labor government; I do not think such a sign existed. I think it was erected very recently by a member who is panicking over the fact that his constituents would know that during eight years in Parliament — —

Mr Noonan — On a point of order, Speaker, when the member for Cranbourne was on his feet you pulled him up in relation to attacking another member of this

place. The minister was not in the house at the time, but I think his actions are exactly the same. It would be appropriate for you to draw him back to simply responding to the matter raised by the member for Cranbourne.

The SPEAKER — Order! The words used by the member for Cranbourne were very different from the words used by the minister. I ask the member for Williamstown to check *Hansard* tomorrow; he will see the difference. I ask the minister to finish answering.

Mr MULDER — As I was saying, we are very concerned about this particular intersection. In a very short period of time the member for Carrum looked at it, studied it, talked to the local community, got me out there and got VicRoads out there. We understand there is an issue. We are undertaking some of the investigations as I speak, and we will have further to say on this particular matter going forward.

Mr Walsh — On a point of order, Speaker, the government has been very responsible in bringing ministers into the house to answer adjournment matters. I must admit I am disappointed with the reaction from members on the other side of the house with the heckling and interjections that have been going on tonight when there is this commitment to come and answer adjournment matters from both government and opposition members of Parliament. The ministers deserve respect from the opposite side of the house as well as from this side of the house.

The SPEAKER — Order! The minister's point is noted.

Mr Foley — On a point of order, Speaker, it is a little bit disingenuous for the Minister for Agriculture and Food Security to be raising that matter given the interplay we saw from senior members of the government benches in some of their contributions in the adjournment debate tonight. Allowing for the normal free flow of debate in this place, the minister's contribution tonight speaks more about the day he has had than the substantial issues in this place. With the greatest of respect to the Minister for Agriculture and Food Security, his point of order does not have any substance. The normal interplay between the sides of this house, within reasonable limits, has not been anything other than appropriate. The minister should toughen up.

The SPEAKER — Order! I thank the member for Albert Park for his contribution. I am trying to fit it into the point of order. I note the minister's comments. I will

check *Hansard* tomorrow and ensure that we look at the adjournment debates for the rest of the week.

Mr R. SMITH (Minister for Environment and Climate Change) — The member for Albert Park raised a matter for the Minister for Housing regarding Southport Community House, and I will take that issue to the minister.

The member for Gippsland East raised a matter for the Minister for Health asking him to visit the Cann Valley Bush Nursing Centre.

The member for Caulfield raised a matter for the Minister for Crime Prevention regarding some anti-Semitic graffiti in his area. I am sure that matter will be taken very seriously by the minister.

Finally, the member for Williamstown raised a matter for the Minister for Police and Emergency Services with regard to Operation Newstart. It is worth mentioning in this house that amongst the ranks on this side of the house we have a founding facilitator for Operation Newstart. The member for Gembrook was a founding facilitator in the south-east, where he did some amazing work with young people. His interest in young people continues to this day. He deserves our respect for the work he has put in in the past.

The SPEAKER — Order! The house is adjourned until tomorrow.

House adjourned 10.44 p.m.